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Issued this 12th day of January, 2007.

**James S. Simpson,**

*Administrator.*

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## DEPARTMENT OF TRANSPORTATION

### Research & Innovative Technology Administration

[Docket: OST-2007-26835]

#### Agency Information Collection; Activity Under OMB Review; Report of Passengers Denied Confirmed Space—BTS Form 251

**AGENCY:** Research & 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 collecting reports on the number of passengers holding confirmed reservations that voluntarily or involuntarily give up their seats when the airline oversells the flight. Comments are requested concerning whether (a) the collection is still needed by the Department of Transportation; (b) BTS accurately estimated the reporting burden; (c) there are other ways to enhance the quality, utility and clarity of the information collected; and (d) 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 March 20, 2007.

#### FOR FURTHER INFORMATION CONTACT:

Bernie Stankus, Office of Airline Information, RTS-42, Room 4125, RITA, BTS, 400 Seventh Street, SW., Washington, DC 20590-0001, Telephone Number (202) 366-4387, Fax Number (202) 366-3383 or E-Mail [bernard.stankus@dot.gov](mailto:bernard.stankus@dot.gov).

**Comments:** Comments should identify the associated OMB approval # 2138-0018 and Docket OST-2007-26835. Persons wishing the Department to acknowledge receipt of their comments must submit with those comments a

self-addressed stamped postcard on which the following statement is made: Comments on OMB # 2138-0018, Docket OST-26835. The postcard will be date/time stamped and returned.

#### SUPPLEMENTARY INFORMATION:

##### OMB Approval No. 2138-0018

**Title:** Report of Passengers Denied Confirmed Space.

**Form No:** BTS Form 251.

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

**Respondents:** Large certificated and foreign air carrier.

**Number of Respondents:** 100.

**Number of Responses:** 400.

**Total Annual Burden:** 1,670 hours.

**Needs and Uses:** BTS Form 251 is a one-page report on the number of passengers denied boarding (voluntarily and involuntarily), whether the bumped passengers were provided alternate transportation and/or compensation, and the amount of the payment. U.S. and foreign air carriers that operate scheduled passenger service with large aircraft (over 60-seats) must submit Form 251. In addition, carriers report data from inbound international flights because the protections of 14 CFR part 250 Oversales do not apply to these flights. The report allows the Department to monitor the effectiveness of its oversales rule and take enforcement action when necessary. While the involuntarily denied-boarding rate has decrease from 4.38 per 10,000 passengers in 1980 to 1.04 for the nine months ended September 2006, the rate is up from the 0.89 attained for the nine months ended September 2005. The publishing of the carriers' individual denied boarding rates has negated the need for more intrusive regulation. The rate of denied boarding can be examined as a continuing fitness factor. This rate provides an insight into a carrier's customer service policy and its compliance disposition. A rapid sustained increase in the rate of denied boarding often in an indicator of operational difficulty. Because the rate of denied boarding is released quarterly, travelers and travel agents can select carriers with low bumping incidents when booking a trip. This information is available in the Air Travel Consumer Report at: <http://airconsumer.ost.dot.gov/reports/index.htm>. The Air Travel Consumer Report is also sent to newspapers, magazines, and trade journals. Without Form 251, determining the effectiveness of the Department's oversales rule would be impossible.

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 January 12, 2007.

**Donald W. Bright,**

*Assistant Director, Airline Information, Bureau of Transportation Statistics.*

[FR Doc. E7-711 Filed 1-18-07; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 664]

#### Methodology To Be Employed in Determining the Railroad Industry's Cost of Capital

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice of Public Hearing.

**SUMMARY:** The Surface Transportation Board will hold a public hearing beginning at 9:30 a.m. on Thursday, February 15, 2007, at its offices in Washington, DC. The purpose of the hearing will be for members of the public to present their views to assist the Board in its examination of the appropriate methodology to be employed in determining the railroad industry's estimated cost of capital to be used in future annual cost-of-capital determinations. Persons wishing to speak at the hearing should notify the Board in writing.

**DATES:** The public hearing will take place on Thursday, February 15, 2007. Any person wishing to speak at the hearing should file with the Board a written notice of intent to participate and should identify the party, the proposed speaker, the time requested, and the topic(s) to be covered, as soon as possible but no later than February 5, 2007. Each speaker should also file with the Board a written summary of his/her testimony by February 12, 2007. Written submissions by interested persons who do not wish to appear at the hearing will also be due by February 12, 2007.

**ADDRESSES:** All notices of intent to participate and testimony may be submitted either via the Board's e-filing

format or in the traditional paper format. Any person using e-filing should comply with the Board's [www.stb.dot.gov](http://www.stb.dot.gov) Web site, at the "E-FILING" link. Any person submitting a filing in the traditional paper format should send an original and 10 copies of the filing to: Surface Transportation Board, Attn: STB Ex Parte No. 664, 1925 K Street, NW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION, CONTACT:**

Paul Aguiar, (202) 565-1527.  
[Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.]

**SUPPLEMENTARY INFORMATION:** By an advance notice of proposed rulemaking served on September 20, 2006, the Board sought comments on the appropriate methodology to be employed in determining the railroad industry's estimated cost of capital. The Board will hold a public hearing to provide a forum for interested persons to provide views and information about the Board's cost-of-capital calculation. Participants can also comment on how evidence should be submitted and analyzed in future cost-of-capital proceedings.

The annual determination of the railroad industry's cost of capital is used in evaluating the adequacy of railroad revenues each year. This information can also be used in other Board proceedings, such as those involving the prescription of maximum reasonable rate levels. Section 205 of the Railroad Revitalization and Regulatory Reform Act of 1976 (4R Act) created the requirement for the Board to establish and maintain standards for railroad revenue adequacy. Subsequent laws (including the ICC Termination Act of 1995) have retained this requirement. Thus, each year the Board makes a determination of which railroads are or are not revenue adequate.

The Board uses the Discounted Cash Flow (DCF) methodology to calculate the cost of equity, which in turn is used to calculate the cost of capital. Parties participating in this hearing should discuss any changes in the underlying railroad industry economic conditions and whether those changes suggest the need to change the methodology used by the Board. The Board invites information on the shortcomings of any proposed methodology and the current DCF method used in calculating cost of capital.

**Date of Hearing.** The hearing will begin at 9:30 a.m. on Thursday, February 15, 2007, in the 7th floor hearing room at the Board's

headquarters in Washington, DC, and will continue, with short breaks if necessary, until every person scheduled to speak has been heard.

**Notice of Intent To Participate.** Any person wishing to speak at the hearing should file with the Board a written notice of intent to participate, and should identify the party, the proposed speaker, the time requested, and topic(s) to be covered, as soon as possible, but no later than February 5, 2007.

**Testimony.** Each speaker should file with the Board a written summary of his/her testimony by February 12, 2007. Also, any interested person who wishes to submit a written statement without appearing at the February 15 hearing should file that statement by February 12, 2007.

**Board Releases and Live Audio Available Via the Internet.** Decisions and notices of the Board, including this notice, are available on the Board's Web site at [www.stb.dot.gov](http://www.stb.dot.gov). This hearing will be available on the Board's Web site by live audio streaming. To access the hearing, click on the "Live Audio" link under "Information Center" at the left side of the home page beginning at 9:30 a.m. on February 15, 2007.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Dated: January 12, 2007.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. E7-655 Filed 1-18-07; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### Agency Information Collection Activities: Proposed Information Collection; Comment Request

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury.

**ACTION:** Notice and request for comment.

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. Currently, the OCC is soliciting comment concerning its renewal of an information collection titled, "(MA)—Municipal Securities Dealers and Government Securities Brokers and Dealers Registration and Withdrawal."

**DATES:** You should submit written comments by March 20, 2007.

**ADDRESSES:** You should direct all written comments to the Communications Division, Attention: 1557-0184, Third Floor, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219. In addition, you may send comments by facsimile transmission to (202) 874-5274, or by electronic mail to [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov). You can inspect and photocopy the comments at the OCC's Public Reference Room, 250 E Street, SW., Washington, DC, between 9 a.m. and 5 p.m. on business days. You can make an appointment to inspect the comments by calling (202) 874-5043.

**FOR FURTHER INFORMATION CONTACT:** You can request additional information from or a copy of the collection from Mary Gottlieb or Camille Dickerson, (202) 874-5090, Legislative and Regulatory Activities Division (1557-0184), Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219.

Additionally, you should send a copy of your comments to OCC Desk Officer, 1557-0184, by mail to U.S. Office of Management and Budget, 725, 17th Street, NW., #10235, Washington, DC 20503, or by fax to (202) 395-6974.

**SUPPLEMENTARY INFORMATION:** The OCC is proposing to extend OMB approval of the following information collection:

**Title:** (MA)—Municipal Securities Dealers and Government Securities Brokers and Dealers Registration and Withdrawal.

**OMB Number:** 1557-0184.

**Form Numbers:** MSD, MSDW, MSD-4, MSD-5, G-FIN, G-FINW.

**Abstract:** This information collection is required to satisfy the requirements of the Securities Act Amendments of 1975 and the Government Securities Act of 1986 which require that any national bank that acts as a government securities broker/dealer or a municipal securities dealer notify the OCC of its broker/dealer activities. The OCC uses this information to determine which national banks are government and municipal securities broker/dealers and to monitor entry into and exit from government and municipal securities broker/dealer activities by institutions and registered persons. The OCC also uses the information in planning bank examinations.

**Type of Review:** Renewal of a currently approved collection. The collection has not changed. The OCC asks only that OMB approve its revised estimates and extend its approval of the forms, revised only to add a clarification to the instructions.