

**SURFACE TRANSPORTATION BOARD****60-Day Notice of Intent To Seek Extension of Approval: Class I Railroad Annual Report**

**AGENCY:** Surface Transportation Board.

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

**SUMMARY:** As required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice of its intent to seek approval from the Office of Management and Budget (OMB) for an extension of the collection of Class I Railroad Annual Reports, as described below.

**DATES:** Comments on this information collection should be submitted by January 31, 2023.

**ADDRESSES:** Direct all comments to Chris Oehrle, Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001, or to [PRA@stb.gov](mailto:PRA@stb.gov). When submitting comments, please refer to "Paperwork Reduction Act Comments, Class I Railroad Annual Report."

**FOR FURTHER INFORMATION CONTACT:** For further information regarding this collection, contact Pedro Ramirez at (202) 245-0333 or [pedro.ramirez@stb.gov](mailto:pedro.ramirez@stb.gov). Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** Comments are requested concerning: (1) the accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

**Subjects:** In this notice, the Board is requesting comments on the extension of the following information collection:

**Description of Collection**

*Title:* Class I Railroad Annual Report.

*OMB Control Number:* 2140-0009.

*Form Number:* R-1.

*Type of Review:* Extension without change.

*Respondents:* Class I railroads.

*Number of Respondents:* Seven.

*Estimated Time per Response:* No more than approximately 250 hours. This estimate includes time spent

reviewing instructions; searching existing data sources; gathering and maintaining the data needed; completing and reviewing the collection of information; and converting the data from the carrier's individual accounting system to the Board's Uniform System of Accounts, which ensures that the information will be presented in a consistent format across all reporting railroads. In prior years, the estimate was higher, but many of these functions have become automated and more routine through the respondents' software programming. Thus, the time per response has been reduced, with additional technological efficiencies anticipated in the future.

*Frequency of Response:* Annual.

*Total Annual Hour Burden:* No more than approximately 1,750 hours annually.

*Total Annual "Non-Hour Burden"*

*Cost:* The respondent carriers are required by statute to submit a copy of the annual report, signed under oath. See 49 U.S.C. 11145. A hard copy of the report is mailed to the agency at an estimated cost of \$15.00 per respondent, resulting in a total annual non-burden-hour cost of approximately \$105.00 for all seven respondents. No other non-hour costs for operation, maintenance, or purchase of services associated with this collection have been identified, as: (a) this collection will not impose start-up costs on respondents; and (b) an additional copy of the report in Excel format is submitted to the agency electronically.

*Needs and Uses:* Annual reports are required to be filed by Class I railroads under 49 U.S.C. 11145. The reports show operating expenses and operating statistics of the carriers. Operating expenses include costs for right-of-way and structures, equipment, train and yard operations, and general and administrative expenses. Operating statistics include such items as car-miles, revenue-ton-miles, and gross ton-miles. These reports are used by the Board, other Federal agencies, and industry groups to monitor and assess railroad industry growth, financial stability, traffic, and operations, and to identify industry changes that may affect national transportation policy. Information from these reports is also entered into the Uniform Railroad Costing System (URCS), which is the Board's general purpose costing methodology. URCS, which was developed by the Board pursuant to 49 U.S.C. 11161, is used as a tool in rail rate proceedings (in accordance with 49 U.S.C. 10707(d)) to calculate the variable costs associated with providing a particular service. The Board also uses

information from this collection to more effectively carry out other regulatory responsibilities, including: acting on railroad requests for authority to engage in Board-regulated financial transactions such as mergers, acquisitions of control, and consolidations, see 49 U.S.C. 11323-24; analyzing the information that the Board obtains through the annual railroad industry waybill sample, see 49 CFR 1244; measuring off-branch costs in railroad abandonment proceedings, in accordance with 49 CFR 1152.32(n); developing the "rail cost adjustment factors," in accordance with 49 U.S.C. 10708; and conducting investigations and rulemakings.

Under the PRA, a Federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Under 44 U.S.C. 3506(c)(2)(A), Federal agencies are required to provide, prior to an agency's submitting a collection to OMB for approval, a 60-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Information from certain schedules contained in these reports is compiled and published on the Board's website, <https://www.stb.gov/reports-data/economic-data/>. Information in these reports is not available from any other source.

Dated: November 29, 2022.

**Kenyatta Clay,**

*Clearance Clerk.*

[FR Doc. 2022-26255 Filed 12-1-22; 8:45 am]

**BILLING CODE 4915-01-P**

**SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36650]

**3i RR Holdings GP LLC, 3i RR Holdings Partnership L.P., 3i RR Intermediate Holdings LLC, 3i RR LLC, Regional Rail Holdings, LLC, Regional Rail Sub Holdings LLC, and Regional Rail, LLC—Control Exemption—Effingham Railroad Company, Illinois Western Railroad Company, and South Point & Ohio Railroad, Inc.**

3i RR Holdings GP LLC, 3i RR Holdings Partnership L.P., 3i RR Intermediate Holdings LLC, 3i RR LLC, Regional Rail Holdings, LLC, and

Regional Rail Sub Holdings LLC (collectively, 3i RR) and Regional Rail, LLC (Regional Rail), both noncarriers, have filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to acquire control of Effingham Railroad Company (EFRR) and South Point & Ohio Railroad, Inc. (SPOR), both Class III carriers, and to acquire control of Illinois Western Railroad Company (ILW), a noncarrier, upon ILW's becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in *Illinois Western Railroad—Operation Exemption—in Greenville, Ill.*, Docket No. FD 36649, in which ILW seeks to operate approximately thirteen hundred feet of trackage owned by the City of Greenville, in Greenville, Bond County, Ill.

According to the verified notice, Regional Rail is directly controlled by Regional Rail Sub Holdings LLC, which is controlled by Regional Rail Holdings, LLC, which is controlled by 3i RR LLC, which is controlled by 3i RR Intermediate Holdings LLC, which is controlled 3i RR Holdings Partnership L.P., which is controlled by 3i RR Holdings GP LLC. The verified notice states that Regional Rail is a non-carrier holding company that directly controls the following eight Class III railroads: (1) Carolina Coastal Railway, Inc., which operates in North Carolina and South Carolina; (2) East Penn Railroad, LLC, which operates in Delaware and Pennsylvania; (3) Florida Central Railroad Company, Inc., which operates in Florida; (4) Florida Midland Railroad Company, Inc., which operates in Florida; (5) Florida Northern Railroad Company, Inc., which operates in Florida; (6) Middletown & New Jersey Railroad, LLC, which operates in New York; (7) Port Manatee Railroad LLC, which operates in Florida, and (8) Tyburn Railroad LLC, which operates in Pennsylvania.<sup>1</sup>

According to the verified notice, pursuant to a stock purchase agreement dated November 10, 2022, with respect to EFRR and ILW, and a stock purchase agreement to be entered into with respect to SPOR, Regional Rail proposes to acquire all of the stock of EFRR, ILW, and SPOR and assume direct control of those rail carriers. 3i RR and Regional Rail state that the stock purchase agreements do not include any provision that would limit the future

interchange of traffic with a third-party connecting carrier.<sup>2</sup>

3i RR and Regional Rail represent that: (1) the rail lines of EFRR, ILW, and SPOR do not connect with the rail lines of any of the other rail carriers controlled by 3i RR and Regional Rail; (2) the transaction is not part of a series of anticipated transactions that would result in such a connection; and (3) the transaction does not involve a Class I rail carrier. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323 pursuant to 49 CFR 1180.2(d)(2).

This transaction may be consummated on or after December 18, 2022, the effective date of the exemption (30 days after the verified notice was filed).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the verified 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 effectiveness of the exemption. Petitions for stay must be filed no later than December 9, 2022.

All pleadings, referring to Docket No. FD 36650, must be filed with the Surface Transportation Board either via e-filing on the Board's website or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on 3i RR's and Regional Rail's representative, Thomas J. Litwiler, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208.

According to 3i RR and Regional Rail, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: November 29, 2022.

By the Board, Mai T. Dinh, Director, Office of Proceedings.

**Raina White,**  
Clearance Clerk.

[FR Doc. 2022-26277 Filed 12-1-22; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Request To Release Airport Land at the Toccoa-Stephens County Airport

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice.

**SUMMARY:** The FAA proposes to rule and invites public comment on the request to release .73 acres of federally obligated airport property at the Toccoa-Stephens County Airport.

**DATES:** Comments must be received on or before January 3, 2023.

**ADDRESSES:** Comments on this notice may be mailed or delivered in triplicate to the FAA to the following address: Atlanta Airports District Office Attn: Joseph Robinson, Planner, 1701 Columbia Ave., Suite 220, College Park, GA 30337.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to the Toccoa-Stephens County Airport Authority, Attn: Ms. Amber McCall, P.O. Box 494, Toccoa, GA 30577.

**FOR FURTHER INFORMATION CONTACT:** Joseph Robinson, Airport Planner, Atlanta Airports District Office, 1701 Columbia Ave., Suite 220, College Park, Georgia 30337-2747, (404) 305-6749. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release a parcel of land totaling 0.73 acres at the Toccoa-Stephens County Airport. The FAA determined this request to release submitted by the Sponsor meets the procedural requirements of the FAA and the release of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this notice.

Issued in Atlanta, Georgia, on November 28, 2022.

**Joseph Parks Preston,**  
Assistant Manager, Atlanta Airports District Office, Southern Region.

[FR Doc. 2022-26215 Filed 12-1-22; 8:45 am]

**BILLING CODE 4910-13-P**

<sup>1</sup> See *3i Holdings GP LLC—Continuance in Control Exemption—Port Manatee R.R.*, FD 36553 (STB served Nov. 21, 2022).

<sup>2</sup> Public and confidential versions of the stock purchase agreements were filed with the verified notice. The confidential versions were submitted under seal concurrent with a motion for protective order, which is addressed in a separate decision.