

comment in the **Federal Register** on March 15, 2023.³ On April 21, 2023, the Commission designated a longer period within which to approve, disapprove, or institute proceedings to determine whether to disapprove the Proposed Rule Change.⁴ The Commission has not received comments regarding the proposal described in the Proposed Rule Change.

On May 10, 2023, ICC withdrew the Proposed Rule Change (SR-ICC-2023-002).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁵

Sherry R. Haywood,
Assistant Secretary.

[FR Doc. 2023-12300 Filed 6-8-23; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice: 12097]

Notice of Public Meeting

The Department of State will conduct a public meeting at 11:00 a.m. on Thursday, July 20, 2023, by way of teleconference. The primary purpose of the meeting is to prepare for the ninth session of the International Maritime Organization's (IMO) Sub-Committee on Implementation of IMO Instruments (III 9) to be held at the IMO Headquarters, London, United Kingdom, from Monday, July 31, 2023, to Friday, August 4, 2023.

Members of the public may participate up to the capacity of the teleconference phone line, which can handle 500 participants. To RSVP, participants should contact the meeting coordinator, Mr. Christopher Gagnon, by email at christopher.j.gagnon@uscg.mil. Mr. Gagnon will provide access information for the teleconference line.

The agenda items to be considered at the public meeting mirror those to be considered at III 9, and include:

- Decisions of other IMO bodies;
- Consideration and analysis of reports on alleged inadequacy of port reception facilities;

- Lessons learned and safety issues identified from the analysis of marine safety investigation reports;
- Measures to harmonize port state control (PSC) activities and procedures worldwide;
- Validate model training courses;
- Identified issues relating to the implementation of IMO instruments from the analysis of data;
- Analysis of consolidated audit summary reports;
- Development of guidance in relation to IMSAS to assist in the implementation of the III Code by Member States;
- Updated survey guidelines under the Harmonized System of Survey and Certification (HSSC);
- Non-exhaustive list of obligations under the instruments relevant to the IMO Instruments Implementation Code (III Code);
- Development of guidance on assessments and applications of remote surveys, ISM Code audits and ISPS Code verifications;
- Unified interpretation of provisions of IMO safety, security, and environment related conventions;
- Follow-up work emanating from the Action Plan to address plastic litter from ships; and
- Development of guidance to assist competent authorities in the implementation of the Cape Town Agreement of 2012.

Please note: the IMO may, on short notice, adjust the III 9 agenda to accommodate the constraints associated with the meeting format. Any changes to the agenda will be reported to those who RSVP and those in attendance at the meeting.

Those who plan to participate may contact the meeting coordinator, Mr. Christopher Gagnon, by email at christopher.j.gagnon@uscg.mil, by phone at (202) 372-1231, or in writing at 2703 Martin Luther King Jr. Ave. SE, Stop 7501, Washington, DC 20593-7509. Members of the public needing reasonable accommodation should advise Mr. Gagnon not later than July 14, 2023. Requests made after that date will be considered but might not be possible to fulfill.

Additional information regarding this and other IMO public meetings may be found at: <https://www.dco.uscg.mil/IMO>.

(Authority: 22 U.S.C. 2656 and 5 U.S.C. 552.)

Emily A. Rose,

Coast Guard Liaison Officer, Office of Ocean and Polar Affairs, Department of State.

[FR Doc. 2023-12353 Filed 6-8-23; 8:45 am]

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SURFACE TRANSPORTATION BOARD

[Docket No. AB 55 (Sub-No. 810X)]

CSX Transportation, Inc.— Discontinuance of Service Exemption—in Marion County, Ind.

CSX Transportation, Inc. (CSXT), has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over an approximately 2.26-mile rail line on its Great Lakes Division, Indianapolis Belt Subdivision, from milepost QIB 11.24 to milepost QIB 13.50, in Marion County, Ind. (the Line). The Line traverses U.S. Postal Service Zip Codes 46202 and 46218.

CSXT has certified that: (1) no local traffic has moved over the Line for at least two years; (2) any overhead traffic can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or 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 any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 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 discontinuance of service shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 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) ¹ to subsidize continued rail service has been received, this exemption will be effective on July 9, 2023, unless stayed pending reconsideration.² Petitions to stay that do not involve environmental issues must be filed by June 16, 2023, and formal expressions of intent to file an OFA to subsidize continued rail

¹ Persons interested in submitting an OFA to subsidize continued rail service must first file a formal expression of intent to file an offer, indicating the intent to file an OFA for subsidy and demonstrating that they are preliminarily financially responsible. See 49 CFR 1152.27(c)(2)(i).

² CSXT states that it intends to consummate the discontinuance of the Line on July 11, 2023.

³ Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing of Proposed Rule Change Relating to the Clearance of Additional Credit Default Swap Contracts; Exchange Act Release No. 97094 (Mar. 9, 2023), 88 FR 16042 (Mar. 15, 2023) (File No. SR-ICC-2023-002).

⁴ Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change Relating to the Clearance of Additional Credit Default Swap Contracts; Exchange Act Release No. 97348 (Apr. 21, 2023), 88 FR 25717 (Apr. 27, 2023) (File No. SR-ICC-2023-002).

⁵ 17 CFR 200.30-3(a)(31).

service under 49 CFR 1152.27(c)(2)³ must be filed by June 20, 2023.⁴ Petitions for reconsideration must be filed by June 29, 2023.

All pleadings, referring to Docket No. AB 55 (Sub-No. 810X), must be filed with the Surface Transportation Board via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. Additionally, a copy of each pleading filed with Board must be sent to CSXT's representative, Melanie B. Yasbin, Law Offices of Louis E. Gitomer, LLC, 600 Baltimore Avenue, Suite 301, Towson, MD 21204.

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

Board decisions and notices are available at www.stb.gov.

Decided: June 6, 2023.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Stefan Rice,
Clearance Clerk.

[FR Doc. 2023-12366 Filed 6-8-23; 8:45 am]

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SURFACE TRANSPORTATION BOARD

[Docket No. EP 682 (Sub-No. 14)]

2022 Tax Information for Use in the Revenue Shortfall Allocation Method

The Board is publishing, and providing the public an opportunity to comment on, the 2022 weighted average state tax rates for each Class I railroad, as calculated by the Association of American Railroads (AAR), for use in the Revenue Shortfall Allocation Method (RSAM).

The RSAM figure is one of three benchmarks that together are used to determine the reasonableness of a challenged rate under the Board's *Simplified Standards for Rail Rate Cases*, EP 646 (Sub-No. 1), slip op. at 10 (STB served Sept. 5, 2007),¹ as further revised in *Simplified Standards for Rail Rate Cases—Taxes in Revenue Shortfall Allocation Method (Simplified Standards—Taxes in RSAM)*, EP 646 (Sub-No. 2) (STB served Nov. 21, 2008). RSAM is intended to measure the average markup that the railroad would need to collect from all of its “potentially captive traffic” (traffic with a revenue-to-variable-cost ratio above 180%) to earn adequate revenues as measured by the Board under 49 U.S.C.

10704(a)(2) (*i.e.*, earn a return on investment equal to the railroad industry cost of capital). *Simplified Standards—Taxes in RSAM*, EP 646 (Sub-No. 2), slip op. at 1. In *Simplified Standards—Taxes in RSAM*, EP 646 (Sub-No. 2), slip op. at 3, 5, the Board modified its RSAM formula to account for taxes, as the prior formula mistakenly compared pre-tax and after-tax revenues. In that decision, the Board stated that it would institute a separate proceeding in which Class I railroads would be required to submit the annual tax information necessary for the Board's annual RSAM calculation. *Id.* at 5–6.

Pursuant to 49 CFR 1135.2, AAR is required to annually calculate and submit to the Board the weighted average state tax rate for each Class I railroad for the previous year. On May 30, 2023, AAR filed its calculation of the weighted average state tax rates for 2022. AAR then refiled their calculations on June 1, 2023, to correct the Annual Report (R-1) data that was previously submitted. Therefore, June 1 will be considered the filing date for AAR's submission. Listed below for each Class I railroad are AAR's calculations:

WEIGHTED AVERAGE STATE TAX RATES

Railroad	2022 (%)	2021 (%)	% Change
BNSF Railway Company	4.960	5.068	– 0.108
CSX Transportation, Inc	5.242	5.010	0.232
Grand Trunk Corporation	7.906	7.904	0.002
The Kansas City Southern Railway Company	4.897	5.164	– 0.267
Norfolk Southern Combined Railroad Subsidiaries	5.620	5.671	– 0.051
Soo Line Corporation	7.802	7.827	– 0.025
Union Pacific Railroad Company	5.337	5.451	– 0.114

Pursuant to 49 CFR 1135.2(b), notice of AAR's submission will be published in the **Federal Register**. Any party wishing to comment on AAR's calculation of the 2022 weighted average state tax rates should file a comment by July 10, 2023. *See* 49 CFR 1135.2(c). If any comments opposing AAR's calculations are filed, AAR's reply will be due within 20 days of the filing date of the comments. *Id.* If any comments are filed, the Board will review AAR's submission, together with the comments, and serve a decision within 60 days of the close of the record that either accepts, rejects, or modifies AAR's railroad-specific tax information.

Id. If no comments are filed by July 10, 2023, AAR's submitted weighted average state tax rates will be automatically adopted by the Board, effective July 11, 2023. *Id.*

It is ordered:

1. Comments on AAR's calculation of the 2022 weighted average state tax rates for the Class I railroads are due by July 10, 2023. If any comments opposing AAR's calculations are filed, AAR's reply is due within 20 days of the filing of the comments.

2. If no comments are filed, AAR's calculation of the 2022 weighted average state tax rates for each Class I

railroad will be automatically adopted by the Board, effective July 11, 2023.

Decided: June 6, 2023.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

Kenyatta Clay,
Clearance Clerk.

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³ The filing fee for OFAs can be found at 49 CFR 1002.2(f)(25).

⁴ Because this is a discontinuance proceeding and not an abandonment, interim trail use/rail banking

and public use conditions are not appropriate. Because there will be an environmental review during abandonment, this discontinuance does not require environmental review.

¹ *Aff'd sub nom. CSX Transp., Inc. v. STB*, 568 F.3d 236 (D.C. Cir. 2009), *vacated in part on reh'g*, 584 F.3d 1076 (D.C. Cir. 2009).