

carrier's passenger weighted fare as a percent of passenger weighted SIFL fares.

WASHINGTON AREA AIRPORTS' PERCENT OF SIFL, LARGEST CARRIER SIFL AND PERCENT OF TRAFFIC

	% of WAS	Apt % SIFL	Largest Car	% of Traffic	% SIFL
BWI	41	65	WN	48	65
DCA	35	101	US	33	124
IAD	23	77	UA	47	90

Note: If US Airways is removed from the DCA percent of SIFL calculation the airport average SIFL would decline to 88% of SIFL.

As can be seen, the relationship of actual fares to the SIFL fare benchmark is very different at the three Washington area

airports. Actual fares are 65% of SIFL at BWI, 77% at IAD and 101% at DCA.

The comparable statistics for the NYC airports are summarized in the following table.

NEW YORK AREA AIRPORTS PERCENT OF SIFL, LARGEST CARRIER SIFL AND PERCENT OF TRAFFIC

	% of NYC	Apt % SIFL	Largest Car	% of Traffic	% SIFL
EWR	30	71	CO	59	71
JFK	34	57	B6	46	57
LGA	35	82	DL	30	89

Note: If Delta is removed from the DCA percent of SIFL calculation the airport average SIFL would decline to 79% of SIFL.

The results show that actual fares are 71% of SIFL at EWR, 57% of SIFL at JFK, and 82% of SIFL at LGA. Delta Air Lines is the largest carrier with 30% of traffic and a weighted average fare of 89% of SIFL. We noted that if Delta is excluded from LGA figures the airport percent of SIFL would decline to 79% of SIFL.

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Request for Expedited Certification and Type Approval of Amtrak Advanced Civil Speed Enforcement System (ACSES)

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for expedited certification and type approval of the Amtrak ACSES. ACSES has been deployed on the Northeast Corridor since December 2000, in accordance with the FRA Final Order of Particular Applicability issued on July 22, 1998 [FRA Docket No. 87-2, Notice No.7]. The request is described below, including the party seeking certification and type approval of ACSES, the regulatory provisions involved, the nature of the request, and the petitioner's arguments in favor of the request.

National Railroad Passenger Corporation

[Docket Number FRA-2010-0029]

The National Railroad Passenger Corporation (Amtrak) is submitting a request for expedited certification and type approval of ACSES, presently installed on the Northeast Corridor, in fulfillment of the requirements of and compliance with the final rule for Positive Train Control systems per 49 CFR part 236, subpart I (specifically, Section 236.1031). The documentation supporting this request demonstrates that ACSES reliably performs the functionalities required by Sections 236.1005 and 236.1007, and therefore conforms to Subpart I. Also, ACSES has been recognized by FRA as being designed and implemented by Amtrak since December 2000, in full accordance with the FRA Final Order of Particular Applicability issued in July 1998. These conditions constitute a legitimate basis for expedited certification and type approval of ACSES.

Submission of the request does not require the establishment of a formal comment period; however, interested parties may submit their views, data, or comments by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m.

and 5 p.m., Monday through Friday, except Federal holidays.

Communications received during the review process of this request will be considered by FRA, to the extent practicable, before the final decision is made. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the document (or signing the document, if submitted on behalf of an association, business, labor union, *etc.*). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Page 19477) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on May 4, 2010.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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