

a petition to revoke will not automatically stay the effectiveness of the transaction. Petitions for stay must be filed no later than April 27, 2007 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35016, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Thomas F. McFarland, 208 South LaSalle St., Suite 1890, Chicago, IL 60604-1112.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: April 13, 2007.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E7-7590 Filed 4-19-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35015]

#### **Kaw River Railroad, Inc.—Lease and Operation Exemption<sup>1</sup>—BNSF Railway Company**

Kaw River Railroad, Inc. (KRR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to lease from BNSF Railway Company (BNSF) and operate approximately 14.66 miles of rail lines located in BNSF's Bedford Yard and the Bedford Industrial Park, in North Kansas City, MO, as follows: Track Numbers 1601 through 1605, including associated lead Track Numbers 1 through 10 coming off of Track Number 1606, and Track Number 1606 starting on the west end from the clearance point of the switch with Track Number 1502. In conjunction with the lease of these rail lines, KRR will acquire incidental, restricted overhead trackage rights over a 1.52-mile BNSF rail line located between the Bedford Yard and the Kansas City Southern Railway Company (KCS) track leading to KCS's Knoche Yard via the ASB Bridge, in North Kansas City.

KRR certifies that its projected annual revenues as a result of this transaction will not result in the creation of a Class

II or Class I rail carrier and will not exceed \$5 million.

The earliest this transaction may be consummated is the May 6, 2007 effective date of the exemption (30 days after the exemption was filed).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction. Petitions for stay must be filed no later than April 27, 2007.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35015, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Karl Morell, 1455 F Street, NW., Suite 225, Washington, DC 20005.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: April 12, 2007.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E7-7544 Filed 4-19-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-6 (Sub-No. 452X)]

#### **BNSF Railway Company—Abandonment Exemption—in Clinton and Marion Counties, IL**

BNSF Railway Company (BNSF) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon approximately 1.05 miles of rail line, extending between milepost 13.97 and milepost 15.02, near Centralia, in Clinton and Marion Counties, IL.<sup>1</sup> The line traverses United States Postal Service Zip Code 62801.

BNSF has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line will be rerouted; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of

such user) regarding cessation of service over the line either is pending with the Surface Transportation Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 22, 2007, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by April 30, 2007. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by May 10, 2007, with: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to BNSF's representative: Sidney L. Strickland, Jr., Sidney Strickland and Associates, PLLC, 3050 K Street, NW., Suite 101, Washington, DC 20007.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

BNSF has filed a combined environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by April 27, 2007. Interested persons may obtain a copy of the EA by writing to

<sup>2</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>3</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,300. See 49 CFR 1002.2(f)(25).

<sup>1</sup> The original notice did not include "operation" in the title. Because it is clear that KRR will also become the operator of the leased lines, the title has been revised accordingly.

<sup>1</sup> In a letter filed on April 5, 2007, BNSF clarifies that its use of MN in the headings of the notice is a clerical error, and that MN should be replaced with IL in the headings, as is consistent with the use of IL or Illinois in the text of the notice and newspaper publication.