

DEPARTMENT OF TRANSPORTATION**Maritime Administration****[Docket Number: MARAD-2000-8537]****Requested Administrative Waiver of the Coastwise Trade Laws****AGENCY:** Maritime Administration, Department of Transportation.**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel OLD TIMER.

SUMMARY: As authorized by Public Law 105-383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Public Law 105-383 and MARAD's regulations at 46 CFR Part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before January 17, 2001.

ADDRESSES: Comments should refer to docket number MARAD-2000-8537. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT:

Gordon Angell, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, S.W., Washington, DC 20590. Telephone 202-366-5129.

SUPPLEMENTARY INFORMATION: Title V of Public Law 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build

requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR Part 388.

Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel: Old Timer.* Owner: Robert E. Smith.

(2) Size, capacity and tonnage of vessel. According to the applicant: "39' 11", Tonnage, gross 28, net 22, USCG simplified formula."

(3) Intended use for vessel, including geographic region of intended operation and trade. According to the applicant: Dolphin watching cruises in local waters. Boat & Breakfast. Southeast U.S."

(4) Date and Place of construction and (if applicable) rebuilding. Date of construction: 1973. Place of construction: Hong Kong.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: "There are numerous dolphin charters in the area, which carry 30 or more passengers. Since I would be limited to the number of passengers, there should be no impact on these vessels. Also there are no Boat & Breakfast vessels in the area."

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: "No negative impact on U.S. shipyards. The only effect will be positive-ship repair."

Dated: December 13, 2000.

By Order of the Maritime Administrator.

Joel C. Richard,*Secretary, Maritime Administration.*

[FR Doc. 00-32161 Filed 12-15-00; 8:45 am]

BILLING CODE 4910-81-P**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board****[STB Ex Parte No. 558 (Sub-No. 4)]****Railroad Cost of Capital—2000****AGENCY:** Surface Transportation Board, DOT.**ACTION:** Notice of decision instituting a proceeding to determine the railroads' 2000 cost of capital.

SUMMARY: The Board is instituting a proceeding to determine the railroad industry's cost of capital for 2000. The decision solicits comments on: (1) The Railroads' 2000 cost of debt capital; (2) the railroads' 2000 current cost of preferred stock equity capital; (3) the railroads' 2000 cost of common stock equity capital; and (4) the 2000 capital structure mix of the railroad industry on a market value basis.

DATES: Notices of intent to participate are due no later than January 12, 2001. A service list will then be prepared and issued by January 26, 2001. Statements of the railroads are due by March 30, 2001. Statements of other interested persons are due by April 20, 2001. Rebuttal statements by the railroads are due by May 11, 2001.

ADDRESSES: Send an original and 10 copies of statements and a copy of the statement on a 3.5 inch disk in WordPerfect 6.1, and an original and 1 copy of the notice of intent to participate to: Surface Transportation Board, Office of the Secretary, Case Control Branch, 1925 K Street, NW., Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT:

Leonard J. Blistein, (202) 565-1529. [TDD for the hearing impaired: (202) 565-1695.]

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision. To obtain a copy of the full decision, write to, call, or pick up in person from: Da-to-Da Office Solutions, Room 405, 1925 K Street, NW., Washington, DC 20423. Telephone: (202) 466-5530. [Assistance for the hearing impaired is available through TDD services 1-800-877-8339] A copy of the decision can also be obtained from the Board's Internet site (www.stb.dot.gov).

We preliminarily conclude that the proposed action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Authority: 49 U.S.C. 10704(a).

Decided: December 12, 2000.

By the Board, Chairman Morgan, Vice Chairman Burkes, and Commissioner Clyburn.

Vernon A. Williams,

Secretary.

[FR Doc. 00-32155 Filed 12-15-00; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-434 (Sub-No. 2X)]

Winchester & Western Railroad Company—Abandonment Exemption—in Winchester, VA

Winchester & Western Railroad Company (W&W) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 0.63-mile line of railroad between milepost 115.27 and the end of the line at milepost 115.9 inside the city limits of Winchester, VA. The line traverses United States Postal Service Zip Code 22601.

W&W has certified that: (1) No local traffic has moved over the line for at least 2 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 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 (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 at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 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 and discontinuance 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 January 17, 2001, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal

expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by December 28, 2000. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by January 8, 2001, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: John D. Heffner, Esq., Rea, Cross & Auchincloss, Suite 570, 1707 L Street, NW., Washington, DC 20036.

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

W&W has filed an environmental report which addresses the effects, if any, on the environmental and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by December 22, 2000. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565-1545. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), W&W shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned its line. If consummation has not been effected by W&W's filing of a notice of consummation by December 18, 2001, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: December 6, 2000.

Environmental Analysis 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.

² Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1000. See 49 CFR 1002.2(f)(25).

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

Vernon A. Williams,

Secretary.

[FR Doc. 00-31631 Filed 12-15-00; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

Proposed Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Bureau of Alcohol, Tobacco and Firearms within the Department of the Treasury is soliciting comments concerning the Usual and Customary Business Records Maintained By Brewers.

DATES: Written comments should be received on or before February 16, 2001 to be assured of consideration.

ADDRESSES: Direct all written comments to Bureau of Alcohol, Tobacco and Firearms, Linda Barnes, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927-8930.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form(s) and instructions should be directed to Rich Mascolo, Chief, Regulations Division, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202) 927-8210.

SUPPLEMENTARY INFORMATION:

Title: Usual and Customary Business Records Maintained By Brewers.

OMB Number: 1512-0333.

Recordkeeping Requirement ID Number: ATF REC 5130/1.

Abstract: ATF audits brewers' records to verify production of beer and cereal beverage and to verify the quantity of beer removed subject to tax and removed without payment of tax. The recordkeeping requirement associated with this information collection is 3 years.

Current Actions: There are no changes to this information collection and it is being submitted for extension purposes only.

¹ 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