

Dated: January 30, 2012.

By Order of the Maritime Administrator.

**Christine Gurland,**

*Acting Secretary, Maritime Administration.*

[FR Doc. 2012-2405 Filed 2-2-12; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket No. MARAD-2012-0002]

#### Requested Administrative Waiver of the Coastwise Trade Laws: Vessel SEVEN SEAS; Invitation for Public Comments

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Notice.

**SUMMARY:** As authorized by 46 U.S.C. 12121, 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 brief description of the proposed service, is listed below.

**DATES:** Submit comments on or before March 5, 2012.

**ADDRESSES:** Comments should refer to docket number MARAD-2012-0002. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590. You may also send comments electronically via the Internet at <http://www.regulations.gov>. 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://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Joann Spittle, U.S. Department of Transportation, Maritime Administration, 1200 New Jersey Avenue SE., Room W21-203, Washington, DC 20590. Telephone (202) 366-5979, Email [Joann.Spittle@dot.gov](mailto:Joann.Spittle@dot.gov).

#### SUPPLEMENTARY INFORMATION:

As described by the applicant the intended service of the vessel SEVEN SEAS is:

*Intended Commercial Use of Vessel:* "Passenger day charters. Maybe an overnight or two to Catalina Island."  
*Geographic Region:* "California."

The complete application is given in DOT docket MARAD-2012-0002 at <http://www.regulations.gov>. 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, in accordance with 46 U.S.C. 12121 and MARAD's regulations at 46 CFR part 388, 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 in that business, a waiver will not be granted. 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.

#### 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 (Volume 65, Number 70; Pages 19477-78).

Dated: January 20, 2012.

By Order of the Maritime Administrator.

**Christine Gurland,**

*Acting Secretary, Maritime Administration.*

[FR Doc. 2012-2410 Filed 2-2-12; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35589]

#### Dakota, Minnesota & Eastern Railroad Corporation—Trackage Rights Exemption—Chicago, Central & Pacific Railroad Company

Pursuant to a written trackage rights agreement, Chicago, Central & Pacific Railroad Company (CCP) has agreed to grant limited overhead trackage rights to Dakota, Minnesota & Eastern Railroad Corporation (DM&E)<sup>1</sup> over approximately 1.1 miles of rail line between milepost 85.6± (Rockford

Junction) and CCP's connection with DM&E at or near milepost 86.7± in Rockford (CCP/DM&E Connection), in Winnebago County, Ill.<sup>2</sup>

DM&E presently operates between Davis Junction, Ill. and Rockford pursuant to a trackage rights agreement with Illinois Railway, Inc. (IR). A segment of the trackage is currently out of service in Rockford as a result of track realignment. CCP has agreed to grant DM&E trackage rights for the movement of freight between the CCP/DM&E Connection and the connecting track between CCP and IR at Rockford Junction.

The transaction is scheduled to be consummated on February 19, 2012 the effective date of the exemption (30 days after the exemption was filed).

The purpose of the transaction is to provide an alternative to DM&E's operating rights over IR trackage in Rockford that is currently out of service.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk & Western Railway—Trackage Rights—Burlington Northern, Inc.*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Railway—Lease & Operate—California Western Railroad*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). 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 transaction. Petitions for stay must be filed by February 10, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35589, 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 W. Karl Hansen, 150 South Fifth St., Suite 2300, Minneapolis, MN 55402.

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

Decided: January 27, 2012.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Raina S. White,**

*Clearance Clerk.*

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<sup>2</sup> A redacted trackage rights agreement between DM&E and CCP was filed with the notice of exemption. The unredacted version was filed under seal along with a motion for protective order, which will be addressed in a separate decision.

<sup>1</sup> DM&E is an indirect subsidiary of Canadian Pacific Railway Company and CCP is an indirect subsidiary of Canadian National Railway Company.