

in support of the primary application and/or either or both of the related filings must be filed by December 13, 2002.

Discovery

Discovery may begin immediately. We encourage the parties to resolve all discovery matters expeditiously and amicably.

Electronic Submissions: In General

As already mentioned, in addition to submitting an original and 25 paper copies of each document filed with the Board, parties must submit, on 3.5-inch IBM-compatible floppy diskettes (disks) or on compact discs (CDs), copies of all textual materials, electronic workpapers, data bases, and spreadsheets used to develop quantitative evidence.¹⁹ Textual materials must be in, or compatible with, WordPerfect 9.0. Electronic spreadsheets must be in, or compatible with, Lotus 1–2–3 Release 9 or Microsoft Excel 2002. Each disk or CD should be clearly labeled with the identification acronym and number of the corresponding paper document, *see* 49 CFR 1180.4(a)(2), and a copy of such disk or CD should be provided to any other party upon request. Also, each disk or CD should be clearly labeled as containing confidential or redacted materials. The data contained on the disks and CDs submitted to the Board will be subject to the protective order granted in Decision No. 1, served August 14, 2002, and will be for the exclusive use of Board employees reviewing substantive and/or procedural matters in this proceeding. The flexibility provided by such computer data will facilitate timely review by the Board and its staff.²⁰

Electronic Submissions: Workpapers, Data Bases, and Spreadsheets

In the past, we have encountered problems with the “links” in spreadsheets functioning properly when the spreadsheets are installed on desktop computers or network servers. To avoid such problems, parties submitting electronic workpapers, data bases, and/or spreadsheets should use naming and linking conventions that will permit the spreadsheets to operate on the Board’s computers.²¹ Electronic

data bases should be compatible with the Microsoft Open Database Connectivity (ODBC) standard.²² The Board currently uses Microsoft Access 2000, and data bases submitted should be either in this format or another ODBC-compatible format. Otherwise, submitters should explain why it is not possible to submit the data base in this format and seek a determination as to whether it is feasible for us to accept the data base in another format.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The primary application in STB Finance Docket No. 34178 and the related filings in STB Finance Docket No. 34178 (Sub-Nos. 1 and 2) are accepted for consideration.

2. The parties to this proceeding must comply with the Procedural Schedule adopted by the Board in this proceeding as shown in Appendix A.

3. The parties to this proceeding must comply with the procedural requirements described in this decision.

4. This decision is effective on September 27, 2002.

Decided: September 19, 2002.

By the Board, Chairman Morgan and Vice Chairman Burkes.

Vernon A. Williams,
Secretary.

Appendix A: Procedural Schedule

August 29, 2002: Primary application, related filings, and petition for establishment of procedural schedule filed.

September 27, 2002: Board notice of acceptance of primary application and related filings published in the **Federal Register**.

October 15, 2002: Notices of intent to participate due.

November 14, 2002: All comments, protests, requests for conditions, and any other evidence and argument in opposition to the primary application and/or either or both of the related filings, including filings of the U.S. Department of Justice (DOJ) and the U.S. Department of Transportation (DOT), due.

December 13, 2002: Responses to comments, protests, requests for conditions, and other

submitter to use generic naming and linking conventions that will permit the spreadsheets to operate on desktop computers or from a network server. Questions concerning naming and linking matters and/or compatibility with our computers can be addressed to William H. Washburn, Office of Economics, Environmental Analysis, and Administration, at (202) 565-1550.

²² ODBC is a Windows technology that allows a data base software package, such as Microsoft Access, to import data from a data base created using a different software package. All data bases must be supported with adequate documentation on data attributes, SQL queries, programmed reports, etc.

opposition due. Responses to comments of DOJ and DOT due. Rebuttal in support of primary application and/or either or both of the related filings due.

January 27, 2003: Date of service of final decision (if no environmental review is required and no oral argument is held).

[FR Doc. 02-24602 Filed 9-26-02; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34237]

Norfolk Southern Railway Company— Corporate Family Transaction Exemption—Memphis and Charleston Railway Company

Norfolk Southern Railway Company (NSR)¹ and its subsidiary, Memphis and Charleston Railway Company (MCR),² have filed a verified notice of exemption. As part of a proposed corporate restructuring, MCR will be merged into NSR, with NSR as the surviving entity. Under the agreement and plan of merger, NSR will own all of the assets of MCR and will be responsible for all debts and obligations of MCR.

The transaction is scheduled to be consummated on or after October 1, 2002. The earliest the transaction could have been consummated was September 5, 2002, the effective date of the exemption (7 days after the exemption was filed).

The purpose of the transaction is to eliminate MCR as a separate corporate entity, simplify the corporate structure of NSR and the NSR system, and eliminate costs associated with separate accounting, tax, bookkeeping and reporting functions. The proposed transaction will further the goal of corporate simplification.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). The parties stated that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family.

¹ NSR is a Class I carrier, and its railroad subsidiaries own or operate approximately 21,500 miles of railroad located in 22 states, the District of Columbia, and the Province of Ontario. NSR is controlled through stock ownership by Norfolk Southern Corporation, a noncarrier holding company.

² MCR owns approximately 34 miles of railroad located in the State of Mississippi, that have been leased to NSR or its predecessors since 1898.

¹⁹ Parties unable to comply with the electronic submission requirements can seek a waiver from the Board.

²⁰ The electronic submission requirements set forth in this decision supersede, for the purposes of this proceeding, the otherwise applicable electronic submission requirements set forth in our regulations.

²¹ We will not specify a particular naming and linking convention. It is incumbent upon the

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Although applicants do not expect any employees to be adversely affected by this merger and control transaction, they have agreed to apply employee protective conditions pursuant to 49 U.S.C. 11326(a). Therefore, any employees adversely affected by the merger and control transaction will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979).

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.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34237 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 David A. Shelton, Norfolk Southern Corporation, Three Commercial Place, Norfolk, VA 23510–9241.

Board decisions and notices are available on our Web site at “WWW.STB.DOT.GOV.”

Decided: September 20, 2002.

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

Vernon A. Williams,
Secretary.

[FR Doc. 02–24432 Filed 9–26–02; 8:45 am]

BILLING CODE 4915–00–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

September 18, 2002.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

DATES: Written comments should be received on or before October 28, 2002, to be assured of consideration.

Customs Service (CUS)

OMB Number: 1515–0061.

Form Number: Customs Form 1304.

Type of Review: Extension.

Title: Crew Effects Declaration.

Description: Customs Form 1304 is completed by the master of the arriving carrier to record and list the crew's effects that are accompanying them on the trip, which are defined as merchandise under U.S. statutes. It is also used by the master of the vessel to attest to the truthfulness of the merchandise being carried aboard the vessel.

Respondents: Individuals or households, Business or other for-profit.

Estimated Number of Respondents: 9,000.

Estimated Burden Hours Per

Respondent: 5 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 17,168 hours.

OMB Number: 1515–0065.

Form Number: Customs Form 7501 and 7501A.

Type of Review: Extension.

Title: Entry Summary and Continuation Sheet.

Description: Customs Form 7501 is used by Customs as a record of the import transaction, to collect proper duty, taxes, certifications and enforcement endorsements, and to provide copies to Census for statistical purposes.

Respondents: Business or other for-profit, Individuals or households, Not-for-profit institutions.

Estimated Number of Respondents: 38,500.

Estimated Burden Hours Per

Respondent: 20 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 6,627,678 hours.

OMB Number: 1515–0069.

Form Number: Customs Forms 3461 and 3461 Alternate.

Type of Review: Extension.

Title: Immediate Delivery Application.

Description: Customs Form 3461 and 3461 Alternate are used by importers to provide Customs with the necessary information in order to examine and release imported cargo.

Respondents: Business or other for-profit.

Estimated Number of Respondents: 13,324.

Estimated Burden Hours Per

Respondent:

Customs Form 3461—15 minutes.

3461 Alternate—3 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 2,775,043 hours.

OMB Number: 1515–0124.

Form Number: None.

Type of Review: Extension.

Title: Disclosure of Information on Vessel Manifest.

Description: This information is used to grant a domestic importer's consignees, and exporter's request for confidentiality of its identity from public disclosure.

Respondents: Individuals or households, Business or other for-profit.

Estimated Number of Respondents: 578.

Estimated Burden Hours Per

Respondent: 30 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 289 hours.

OMB Number: 1515–0151.

Form Number: None.

Type of Review: Extension.

Title: Foreign Trade Zones Annual Reconciliation and Record Keeping Requirement.

Description: Each Foreign Trade Zone Operator will be responsible for maintaining its inventory control in compliance with statute and regulations. The operator will furnish Customs an annual certification of their compliance.

Respondents: Business or other for-profit, Not-for-profit institutions.

Estimated Number of Recordkeepers: 260.

Estimated Burden Hours Per

Recordkeeper: 45 minutes.

Frequency of Response: On occasion.

Estimated Total Recordkeeping Burden: 195 hours.

OMB Number: 1515–0178.

Form Number: None.

Type of Review: Extension.

Title: Automotive Products Act of 1965.

Description: Under the Automotive Products Trade Act (APTA), Canadian articles may enter the United States so long as they are intended for use as original motor vehicle equipment in the United States. If diverted to other purposes, they are subject to duties. This information collection is issued to track these diverted articles and to collect the proper duties on them.

Respondents: Business or other for-profit, Individuals or households.

Estimated Number of Respondents: 75.

Estimated Burden Hours Per

Respondent: 15 minutes.

Frequency of Response: On occasion.