

- vehicles: 1995 Jeep Wrangler
Notice of Petition published at: 63 FR 18249 (April 14, 1998)
Vehicle Eligibility Number: VSP-255
11. Docket No. NHTSA-98-3710
Nonconforming Vehicles: 1993 Jeep Cherokee manufactured for Middle Eastern and other foreign markets
Substantially similar U.S.-certified vehicles: 1995 Jeep Cherokee
Notice of Petition published at: 63 FR 18248 (April 14, 1998)
Vehicle Eligibility Number: VSP-254
12. Docket No. NHTSA-98-3715
Nonconforming Vehicles: 1981-1988 Toyota Landcruiser
Substantially similar U.S.-certified vehicles: 1981-1988 Toyota Landcruiser
Notice of Petition published at: 63 FR 18489 (April 15, 1998)
Vehicle Eligibility Number: VSP-252
13. Docket No. NHTSA-98-3716
Nonconforming Vehicles: 1995-1998 Ford Windstar
Substantially similar U.S.-certified vehicles: 1995-1998 Ford Windstar
Notice of Petition published at: 63 FR 18491 (April 15, 1998)
Vehicle Eligibility Number: VSP-250
14. Docket No. NHTSA-98-3717
Nonconforming Vehicles: 1990 Volkswagen Transporter
Substantially similar U.S.-certified vehicles: 1990 Volkswagen Vanagon
Notice of Petition published at: 63 FR 18490 (April 15, 1998)
Vehicle Eligibility Number: VSP-251
15. Docket No. NHTSA-98-3806
Nonconforming Vehicles: 1995 Ferrari 456
Substantially similar U.S.-certified vehicles: 1995 Ferrari 456
Notice of Petition published at: 63 FR 25895 (May 11, 1998)
Vehicle Eligibility Number: VSP-256
16. Docket No. NHTSA-98-3809
Nonconforming Vehicles: 1997-1998 Mercedes-Benz SLK
Substantially similar U.S.-certified vehicles: 1997-1998 Mercedes-Benz SLK
Notice of Petition published at: 63 FR 27117 (May 15, 1998)
Vehicle Eligibility Number: VSP-257
17. Docket No. NHTSA-98-3811
Nonconforming Vehicles: 1990-1993 Bentley Continental R
Substantially similar U.S.-certified vehicles: 1990-1993 Bentley Continental R
Notice of Petition published at: 63 FR 27116 (May 16, 1998)
Vehicle Eligibility Number: VSP-258
18. Docket No. NHTSA-98-3822
Nonconforming Vehicles: 1996-1998 BMW Z3
Substantially similar U.S.-certified vehicles: 1996-1998 BMW Z3

- Notice of Petition published at: 63 FR 27343 (May 18, 1998)
Vehicle Eligibility Number: VSP-260
19. Docket No. NHTSA-98-3823
Nonconforming Vehicles: 1995 Ferrari F355
Substantially similar U.S.-certified vehicles: 1995 Ferrari F355
Notice of Petition published at: 63 FR 27344 (May 18, 1998)
Vehicle Eligibility Number: VSP-259
20. Docket No. NHTSA-98-3851
Nonconforming Vehicles: 1995 Mercedes-Benz C280
Substantially similar U.S.-certified vehicles: 1995 Mercedes-Benz C280
Notice of Petition published at: 63 FR 27616 (May 19, 1998)
Vehicle Eligibility Number: VSP-262
21. Docket No. NHTSA-98-3852
Nonconforming Vehicles: 1997 Porsche Boxster
Substantially similar U.S.-certified vehicles: 1997 Porsche Boxster
Notice of Petition published at: 63 FR 27617 (May 19, 1998)
Vehicle Eligibility Number: VSP-261

[FR Doc. 98-19251 Filed 7-17-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Ex Parte No. 558 (Sub-No. 1)]

Railroad Cost of Capital—1997**AGENCY:** Surface Transportation Board.**ACTION:** Notice of decision.

SUMMARY: On July 20, 1998, the Board served a decision to update its estimate of the railroad industry's cost of capital for 1997. The composite cost of capital rate for 1997 is found to be 11.8%, based on a current cost of debt of 7.2%; a cost of common equity capital of 13.8%; a cost of preferred equity capital of 6.1%; and a 29.67% debt, 70.28% common equity, 0.05% preferred equity capital structure mix. The cost of capital finding made in this proceeding will be used in a variety of Board proceedings.

EFFECTIVE DATE: This action is effective July 9, 1998.

FOR FURTHER INFORMATION CONTACT: Leonard J. Blistein, (202) 565-1529. [TDD for the hearing impaired: (202) 565-1695.]

SUPPLEMENTARY INFORMATION: The cost of capital finding in this decision shall be used to evaluate the adequacy of railroad revenues for 1997 under the standards and procedures promulgated in *Standards for Railroad Revenue Adequacy*, 3 I.C.C.2d 261 (1986). This finding may also be used in other Board

proceedings involving, for example, the prescription of maximum reasonable rate levels and proposed abandonments of rail lines. Additional information is contained in the Board's decision. To obtain a copy of the full decision, write to, call, or pick up in person from: DC NEWS & DATA, INC., Room 210, 1925 K Street, N.W., Washington, DC 20423. Telephone: (202) 289-4357. [Assistance for the hearing impaired is available through TDD services (202) 565-1695.] The decision is also available on the Board's internet site at www.stb.dot.gov.

Environmental and Energy Considerations

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

Regulatory Flexibility Analysis

Pursuant to 5 U.S.C. 605(b), we conclude that our action in this proceeding will not have a significant economic impact on a substantial number of small entities. The purpose and effect of this action are to update the annual railroad industry cost of capital finding by the Board. No new reporting or other regulatory requirements are imposed, directly or indirectly, on small entities.

Authority: 49 U.S.C. 10704(a).

Decided: July 9, 1998.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,
Secretary.

[FR Doc. 98-19286 Filed 7-17-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Surface Transportation Board**

[STB Docket No. AB-547X]

Roaring Fork Railroad Holding Authority—Abandonment Exemption—in Garfield, Eagle and Pitkin Counties, CO

On June 30, 1998, Roaring Fork Railroad Holding Authority (RFRHA) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903-10905¹ to abandon its line of railroad known as the Aspen Branch, extending from milepost 360.22 near Glenwood Springs

¹ RFRHA seeks exemptions from the offer of financial assistance (OFA) provisions of 49 U.S.C. 10904 and the public use provisions of 49 U.S.C. 10905. These exemption requests will be addressed in the final decision.

to the end of the line at milepost 393.66 near Woody Creek, a total distance of approximately 33.44 miles in Garfield, Eagle and Pitkin Counties, CO. The line traverses U.S. Postal Service Zip Codes 81601, 81602, 81621, 81623, 81628, 81654 and 81656. There are no stations on the line.

The line contains federally granted rights-of-way. Any documentation in RFRHA's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by October 16, 1998.

Unless an exemption is granted from the OFA provisions of 49 U.S.C. 10904, any OFA under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each OFA must be accompanied by a \$1,000 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Unless an exemption is granted from the public use provisions of 49 U.S.C. 10905, any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than August 10, 1998.² Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-547X and must be sent to: (1) Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001; and (2) Charles H. Montange, 426 NW 162d Street, Seattle, WA 98177.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis

(SEA) at (202) 565-1545. [TDD for the hearing impaired is available at (202) 565-1695.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: July 14, 1998.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 98-19285 Filed 7-17-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB-33 (Sub-No. 122X)]

Union Pacific Railroad Company— Abandonment Exemption—in Monroe and Juneau Counties, WI

Union Pacific Railroad Company (UP) has filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments and Discontinuances of Service and Trackage Rights* to abandon and discontinue service over a 8.4-mile line of railroad on the Camp Douglas Industrial Lead from milepost 174.3 near Wyeville to the end of the line at milepost 182.7 near Camp Douglas, in Monroe and Juneau Counties, WI.¹ The line traverses United States Postal Service Zip Codes 54660 and 54618.

UP has certified that: (1) No local traffic has moved over the line for at

least 2 years; (2) any overhead traffic on the line can be 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 Surface Transportation Board (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 exemption will be effective on August 19, 1998, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,² formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),³ and trail use/rail banking requests under 49 CFR 1152.29 must be filed by July 30, 1998. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by August 10, 1998, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Joseph D. Anthofer, General Attorney, Union Pacific Railroad Company, 1416 Dodge Street, Room 830, Omaha, NE 68179.

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

UP has filed an environmental report which addresses the effects of the

² 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 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.

³ Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1000. See 49 CFR 1002.2(f)(25).

² Included in its petition is a request by RFRHA to railbank the line and a statement of its willingness to assume full responsibility for the management and use of the right-of-way and for the payment of taxes and other liabilities. This request by RFRHA to railbank its own line will be addressed in the final decision.

¹ Pursuant to 49 CFR 1150.50(d)(2), the railroad must file a verified notice with the Board at least 50 days before the abandonment or discontinuance is to be consummated. The applicant in its verified notice, indicated a proposed consummation date of August 12, 1998. However, because the verified notice was filed on June 30, 1998, consummation may not take place prior to August 19, 1998. Applicant's representative has been contacted and has confirmed that consummation will not take place until August 19, 1998.

Juneau County (County) filed a request for issuance of a notice of interim trail use (NITU) for the entire line pursuant to section 8(d) of the National Trails System Act, 16 U.S.C. 1247(d). The Board will address the County's trail use request and any others that may be filed in a subsequent decision.