

*Substantially similar U.S.-certified vehicles:* 1999–2001 BMW 7 Series passenger cars.

*Notice of Petition Published at:* 66 FR 28026 (May 21, 2001).

*Vehicle Eligibility Number:* VSP–366.

3. Docket No. NHTSA–2000–9739

*Nonconforming Vehicles:* 1998–2001 BMW R1100 motorcycles.

*Substantially similar U.S.-certified vehicles:* 1998–2001 BMW R1100 motorcycles.

*Notice of Petition Published at:* 66 FR 31748 (June 12, 2001).

*Vehicle Eligibility Number:* VSP–368.

4. Docket No. NHTSA–2001–9562

*Nonconforming Vehicles:* 1992 Chevrolet Corvette passenger cars.

*Substantially similar U.S.-certified vehicles:* 1992 Chevrolet Corvette passenger cars.

*Notice of Petition Published at:* 66 FR 28019 (May 21, 2001).

*Vehicle Eligibility Number:* VSP–365.

5. Docket No. NHTSA–2001–9649

*Nonconforming Vehicles:* 1995–2000 KTM Duke II motorcycles.

*Substantially similar U.S.-certified vehicles:* 1995–2000 KTM Duke II motorcycles.

*Notice of Petition Published at:* 66 FR 28024 (May 21, 2001).

*Vehicle Eligibility Number:* VSP–363.

6. Docket No. NHTSA–2001–9560

*Nonconforming Vehicle:* 2000–2001 Audi TT passenger cars.

*Substantially similar U.S.-certified vehicle:* 2000–2001 Audi TT passenger cars.

*Notice of Petition Published at:* 66 FR 28023 (May 21, 2001).

*Vehicle Eligibility Number:* VSP–364.

7. Docket No. NHTSA–2001–9732

*Nonconforming Vehicles:* 1993 Ford Mustang passenger cars.

*Substantially similar U.S.-certified vehicles:* 1993 Ford Mustang passenger cars.

*Notice of Petition Published at:* 66 FR 30264 (June 5, 2001).

*Vehicle Eligibility Number:* VSP–367.

8. Docket No. NHTSA–2001–9947

*Nonconforming Vehicles:* 2000–2001 Mercedes Benz S500 and S600 passenger cars.

*Substantially similar U.S.-certified vehicles:* 2000–2001 Mercedes Benz S500 and S600 passenger cars.

*Notice of Petition Published at:* 66 FR 37722 (July 19, 2001).

*Vehicle Eligibility Number:* VSP–371.

9. Docket No. NHTSA–2001–10512

*Nonconforming Vehicles:* 2002 Harley Davidson FX, FL, and XL motorcycles.

*Substantially similar U.S.-certified vehicles:* 2002 Harley Davidson FX, FL, and XL motorcycles.

*Notice of Petition Published at:* 66 FR 46678 (September 6, 2001).

*Vehicle Eligibility Number:* VSP–372.

[FR Doc. 01–31519 Filed 12–20–01; 8:45 am]

BILLING CODE 4910–59–P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 558 (Sub-No. 5)]

### Railroad Cost of Capital—2001

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of decision instituting a proceeding to determine the railroads' 2001 cost of capital.

**SUMMARY:** The Board is instituting a proceeding to determine the railroad industry's cost of capital for 2001. The decision solicits comments on: (1) The railroads' 2001 cost of debt capital; (2) the railroads' 2001 current cost of preferred stock equity capital; (3) the railroads' 2001 cost of common stock equity capital; and (4) the 2001 capital structure mix of the railroad industry on a market value basis.

**DATES:** Notices of intent to participate are due no later than January 14, 2002. Statements of the railroads are due by March 29, 2002. Statements of other interested persons are due by April 22, 2002. Rebuttal statements by the railroads are due by May 13, 2002.

**ADDRESSES:** Send an original and 10 copies of statements and a copy of the statement on a 3.5 inch disk in WordPerfect 9.0, 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 the Board's contractor, Dā- To Dā Legal, Suite 405, 1925 K Street, NW, Washington, DC 20006, phone (202) 293–7776. [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](http://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 13, 2001.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 01–31368 Filed 12–20–01; 8:45 am]

BILLING CODE 4915–00–P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB–55 (Sub-No. 602X)]

### CSX Transportation, Inc.— Abandonment Exemption—in Limestone County, AL

CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 0.56-mile line of railroad between milepost 000–290.2 and milepost 000–290.76 in Athens, Limestone County, AL. The line traverses United States Postal Service Zip Code 35614.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line; (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 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 22, 2002, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal

<sup>1</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

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