

**SURFACE TRANSPORTATION BOARD****[Docket No. FD 36655]****Genesee & Wyoming Inc.—Corporate Family Transaction Exemption**

Genesee & Wyoming Inc. (GWI), a noncarrier holding company, filed a verified notice of exemption under 49 CFR 1180.2(d)(3) to exempt from the provisions of 49 U.S.C. 11323 certain transactions within its corporate family.<sup>1</sup> According to GWI, it directly and indirectly controls 103 railroads across the United States, including the entities involved in the subject transactions.<sup>2</sup> GWI proposes to convert Chattahoochee Bay Railroad, Inc., a Delaware corporation, into Chattahoochee Bay Railroad LLC (CHAT LLC), a Delaware limited liability company. GWI will then contribute its membership interests in CHAT LLC down its organizational structure to GWI subsidiary Rail Partners, L.P., which also controls the Bay Line Railroad, L.L.C. (BAYL). This transaction will result in GWI indirectly controlling CHAT LLC. CHAT LLC will then be merged with and into BAYL, with BAYL remaining as the surviving Class III rail carrier. GWI also proposes to merge Fordyce and Princeton Railroad Company with and into Arkansas Louisiana & Mississippi Railroad Company (ALM), with ALM remaining as the surviving Class III rail carrier.

GWI states that the transactions will reduce the number of legal entities within its corporate family, resulting in improved efficiencies by reducing overhead and duplication of accounting and IT services and potentially reducing its tax burden while retaining the same assets to serve customers.

Unless stayed, the exemption will be effective on January 20, 2023 (30 days after the verified notice was filed). GWI states that it intends to consummate the transactions on or about February 1, 2023. The verified notice states that the transactions 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. Therefore, the transactions are exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(3).

<sup>1</sup> GWI filed a supplement on December 29, 2022.

<sup>2</sup> This tally does not include GWI's wholly owned subsidiary, Pittsburg & Shawmut Railroad, LLC d/b/a Berkshire & Eastern Railroad, which has received authority from the Board to operate Pan Am Southern LLC. See *Pittsburg & Shawmut R.R.—Operation Exemption—Pan Am S. LLC*, FD 36472 (Sub-No. 5) (STB served Apr. 14, 2022). GWI states that the operation exemption transaction has not yet been consummated.

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. Because GWI controls four Class II carriers and 99 Class III carriers, any employees adversely affected by these transactions will be protected by the conditions required by 49 U.S.C. 11326(a) and set forth in *New York Dock Railway—Control—Brooklyn Eastern District Terminal*, 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 effectiveness of the exemption. Petitions for stay must be filed no later than January 13, 2023 (at least seven days before the exemption becomes effective).

All pleadings referring to Docket No. FD 36655 must be filed with the Surface Transportation Board either via e-filing or in writing addressed to 395 E Street, SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Eric M. Hocky, Clark Hill PLC, Two Commerce Square, 2001 Market Street, Suite 2620, Philadelphia, PA 19103.

According to GWI, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and historic reporting requirements under 49 CFR 1105.8(b).

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

Decided: January 3, 2023.

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

**Jeffrey Herzig,**  
Clearance Clerk.

[FR Doc. 2023-00056 Filed 1-5-23; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****[Docket No. 2022-0176]**

**Agency Information Collection Activities: Requests for Comments; Clearance of Renewal Approval of Information Collection**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of

Management and Budget (OMB) approval to renew Information Collection 2120-0768. The purpose of this notice is to allow 60 days for public comment. The FAA proposes collecting information related to requests made under 14 CFR part 107 to operate small Unmanned Aircraft Systems (UAS) in controlled airspace. FAA will use the collected information to make determinations whether to authorize or deny the requested operation of UAS in controlled airspace. The proposed information collection is necessary to issue such authorizations or denials consistent with the FAA's mandate to ensure safe and efficient use of national airspace.

**DATES:** Written comments should be submitted by March 7, 2023.

**ADDRESSES:** Please send written comments:

*By Electronic Docket:*  
[www.regulations.gov](http://www.regulations.gov) (Enter docket number into search field).

*By mail:* Atlantic City International Airport, FAA William J Hughes Technical Center, Bldg 316, Column I, Desk 4S409, Atlantic City, NJ 08405.

*By fax:* 202-493-2251.

**FOR FURTHER INFORMATION CONTACT:** Victoria Gallagher by email at: [Victoria.Gallagher@faa.gov](mailto:Victoria.Gallagher@faa.gov); phone: 609-485-5127.

**SUPPLEMENTARY INFORMATION:**

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

*OMB Control Number:* 2120-0768.

*Title:* Part 107 Authorizations and Waivers under 14 CFR part 107.

*Form Numbers:* There are no forms associated with this collection.

*Type of Review:* Renewal of existing Information Collection.

*Background:* There has been an increased number of operations of small Unmanned Aircraft Systems in the National Air Space (NAS) in recent years and regulations and statutes have been enacted to establish the use of small UAS in the NAS. Included in these is 14 CFR part 107. Section 107.41 states that "no person may operate a small unmanned aircraft in Class B, Class C, or Class D airspace or within