

Issued in Lawndale, California, on March 2, 2010.

**Debbie Roth,**

*Acting Manager, Airports Division, Western-Pacific Region.*

[FR Doc. 2010-5285 Filed 3-12-10; 8:45 am]

**BILLING CODE 4910-13-M**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

**Release of Waybill Data**

The Surface Transportation Board has received a request from BST Associates (WB616-3-1/22/10) for access to certain data from the Board's 2008 Carload Waybill Sample. A copy of this request may be obtained from the Office of Economics, Environmental Analysis, and Administration.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics, Environmental Analysis, and Administration within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

Contact: Scott Decker, (202) 245-0330.

**Kulunie L. Cannon,**  
*Clearance Clerk.*

[FR Doc. 2010-5511 Filed 3-12-10; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF TRANSPORTATION**

**Surface Transportation Board**

[STB Finance Docket No. 34554 (Sub-No. 13)]

**Union Pacific Railroad Company—  
Temporary Trackage Rights  
Exemption—BNSF Railway Company**

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

**ACTION:** Partial revocation of exemption.

**SUMMARY:** Under 49 U.S.C. 10502, the Board revokes the class exemption as it pertains to the trackage rights described in STB Finance Docket No. 34554 (Sub-No. 12)<sup>1</sup> to permit the trackage rights to

<sup>1</sup>In that docket, on December 18, 2009, UP filed a verified notice of exemption under the Board's class exemption procedures at 49 CFR 1180.2(d)(7). The notice covered the agreement by BNSF Railway Company (BNSF) to extend to December 18, 2010, the expiration date of the local trackage rights granted to UP over BNSF's line of railroad extending from BNSF milepost 579.3 near Mill Creek, OK, to BNSF milepost 631.1 near Joe

expire on or about December 18, 2010, in accordance with the agreement of the parties,<sup>2</sup> subject to the employee protective conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

**DATES:** This exemption will be effective on April 14, 2010. Petitions to stay must be filed by March 25, 2010. Petitions for reconsideration must be filed by April 5, 2010.

**ADDRESSES:** Send an original and 10 copies of all pleadings, referring to STB Finance Docket No. 34554 (Sub-No. 13) to: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on UP's representative: Mack H. Shumate, Jr., Senior General Attorney, 101 North Wacker Drive, Room #1920, Chicago, IL 60606.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 245-0395.

Junction, TX, a distance of approximately 52 miles. UP submits that while the trackage rights are only temporary rights, because they are "local" rather than "overhead" rights, they do not qualify for the Board's class exemption for temporary trackage rights under 49 CFR 1180.2(d)(8). See *Union Pacific Railroad Company—Temporary Trackage Rights Exemption—BNSF Railway Company*, STB Finance Docket No. 34554 (Sub-No. 12) (STB served Dec. 31, 2009).

<sup>2</sup>The trackage rights were originally granted in *Union Pacific Railroad Company—Temporary Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company*, STB Finance Docket No. 34554 (STB served Oct. 7, 2004). Subsequently, the parties filed several notices of exemption based on their agreements to extend expiration dates of the same trackage rights. See STB Finance Docket No. 34554 (Sub-No. 2) (decision served February 11, 2005); STB Finance Docket No. 34554 (Sub-No. 4) (decision served March 3, 2006); STB Finance Docket No. 34554 (Sub-No. 6) (decision served January 12, 2007); STB Finance Docket No. 34554 (Sub-No. 8) (decision served January 4, 2008); and STB Finance Docket No. 34554 (Sub-No. 10) (decision served January 8, 2009). Because the original and subsequent trackage rights notices were filed under the class exemption at 49 CFR 1180.2(d)(7), under which trackage rights normally remain effective indefinitely, in each instance the Board granted partial revocation of the class exemption to permit the authorized trackage rights to expire. See STB Finance Docket No. 34554 (Sub-No. 1) (decision served November 24, 2004); STB Finance Docket No. 34554 (Sub-No. 3) (decision served March 25, 2005); STB Finance Docket No. 34554 (Sub-No. 5) (decision served March 23, 2006); STB Finance Docket No. 34554 (Sub-No. 7) (decision served March 13, 2007); STB Finance Docket No. 34554 (Sub-No. 9) (decision served March 20, 2008); and STB Finance Docket No. 34554 (Sub-No. 11) (decision served March 11, 2009). At the time of the extension authorized in STB Finance Docket No. 34554 (Sub-No. 10), the parties anticipated that the authority to allow the rights to expire would be exercised by December 31, 2009. However, the parties filed on December 18, 2009, in STB Finance Docket No. 34554 (Sub-No. 12) their most recent notice of exemption so that the trackage rights could be extended to December 18, 2010, and in STB Finance Docket No. 34554 (Sub-No. 13) their latest petition to partially revoke the class exemption to permit expiration, which we are addressing here.

Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision. Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: March 8, 2010.

By the Board, Chairman Elliott, Vice Chairman Mulvey, and Commissioner Nottingham.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2010-5587 Filed 3-12-10; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF THE TREASURY**

**Alcohol and Tobacco Tax and Trade Bureau**

**Proposed Information Collections;  
Comment Request**

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau, Treasury.

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

**SUMMARY:** As part of our continuing effort to reduce paperwork and respondent burden, and as required by the Paperwork Reduction Act of 1995, we invite comments on the proposed or continuing information collections listed below in this notice.

**DATES:** We must receive your written comments on or before May 14, 2010.

**ADDRESSES:** You may send comments to Mary A. Wood, Alcohol and Tobacco Tax and Trade Bureau, at any of these addresses:

- P.O. Box 14412, Washington, DC 20044-4412;
- 202-453-2686 (facsimile); or
- [formcomments@ttb.gov](mailto:formcomments@ttb.gov) (e-mail).

Please send separate comments for each specific information collection listed below. You must reference the information collection's title, form or recordkeeping requirement number, and OMB number (if any) in your comment. If you submit your comment via facsimile, send no more than five 8.5 x 11 inch pages in order to ensure electronic access to our equipment.

**FOR FURTHER INFORMATION CONTACT:** To obtain additional information, copies of the information collection and its instructions, or copies of any comments received, contact Mary A. Wood, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 14412, Washington, DC 20044-4412; or telephone 202-453-2265.

**SUPPLEMENTARY INFORMATION:****Request for Comments**

The Department of the Treasury and its Alcohol and Tobacco Tax and Trade Bureau (TTB), as part of their continuing effort to reduce paperwork and respondent burden, invite the general public and other Federal agencies to comment on the proposed or continuing information collections listed below in this notice, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Comments submitted in response to this notice will be included or summarized in our request for Office of Management and Budget (OMB) approval of the relevant information collection. All comments are part of the public record and subject to disclosure. Please not do include any confidential or inappropriate material in your comments.

*We invite comments on:* (a) Whether this information collection is necessary for the proper performance of the agency's functions, including whether the information has practical utility; (b) the accuracy of the agency's estimate of the information collection's burden; (c) ways to enhance the quality, utility, and clarity of the information collected; (d) ways to minimize the information collection's burden on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide the requested information.

**Information Collections Open for Comment**

Currently, we are seeking comments on the following forms and recordkeeping requirements:

*Title:* Brewer's Notice, and Letterhead applications and notices filed by Brewers.

*OMB Control Number:* 1513-0005.

*TTB Form Number:* 5130.10.

*TTB Record Number:* 5130/2.

*Abstract:* The Internal Revenue Code requires brewers to file a notice of intent to operate a brewery. TTB Form 5130.10 is similar to a permit and, when approved by TTB, is a brewer's authorization to operate. Letterhead applications and notices are necessary to identify brewery activities so that TTB may ensure that proposed operations do not jeopardize Federal revenues.

*Current Actions:* We are submitting this information collection for extension purposes only. The information collection, estimated number of

responses, and estimated total annual burden hours are unchanged.

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

*Affected Public:* Business or other for-profit.

*Estimated Number of Responses:* 9,792.

*Estimated Total Annual Burden Hours:* 8,976.

*Title:* Principal Place of Business on Beer Labels.

*OMB Control Number:* 1513-0085.

*TTB Record Number:* 5130/5.

*Abstract:* TTB regulations permit domestic brewers who operate more than one brewery to show as their address on labels and kegs of beer, their "principal place of business" address. This label option may be used in lieu of showing the actual place of production or of listing all of the brewer's locations on the label.

*Current Actions:* We are submitting this information collection for extension purposes only. The information collection, estimated number of responses, and estimated total annual burden hours are unchanged.

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

*Affected Public:* Business or other for-profit.

*Estimated Number of Responses:* 1,632.

*Estimated Total Annual Burden Hours:* One (1).

*Title:* Marks on Equipment and Structures, and Marks and Labels on Containers of Beer.

*OMB Control Number:* 1513-0086.

*TTB Record Numbers:* 5230/3 and 5130/4.

*Abstract:* Marks, signs, and calibrations are necessary on equipment and structures for identifying major equipment for accurate determination of tank contents, and for the segregation of taxpaid and nont taxpaid beer. Marks and labels on containers of beer are necessary to inform consumers of container contents and to identify the brewer and place of production.

*Current Actions:* We are submitting this information collection for extension purposes only. The information collection, estimated number of responses, and estimated total annual burden hours remain unchanged.

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

*Affected Public:* Business or other for-profit.

*Estimated Number of Responses:* 1,632.

*Estimated Total Annual Burden Hours:* One (1).

*Title:* Pay.gov User Agreement.

*OMB Control Number:* 1513-0117.

*TTB Form Number:* 5000.31.

*Abstract:* The Pay.gov User

Agreement will be used to identify, validate, approve, and register qualified users so they may submit electronic forms via the Pay.gov system.

*Current Actions:* We are submitting this information collection for extension purposes only. The information collection, estimated number of responses, and estimated total annual burden hours remain unchanged.

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

*Affected Public:* Business or other for-profit.

*Estimated Number of Responses:* 5,800.

*Estimated Total Annual Burden Hours:* 483.

*Title:* Permit Application Questions, Amended Permit Application Questions, Claims Questions, and other Questionnaires.

*OMB Control Number:* 1513-0124.

*TTB Form and Record Number:* None.

*Abstract:* TTB, in an effort to improve its Customer Service, uses these questionnaires to keep track of its customer service quality and progress, as well as to identify potential needs, problems, and opportunities for improvement. These questionnaires will be used primarily in telephone interviews and TTB's Expo, but may be used on other occasions as well. The respondents for the telephone interviews are applicants, permittees, and claimants pursuant to the Federal Alcohol Administration Act, the Internal Revenue Code, and TTB regulations. The Expo survey is taken by anyone in attendance. There is no cost to respondents other than their time, and responding to these customer service questionnaires is voluntary.

*Current Actions:* We are submitting this generic information collection request for extension purposes only. The information collection, estimated number of responses, and estimated total annual burden hours remain unchanged.

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

*Affected Public:* Business or other for-profit.

*Total Number of Responses Requested:* 107,500.

*Total Burden Hours Requested:* 53,000.

*Title:* Distilled Spirits Bond.

*OMB Control Number:* 1513-0125.

*TTB Form Number:* 5110.56.

*Abstract:* This form is used by Distilled Spirits Plants (DSPs) and Alcohol Fuel Plants to file bond

coverage with TTB. Using this form, these plants may file coverage and/or withdraw coverage for one plant or multiple plants. DSPs may file this bond and include operations coverage for adjacent wine cellars. The bond may be secured through a surety company or it may be secured with collateral (cash, Treasury Bonds, or Treasury Notes). The bond protects the revenue assigned to distilled spirits on which excise tax has not been paid. Should the industry member fail to pay its tax liability, including any penalties and interest, TTB may obligate the funds used to secure the bond to satisfy the debt.

*Current Actions:* We are submitting this information collection for extension purposes only. The information collection, estimated number of responses, and estimated total annual burden hours remain unchanged.

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

*Affected Public:* Business or other for-profit; Farms.

*Estimated Number of Responses:* 232.

*Estimated Total Annual Burden Hours:* 232.

Dated: March 8, 2010.

**Theresa McCarthy,**

*Acting Director, Regulations and Rulings Division.*

[FR Doc. 2010-5509 Filed 3-12-10; 8:45 am]

**BILLING CODE 4810-31-P**

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 1139

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, 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 proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13(44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 1139, Corporation Application for Tentative Refund.

**DATES:** Written comments should be received on or before May 14, 2010 to be assured of consideration.

**ADDRESSES:** Direct all written comments to R. Joseph Durbala, Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Joel P. Goldberger at (202) 927-9368, or at Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or through the Internet at [Joel.P.Goldberger@irs.gov](mailto:Joel.P.Goldberger@irs.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* Corporation Application for Tentative Refund.

*OMB Number:* 1545-0582.

*Form Number:* 1139.

*Abstract:* Form 1139 is filed by corporations that expect to have a net operating loss, net capital loss, or unused general business credits, carried back to a prior tax year. IRS uses Form 1139 to determine if the amount of the loss or unused credits is proper.

*Current Actions:* There are no changes being made to the form at this time.

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

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 3,750.

*Estimated Time per Respondent:* 44 hr., 25 min.

*Estimated Total Annual Burden Hours:* 165,938.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record.

*Comments are invited on:* (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: February 26, 2010.

**R. Joseph Durbala,**

*IRS Supervisory Tax Analyst.*

[FR Doc. 2010-5504 Filed 3-12-10; 8:45 am]

**BILLING CODE 4830-01-P**