

*Decision Date:* September 15, 2004.

**FOR FURTHER INFORMATION CONTACT:**  
Christopher Schaffer, Denver Airports  
District Office, (303) 342-1258.

*Public Agency:* City of Austin, TX.

*Application Number:* 04-05-C-00-AUS.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$4.50.

*Total PFC Revenue Approved in this Decision:* \$4,125,000.

*Earliest Charge Effective Date:* January 1, 2020.

*Estimated Charge Expiration Date:* May 1, 2020.

*Class of Air Carriers Not Required to Collect PFC's:* Non-scheduled on-demand air carriers (formerly called the air taxi/commercial operators) that file FAA Form 1800-31.

*Determination:* Approved. Based on information contained in the public agency's application, the FAA has determined that the approved class accounts for less than 1 percent of the total annual enplanements at Austin-Bergstrom International Airport.

*Brief Description of Project Approved for Collection and Use:* Explosive detection system installation and associated baggage handling system.

*Decision Date:* September 21, 2004.

**FOR FURTHER INFORMATION CONTACT:** G. Thomas Wade, Southwest Region Airports Division, (817) 222-5613.

*Public Agency:* Northwest Alabama Regional Airport Authority, Muscle Shoals, AL.

*Application Number:* 04-04-C-00-MSL.

*Application Type:* Impose and use a PFC.

*PFC Level:* \$3.00.

*Total PFC Revenue Approved in this Decision:* \$57,355.

*Earliest Charge Effective Date:* December 1, 2004.

*Estimated Charge Expiration Date:* April 1, 2009.

*Class of Air Carriers Not Required to Collect PFC's:* None.

*Brief Description of Project Approved for Collection and Use:*

Construct taxiway E, phases II and III.  
Purchase passenger life device.  
Commuter passenger walkway.  
Taxiway B Extension to runway 18.  
Rehabilitate runway 11/29 and associated taxiway A.

*Decision Date:* September 23, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Roderick T. Nicholson, Jackson Airports District Office, (601) 664-9884.

#### AMENDMENTS TO PFC APPROVALS

Amendment no. city, state	Amendment approved date	Original approved net PFC revenue	Amended approved net PFC revenue	Original estimated charge exp. date	Amended estimated charge exp. date
00-03-C-01-MCI, Kansas City, MO .....	07/20/04	\$99,645,586	\$63,402,166	05/01/13	10/01/17
99-01-C-04-ACY, Atlantic City, NJ .....	08/04/04	9,578,258	9,125,209	09/01/05	07/01/05
99-01-I-01-BFF, Scottsbluff, NE .....	09/13/04	108,000	0	03/01/03	03/01/03
04-02-C-01-BFF, Scottsbluff, NE .....	09/13/04	112,700	1,299,534	04/01/07	07/01/24
97-03-C-02-ONT, Ontario, CA .....	09/21/04	80,680,000	92,680,000	09/01/05	07/01/05
*97-02-C-02-FAT, Fresno, CA .....	09/22/04	54,531,000	54,531,000	07/01/30	01/01/20
04-04-C-01-IYK, Inyokern, CA .....	09/22/04	36,183	51,000	10/01/04	10/01/04
95-01-C-01-MSS, Massena, NY .....	09/22/04	200,079	163,429	11/01/05	11/01/05
02-05-C-04-BGM, Binghamton, NY .....	09/27/04	4,567,151	4,635,407	02/01/05	07/01/05
03-06-C-01-BGM, Binghamton, NY .....	09/27/04	7,996	7,996	03/01/05	08/01/05
01-01-C-01-PIT, Pittsburgh, PA .....	09/27/04	119,803,191	94,845,514	10/01/06	04/01/07
03-02-U-01-PIT, Pittsburgh, PA .....	09/27/04	NA	NA	10/01/06	04/01/07
95-01-C-01-OAJ, Jacksonville, NC .....	09/28/04	674,041	208,878	04/01/97	04/01/97
*01-01-C-02-PIT, Pittsburgh, PA .....	09/29/04	94,845,514	94,845,514	04/01/07	10/01/06
03-02-U-01-PIT, Pittsburgh, PA .....	09/29/04	NA	NA	04/01/07	10/01/06

**Note:** The amendments denoted by an asterisk (\*) include a change to the PFC level charged from \$3.00 per enplaned passenger to \$4.50 per enplaned passenger. For Fresno, CA and Pittsburgh, PA, this change is effective on December 1, 2004.

Issued in Washington, DC, on October 18, 2004.

**JoAnn Horne,**

*Manager, Financial Analysis and Passenger Facility Charge Branch.*

[FR Doc. 04-23673 Filed 10-21-04; 8:45 am]

**BILLING CODE 4910-13-M**

#### DEPARTMENT OF TRANSPORTATION

##### Surface Transportation Board

[STB Finance Docket No. 34533]

##### Southwestern Railroad Company, Inc.—Lease and Operation Exemption—The Burlington Northern and Santa Fe Railway Company

Southwestern Railroad Company, Inc. (SWRR), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 *et seq.* to lease and operate

from The Burlington Northern and Santa Fe Railway Company the following 227.6 miles of rail line located: (1) On the Carlsbad Subdivision between milepost 0.5, at Clovis, NM, and milepost 183.0, at Carlsbad, NM; (2) in the Carlsbad Yard;<sup>1</sup> (3) on the Carlsbad Industrial Spur between milepost 0.0 and milepost 20.0, at Carlsbad, NM; and (4) on the Loving Industrial Spur between milepost 0.0, at Carlsbad, NM, and milepost 20.0, at Loving, NM.

Because SWRR's projected annual revenues will exceed \$5 million, SWRR certified to the Board on August 4, 2004, that, on July 29, 2004, it had posted the required 60-day notice of intent to undertake the proposed transaction at

<sup>1</sup> SWRR states that there are no milepost designations associated with this 5.1-mile line of railroad located in the Carlsbad Yard.

the workplace of the employees on the affected line and that, on August 4, 2004, it had served a copy of the notice of intent on the national offices of all labor unions with employees on the rail line. *See* 49 CFR 1150.42(e).

SWRR states that it intended to consummate the transaction on or after the October 3, 2004 effective date of the exemption (60 days after its certification to the Board under 49 CFR 1150.42(e)).

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.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34533, must be filed with the Surface Transportation Board, 1925

K Street NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Karl Morell, Of Counsel, Ball Janik LLP, Suite 225, 1455 F Street, NW., Washington, DC 20005.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: October 19, 2004.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. 04-23770 Filed 10-21-04; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-6 (Sub-No. 418X)]

#### **The Burlington Northern and Santa Fe Railway Company—Abandonment Exemption—in Grand Forks County, ND**

The Burlington Northern and Santa Fe Railway Company (BNSF) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 6.50-mile line of railroad between BNSF milepost 0.00 near Hannah Junction and milepost 6.50 near McCanna, in Grand Forks County, ND. The line traverses United States Postal Service Zip Code 58251.

BNSF has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic to be rerouted; (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 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 report), 49 CFR 1105.8 (historic report), 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 employees 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 become effective November 23, 2004, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR

1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by November 1, 2004. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by November 12, 2004, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to applicant's representative: Michael Smith, Freeborn & Peters, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606-6677.

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

BNSF has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. SEA will issue an environmental assessment (EA) by October 29, 2004. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] 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), BNSF shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by

<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 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.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,100, but is scheduled to increase to \$1,200, effective October 31, 2004. See *Regulations Governing Fees for Services performed in connection with Licensing and Related Services—2004 Update*, STB Ex Parte No. 542 (Sub-No. 11) (STB served Oct. 1, 2004). See 49 CFR 1002.2(f)(25).

BNSF's filing of a notice of consummation by October 22, 2005, 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 Web site at <http://www.stb.dot.gov>.

Decided: October 12, 2004.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. 04-23369 Filed 10-21-04; 8:45 am]

BILLING CODE 4915-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-57 (Sub-No. 54X)]

#### **Soo Line Railroad Company—Abandonment Exemption—in Ramsey and Benson Counties, ND**

The Soo Line Railroad Company (Soo Line) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon a 28.35 ± mile line of railroad between milepost 446.0 ± in Devils Lake, Ramsey County, ND, and milepost 474.35 ± in Harlow, Benson County, ND. The line traverses United States Postal Service Zip Codes 58301, 58325, 58346, 58351 and 58362.

Soo Line has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) all overhead traffic can be and has been 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 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