

trackage rights to expire on or about May 16, 2005, in accordance with the agreement of the parties,<sup>3</sup> subject to the employee protective conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

**DATES:** This exemption will be effective on March 31, 2005. Petitions to stay must be filed by March 11, 2005. Petitions to reopen must be filed by March 21, 2005.

**ADDRESSES:** An original and 10 copies of all pleadings referring to STB Finance Docket No. 34417 (Sub-No. 3) must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of all pleadings must be served on petitioner's representative: Robert T. Opal, 1400 Douglas Street, STOP 1580, Omaha, NE 68179.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1609. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339].

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: ASAP Document Solutions, 9332 Annapolis Rd., Suite 103, Lanham, MD 20706. Telephone: (202) 306-4004. [Assistance for the hearing impaired is available through FIRS at 1-800-877-8339.]

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

Decided: February 23, 2005.

By the Board, Chairman Nober, Vice Chairman Buttrey, Commissioner Mulvey.  
**Vernon A. Williams,**  
*Secretary.*

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1180.2(d)(8). See *Union Pacific Railroad Company—Temporary Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company*, STB Finance Docket No. 34417 (Sub-No. 2) (STB served Jan. 6, 2005).

<sup>3</sup> The original trackage rights granted in *Union Pacific Railroad Company—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company*, STB Finance Docket No. 34417 (STB served Nov. 3, 2003), extended between BNSF milepost 114.5 and BNSF milepost 117.0 near Endicott, NE, a distance of approximately 2.5 miles. By decision served December 8, 2003, in STB Finance Docket No. 34417 (Sub-No. 1), the Board granted an exemption to permit the trackage rights granted in STB Finance Docket No. 34417 to expire. At that time, it was anticipated by the parties that the rights would expire on or about October 15, 2004. However, this authority had not been exercised at the time of filing of the notice of exemption in STB Finance Docket No. 34417 (Sub-No. 2) for the additional local trackage rights.

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34664]

#### Keokuk Junction Railway Co.— Trackage Rights Exemption—Union Pacific Railroad Company

Union Pacific Railroad Company (UP), pursuant to a written trackage rights agreement entered into between UP and Keokuk Junction Railway Co. (KJRY), has agreed to grant overhead trackage rights to KJRY between Hollis, Peoria County, IL (milepost 118.5), and Iowa Junction, Peoria County, IL (milepost 113.6), a total distance of approximately 5.0 miles. KJRY will operate its own trains with its own crews over the UP line under the trackage rights. The purpose of this transaction will be to allow KJRY to interchange traffic with the Tazewell & Peoria Railroad, Inc. (TZPR), by bridging KJRY trains from Hollis to the TZPR at Iowa Junction.

KJRY indicated that consummation of this transaction was scheduled to occur on February 16, 2005, and that operations would commence thereafter.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If the 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.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34664, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Daniel A. LaKemper, 1318 S. Johanson Road, Peoria, IL 61607.

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

Decided: February 22, 2005.

By the Board, David M. Konschnik,  
Director, Office of Proceedings.  
**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 05-3885 Filed 2-28-05; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

[LR-218-78]

#### Proposed Collection; Comment Request for Regulation Project

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13(44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning an existing final regulation, LR-218-78 (TD 8096), Product Liability Losses and Accumulations for Product Liability Losses (Section 1.172-13).

**DATES:** Written comments should be received on or before May 2, 2005 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn Kirkland, Internal Revenue Service, room 6512, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the regulations should be directed to Larnice Mack at Internal Revenue Service, room 6512, 1111 Constitution Avenue NW., Washington, DC 20224, or at (202) 622-3179, or through the Internet at ([Larnice.Mack@irs.gov](mailto:Larnice.Mack@irs.gov)).

#### SUPPLEMENTARY INFORMATION:

*Title:* Product Liability Losses and Accumulations for Product Liability Losses.

*OMB Number:* 1545-0863.

*Regulation Project Number:* LR-218-78.

*Abstract:* Generally, a taxpayer who sustains a product liability loss must carry the loss back 10 years. However, a taxpayer may elect to have such loss treated as a regular net operating loss under section 172. The election is made by attaching a statement to the tax return. This statement will enable the IRS to monitor compliance with the statutory requirements.

*Current Actions:* There is no change to this existing regulation.

*Type of Review:* Extension of currently approved collection.

*Affected Public:* Business or other for-profit organizations.