

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>14</sup>

**Florence E. Harmon,**

*Acting Secretary.*

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending September 19, 2008

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* DOT-OST-2008-0286.

*Date Filed:* September 15, 2008.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* October 6, 2008.

*Description:* Application of Vision Airlines, Inc. ("Vision") requesting an amendment to its certificate of public convenience and necessity authorizing Vision to engage in air transportation of persons, property and mail with large aircraft.

**Renee V. Wright,**

*Program Manager, Docket Operations, Federal Register Liaison.*

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending September 19, 2008

The following Agreements were filed with the Department of Transportation under the Sections 412 and 414 of the

Federal Aviation Act, as amended (49 U.S.C. 1382 and 1384) and procedures governing proceedings to enforce these provisions. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* DOT-OST-2008-0287.

*Date Filed:* September 18, 2008.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC2 Within Middle East Expedited Resolution 002ca (Memo 0188); *Intended effective date:* 1 January 2009.

*Docket Number:* DOT-OST-2008-0288.

*Date Filed:* September 18, 2008.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC23/123 Africa-TC3 (except South West Pacific), Resolution 015v (Memo 0389), *Intended effective date:* 15 October 2008.

*Docket Number:* DOT-OST-2008-0289.

*Date Filed:* September 18, 2008.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC23/123 Africa-South East Asia Expedited, Resolution 002bw (Memo 0390), *Intended effective date:* 15 October 2008.

*Docket Number:* DOT-OST-2008-0290.

*Date Filed:* September 18, 2008.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC23/123 Middle East-TC3 (except South West Pacific), Resolution 015v (Memo 0391), *Intended effective date:* 15 October 2008.

*Docket Number:* DOT-OST-2008-0291.

*Date Filed:* September 18, 2008.

*Parties:* Members of the International Air Transport Association.

*Subject:* TC23/123 Middle East-South East Asia Expedited, Resolution 002hh (Memo 0392), *Intended effective date:* 15 October 2008.

**Renee V. Wright,**

*Program Manager, Docket Operation, Federal Register Liaison.*

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 688X)]

#### CSX Transportation, Inc.— Abandonment Exemption—in Marion County, IN

CSX Transportation, Inc. (CSXT) has filed a verified notice of exemption

under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon a 1.01-mile line of railroad, known as the Arlington Industrial Track, located on its Northern Region, Great Lakes Division, Indianapolis Belt Subdivision, extending from milepost QIA 1.11 (English Ave.) to the end of the track at milepost QIA 0.1 in Marion County, IN. The line traverses United States Postal Service Zip Code 46219 and includes no stations.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted; (3) no formal complaint filed by a user of rail service on the line (or by 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 with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements of 49 CFR 1105.7 (environmental report), 49 CFR 1105.8 (historic report), 49 CFR 1105.11 (transmittal letter), 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 abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 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) has been received, this exemption will be effective on November 4, 2008, unless stayed pending reconsideration.<sup>1</sup> Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR

<sup>1</sup> Pursuant to 49 CFR 1152.50(d)(2), the railroad must file a verified notice with the Board at least 50 days before the abandonment or discontinuance is to be consummated. The applicant initially indicated a proposed consummation date of November 1, 2008, but because the verified notice was filed on September 15, 2008, consummation may not take place prior to November 4, 2008.

<sup>2</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>14</sup> 17 CFR 200.30-3(a)(12).