

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

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Decided: December 23, 2014.

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

**Brendetta S. Jones,**  
*Clearance Clerk.*

[FR Doc. 2014–30502 Filed 12–31–14; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. AB 290 (Sub-No. 363X)]

#### Norfolk Southern Railway Company— Discontinuance of Service Exemption—in Henry County, Va.

Norfolk Southern Railway Company (NSR) has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments and Discontinuances of Service* to discontinue service over approximately 1.40 miles of rail line from milepost DW 45.8 (near Highway 220B) to milepost DW 47.2 (near Woodvale Ct.) in Henry County, Va. (the Line). The Line traverses United States Postal Service Zip Code 24112.

NSR has certified that: (1) No local traffic has moved over the Line for at least two years; (2) no overhead traffic has moved over the Line for at least two years and overhead traffic, if there were any, could 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 two-year period; and (4) the requirements at 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 discontinuance shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) to subsidize continued rail service has been received, this exemption will become effective on February 3, 2015, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues and formal expressions of intent to file an OFA to subsidize continued rail service under 49 CFR 1152.27(c)(2),<sup>1</sup> must be filed by January 12, 2015.<sup>2</sup> Petitions to reopen must be filed by January 22, 2015, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to NSR's representative: William A. Mullins, Baker & Miller PLLC, 2401 Pennsylvania Ave. NW., Suite 300, Washington, DC 20037.

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Decided: December 24, 2014.

By the Board, Jonathon P. Binet, Acting Director, Office of Proceedings.

**Brendetta S. Jones,**  
*Clearance Clerk.*

[FR Doc. 2014–30731 Filed 12–31–14; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35889]

#### Alabama Southern Railroad, L.L.C.— Lease and Operation Exemption Including Interchange Commitment— The Kansas City Southern Railway Company

Alabama Southern Railroad, L.L.C. (ABS), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to continue to lease from The Kansas City Southern Railway Company (KCS) and operate approximately 85.6 miles of rail lines located between: (1) Milepost 17.0, near Columbus, Miss., and milepost 78.9, near Tuscaloosa, Ala., on the Tuscaloosa Subdivision; (2) milepost 0.0, at Tuscaloosa and milepost 9.3, near Fox,

Ala., on the Warrior Branch; and (3) milepost 443.5, at Brookwood Jct., Ala., and milepost 429.1, at Brookwood, Ala., on the Brookwood Branch (the Lines).<sup>1</sup>

ABS states that it has entered into an amended and restated lease agreement, which will extend the term of the lease until November 30, 2024, and make other minor changes to the lease. ABS also states that it will continue to be the operator of the Lines.

According to ABS, the new agreement between ABS and KCS contains an interchange commitment that affects interchange with carriers other than KCS. ABS notes that the affected interchange points are Northport, Ala., Tuscaloosa, Brookwood, and Columbus. As required under 49 CFR 1150.43(h)(1), ABS provided additional information regarding the interchange commitment.

ABS has certified that its projected annual revenues as a result of this transaction will not result in ABS's becoming a Class II or Class I rail carrier, but that its projected annual revenues will exceed \$5 million. Accordingly, ABS is required, at least 60 days before this exemption is to become effective, to send notice of the transaction to the national offices of the labor unions with employees on the affected lines, post a copy of the notice at the workplace of the employees on the affected lines, and certify to the Board that it has done so. 49 CFR 1150.42(e). ABS asserts that providing the 60-day notice would serve no useful purpose because ABS already operates the Lines.

ABS, concurrently with its verified notice of exemption, filed a petition for waiver of the 60-day advance labor notice requirement under § 1150.42(e), asserting that: (1) No KCS employee will be affected by the lease because no KCS employee has performed operations or maintenance on the Lines since 2005; (2) no ABS employee will be affected by the lease because ABS will continue to provide the same service and perform the same maintenance as it has since 2005; and (3) providing advance labor notice would be a futile act because the transaction will simply extend the term of the lease agreement between ABS and KCS. ABS's waiver request will be addressed in a separate decision.

ABS states that that it expects to consummate the transaction on or shortly after the effective date of this exemption. The Board will establish in the decision on the waiver request the earliest date this transaction may be consummated.

<sup>1</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,600. See 49 CFR 1002.2(f)(25).

<sup>2</sup> Because this is a discontinuance proceeding and not an abandonment, trail use/rail banking and public use conditions are not appropriate. Likewise, no environmental or historic documentation is required here under 49 CFR 1105.6(c) and 49 CFR 1105.8(b), respectively.

<sup>1</sup> ABS was granted authority to lease and operate the rail line in *Alabama Southern Railroad—Lease & Operation Exemption—The Kansas City Southern Railway*, FD 34754 (STB served Dec. 2, 2005).