

published on April 11, 2000 (65 FR 19477–78) or you may visit <http://DocketInfo.dot.gov>.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>, or the street address listed above. Follow the online instructions for accessing the dockets.

**Electronic Access:** An electronic copy of this rule, a copy of the notice of proposed rulemaking, and copies of the comments may be downloaded at <http://www.regulations.gov>, by searching docket RITA 2008–0002.

**FOR FURTHER INFORMATION CONTACT:** [jeff.gorham@dot.gov](mailto:jeff.gorham@dot.gov), Office of Airline Information, RTS–42, Bureau of Transportation Statistics, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.

**SUPPLEMENTARY INFORMATION:**

*OMB Approval No.* 2138–0039.

*Title:* Reporting Required for International Civil Aviation Organization (ICAO).

*Form No.:* BTS Form EF.

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

*Respondents:* Large certificated air carriers.

*Number of Respondents:* 40.

*Number of Responses:* 40.

*Total Annual Burden:* 26 hours.

*Needs and Uses:* As a party to the Convention on International Civil Aviation (Treaty), the United States is obligated to provide ICAO with financial and statistical data on operations of U.S. carriers. Over 99% of the data filled with ICAO is extracted from the air carriers' Form 41 submissions to BTS. BTS Form EF is the means by which BTS supplies the remaining 1% of the air carrier data to ICAO.

The Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), requires a statistical agency to clearly identify information it collects for non-statistical purposes. BTS hereby notifies the respondents and the public that BTS uses the information it collects under this OMB approval for non-statistical purposes including, but not limited to, publication of both Respondent's identity and its data, submission of the information to agencies outside BTS for review, analysis and possible use in regulatory and other administrative matters.

Issued in Washington, DC, on February 22, 2012.

**Patricia Hu,**

*Director, Bureau of Transportation Statistics, Research and Innovative Technology Administration, Research and Innovative Technology Administration.*

[FR Doc. 2012–4813 Filed 2–28–12; 8:45 am]

**BILLING CODE 4910–HY–P**

**DEPARTMENT OF TRANSPORTATION**

**Research and Innovative Technology Administration**

**[Docket: RITA 2008–0002]**

**Agency Information Collection; Activity Under OMB Review; Submission of Audit Reports—Part 248**

**AGENCY:** Research and Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, Public Law 104–13, the Bureau of Transportation Statistics invites the general public, industry and other governmental parties to comment on the continuing need for and usefulness of BTS requiring U.S. large certificated air carriers to submit two true and complete copies of its annual audit that is made by an independent public accountant. If a carrier does not have an annual audit, the carrier must file a statement that no audit has been performed. Comments are requested concerning whether (1) the audit reports are needed by BTS and DOT; (2) BTS accurately estimated the reporting burden; (3) there are other ways to enhance the quality, utility and clarity of the information collected; and (4) there are ways to minimize reporting burden, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted by April 30, 2012.

**ADDRESSES:** You may submit comments identified by DOT Docket ID Number RITA 2008–0002 by any of the following methods:

*Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12–140, Washington, DC 20590–0001.

*Hand Delivery or Courier:* West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., between

9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

*Fax:* 202–366–3640.

*Instructions:* Identify docket number, BTS 2008–0002, at the beginning of your comments, and send two copies. To receive confirmation that DOT received your comments, include a self-addressed stamped postcard. Internet users may access all comments received by DOT at <http://www.regulations.gov>. All comments are posted electronically without charge or edits, including any personal information provided.

*Privacy Act:* Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78) or you may visit <http://DocketInfo.dot.gov>.

**Docket:** For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or the street address listed above. Follow the online instructions for accessing the dockets.

**Electronic Access**

You may access comments received for this notice at <http://www.regulations.gov>, by searching docket RITA 2008–0002.

**FOR FURTHER INFORMATION CONTACT:** [Jeff.gorham@dot.gov](mailto:Jeff.gorham@dot.gov), Office of Airline Information, RTS–42, Bureau of Transportation Statistics, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.

**SUPPLEMENTARY INFORMATION: OMB Approval No.** 2138–0004

*Title:* Submission of Audit Reports—Part 248.

*Form No.:* None.

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

*Respondents:* Large certificated air carriers.

*Number of Respondents:* 72.

*Number of Responses:* 72.

*Total Annual Burden:* 20 hours.

*Needs and Uses:* BTS collects independent audited financial reports from U.S. certificated air carriers. Carriers not having an annual audit must file a statement that no such audit has been performed. In lieu of the audit report, BTS will accept the annual report submitted to the stockholders. The audited reports are needed by the Department of Transportation as (1) a means to monitor an air carrier's continuing fitness to operate, (2)

reference material used by analysts in examining foreign route cases (3) reference material used by analyst in examining proposed mergers, acquisitions and consolidations, (4) a means whereby BTS sends a copy of the report to the International Civil Aviation Organization (ICAO) in fulfillment of a United States treaty obligation, and (5) corroboration of a carrier's Form 41 filings.

The Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), requires a statistical agency to clearly identify information it collects for non-statistical purposes. BTS hereby notifies the respondents and the public that BTS uses the information it collects under this OMB approval for non-statistical purposes including, but not limited to, publication of both Respondent's identity and its data, submission of the information to agencies outside BTS for review, analysis and possible use in regulatory and other administrative matters.

Issued in Washington, DC, on February 22, 2012.

**Patricia Hu,**

*Director, Bureau of Transportation Statistics, Research and Innovative Technology Administration.*

[FR Doc. 2012-4812 Filed 2-28-12; 8:45 am]

**BILLING CODE 4910-HY-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35591]

#### Georgia Department of Transportation—Acquisition Exemption—CSX Transportation, Inc.

Georgia Department of Transportation (GDOT)<sup>1</sup> has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from CSX Transportation, Inc. (CSXT), a line of railroad known as the West End Segment of the L&N Belt between milepost 469.15 and milepost 472.27, a distance of 3.12 miles, in the City of Atlanta, Fulton County, Ga. On February 17, 2012, GDOT filed a supplement to its verified notice of exemption.

GDOT states that CSXT transferred the subject line to GDOT in a quitclaim deed dated December 7, 2001 and that GDOT acquired the line to preserve it for future transportation uses. GDOT now seeks Board authorization for the transaction GDOT consummated 10

years ago without having sought the requisite regulatory authority at the time. GDOT states that its failure to submit any notice, petition for exemption, or application for acquisition at the time of transaction was an oversight on the part of the parties to the transaction.

GDOT certifies that its annual revenues as a result of this transaction will not result in GDOT's becoming a Class I or Class II rail carrier.

The exemption will become effective on March 18, 2012 (30 days after the verified notice was filed).<sup>2</sup>

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 to stay must be filed no later than March 9, 2012 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35591, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Charles A. Spitulnik, Kaplan Kirsch & Rockwell, 1001 Connecticut Avenue NW., Suite 800, Washington, DC 20036.

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

Decided: February 24, 2012.

By the Board.

**Rachel D. Campbell,**

*Director, Office of Proceedings.*

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2012-4842 Filed 2-28-12; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35596]

#### JP Rail, Inc. d/b/a Southern Railroad Company of New Jersey—Operation Exemption—Rail Line in Salem County, N.J.

JP Rail, Inc. d/b/a Southern Railroad Company of New Jersey (JP Rail), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to operate approximately 18.6 miles of rail line known as the Salem Branch Line

(the Line), which is owned by Salem County, N.J. (Salem), as follows: (1) Between the connection with Consolidated Rail Corporation at approximately milepost 11.0 in Swedesboro, N.J., and approximately milepost 28.4 at Salem, and (2) the Glass House Spur, between mileposts 0.0 and 1.2 in Salem.<sup>1</sup>

JP Rail certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier and further certifies that its projected annual revenues will not exceed \$5 million.

The earliest this transaction may be consummated is March 14, 2012, the effective date of the exemption (30 days after the exemption was filed).

If the 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. Stay petitions must be filed no later than March 7, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35596, must be filed with the Surface Transportation Board, 395 E Street SW.,

<sup>1</sup> JP Rail acquired authority to operate the Line in 1995. See *JP Rail, Inc. d/b/a Southern R.R. Co. of N.J.—Notice of Exemption—Operation of Salem Branch Rail Line in Salem County, N.J.*, FD 32700 (ICC served Oct. 10, 1995). JP Rail states that in July 2003 it entered into a 10-year contract with Salem for the continued operation of the Line, and that it assigned its rights and obligations under that contract to Class III rail carrier U.S. Rail Corporation (U.S. Rail) with Salem's consent in October 2009. See *U.S. Rail Corp. of N.J.—Lease Exemption—County of Salem, N.J.*, FD 35310 (STB served Nov. 27, 2009) and *U.S. Rail Corp.—Operation Exemption—U.S. Rail Corp. of N.J.*, FD 35317 (STB served Nov. 27, 2009). According to JP Rail, Salem terminated its contractual relationship with U.S. Rail on January 10, 2012, and reassigned the contract to JP Rail on February 1, 2012.

In the verified notice, JP Rail requests that rail service be permitted to resume as soon as possible because there are shippers on the Line that require rail service. On February 21, 2012, JP Rail filed a petition for waiver of the 30-day period before an exemption can become effective, 49 CFR 1150.42(b), and requested that the notice of exemption be permitted to become effective within 10 days of its February 13, 2012 filing date.

While JP Rail may have assigned its rights and obligations under the 2003 contract to U.S. Rail, the record does not show that JP Rail has ever sought Board authority to discontinue operations over the Line. Similarly, U.S. Rail has not sought Board authority to discontinue operations over the Line. Thus, with two rail carriers currently authorized to provide rail service on the Line, there is no need to rule on JP Rail's waiver petition. This notice of exemption is being issued and published to clarify the status of the parties with respect to the Line and to remove any doubt about JP Rail's authority to operate the Line in the future.

<sup>1</sup> GDOT is department of the State of Georgia organized under Title 32, Chapter 2, of the Official Code of Georgia.

<sup>2</sup> GDOT's verified notice of exemption is deemed to have been filed on February 17, 2012, the date GDOT filed its supplement.