

## DEPARTMENT OF TRANSPORTATION

## Surface Transportation Board

[STB Finance Docket No. 34109]

**Oakdale Traction Corporation—  
Acquisition and Operation  
Exemption—Union Pacific Railroad  
Company**

Oakdale Traction Corporation (OTC), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from Union Pacific Railroad Company (UP) and operate a 1.12-mile line of railroad that extends between milepost 123.35 and milepost 124.47, at Oakdale, Stanislaus County, CA (Oakdale line).<sup>1</sup>

While Mr. and Mrs. Brichetto, now OTC, may have acquired the Oakdale line on June 27, 2001, the exemption that provides the regulatory approval for this transaction did not become effective until October 23, 2001, 7 days after the filing of the verified notice of exemption by OTC. OTC states that it will commence operating the Oakdale line upon receiving its first request for rail service but not sooner than October 23, 2001.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding 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. 34109 must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Thomas F. McFarland, Esq., 208 South LaSalle Street, Suite 1890, Chicago, IL 60604-1194.

<sup>1</sup> According to the verified notice of exemption, John Brichetto and Jacqueline Brichetto (Mr. and Mrs. Brichetto) acquired the Oakdale line for rail use from UP by a quitclaim deed on June 27, 2001. OTC states that Mr. and Mrs. Brichetto evidently were unaware of the requirement that they needed Board approval under 49 U.S.C. 10901, or an exemption therefrom under 49 CFR 1150.31, to acquire the Oakdale line. OTC maintains that, upon learning of that requirement, Mr. and Mrs. Brichetto incorporated OTC and conveyed the Oakdale line to it. OTC notes that the Oakdale line is the remaining segment of a 53-mile line of railroad formerly owned by UP's predecessor, the Southern Pacific Transportation Company, that extended between Stockton, CA, and Montpelier, CA (Stockton-Montpelier line). OTC states that its assessment of railroad map information indicates that, except for the Oakdale line, the Stockton-Montpelier line was abandoned sometime between 1975 and 1982.

Board decisions and notices are available on our website at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: October 29, 2001.

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

Vernon A. Williams,  
Secretary.

[FR Doc. 01-27733 Filed 11-2-01; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

## Bureau of Transportation Statistics

[Docket BTS-2001-10909]

**Notice of Request To Renew the  
Approval of Information Collections:  
OMB No. 2139-0002 and 2139-0004  
(Financial and Operating Statistics for  
Motor Carriers of Property)**

**AGENCY:** Bureau of Transportation Statistics (BTS), DOT.

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

*OMB Control Numbers:* 2139-0002 (Form QFR) and 2139-0004 (Form M).

**SUMMARY:** This notice announces that the Bureau of Transportation Statistics (BTS) intends to request the Office of Management and Budget (OMB) to renew approval for two information collections, the Quarterly Report of Class I Motor Carriers of Property (Form QFR) and Annual Report of Class I and Class II Motor Carriers of Property, (Form M). The information collections are necessary to ensure that motor carriers comply with financial and operating statistics requirements as prescribed in the BTS regulations (49 CFR 1420). This notice is required by the Paperwork Reduction Act.

**DATES:** January 4, 2002.

**ADDRESSES:** Mail or hand deliver comments to the U.S. Department of Transportation, Dockets Management System (DMS). You may submit your comments by mail or in person to the Docket Clerk, Docket No. BTS-2001-10909, U.S. Department of Transportation, 400 Seventh Street, SW., Room PL-401, Washington, DC 20590-0001. The DMS is open for examination and copying, at the above address, from 9 a.m. to 5 p.m., Monday through Friday, except federal holidays.

If you wish to file comments using the Internet, you may use the DOT DMS website at <http://dmses.dot.gov>. Please follow the online instructions for submitting an electronic comment. Comments should identify the docket number and be submitted in duplicate. If you would like the Department to

acknowledge receipt of your comment, you must submit a self-addressed stamped postcard on which the following statement is made: Comments on Docket BTS-2001-10909. The Docket Clerk will date stamp the postcard prior to returning it to you via the U.S. mail.

**FOR FURTHER INFORMATION CONTACT:**

Paula R. Robinson, Compliance Program Manager, K-27, Bureau of Transportation Statistics, 400 Seventh Street, SW., Washington, DC 20590; (202) 366-2984; Fax: (202) 366-3364; e-mail: [paula.robinson@bts.gov](mailto:paula.robinson@bts.gov).

**SUPPLEMENTARY INFORMATION:****I. The Data Collection**

The Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35; as amended) and 5 CFR part 1320 require each Federal agency to obtain an OMB approval to continue an information collection activity for which the agency received prior approval. BTS is seeking OMB approval for the following two BTS information collection activities whose prior OMB approvals are near the expiration date:

(1) *Title:* Quarterly Report of Class I Motor Carriers of Property. OMB Control No. 2139-0002.

*Form No.:* BTS Form QFR.

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

*Respondents:* Class I Motor Carriers of Property.

*Number of Respondents:* 1,000 (per quarter).

*Estimated Time Per Response:* 1.8 hours (27 minutes per quarter).

*Expiration Date:* March 31, 2002.

*Frequency:* Quarterly.

*Total Annual Burden:* 1,800 hours.

(2) *Title:* Annual Report of Class I and Class II Motor Carriers of Property. OMB Control No. 2139-0004.

*Form No.:* BTS Form M.

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

*Respondents:* Class I and Class II Motor Carriers of Property.

*Number of Respondents:* 3,000 (per year).

*Estimated Time Per Response:* 9 hours.

*Expiration Date:* March 31, 2002.

*Frequency:* Annually.

*Total Annual Burden:* 27,000 hours.

**Background**

The Quarterly Report of Class I Motor Carriers of Property (Form QFR) and Annual Report of Class I and Class II Motor Carriers of Property (Form M) are mandated reporting requirements for for-hire motor carriers. Motor carriers required to comply with the BTS