

Information Relay Service (FIRS) at: (800) 877-8339.]

SUPPLEMENTARY INFORMATION: The Board uses URCS to determine a rail carrier's variable costs in a variety of regulatory proceedings. URCS determines, for each Class I railroad, the portion of each category of expenses shown in the carrier's Annual Report to the Board (STB Form R-1) that represents its system-average variable unit cost for that cost category for that year. More specifically, URCS consists of a series of computer programs and manual procedures organized into three phases. Phase I compiles the raw data provided by the carriers into a useable format, and then uses statistical estimation procedures to determine the portion of specific expense account groupings that vary with changes in the volume of activity. In Phase II, these cost/volume relationships are then used to develop the variable unit costs that allow costing of specific rail movements. Finally, in Phase III, these variable unit costs are applied to determine the costs of specific movements via an interactive computer program that permits the user to enter operating characteristic data for the specific movements under consideration.

URCS was initially adopted by the Board's predecessor agency, the Interstate Commerce Commission, as the general purpose costing system in Ex Parte No. 431 (Sub-No. 1), *Adoption of the Uniform Railroad Costing System as a General Purpose Costing System For All Regulatory Costing Purposes*, 5 I.C.C.2d 894 (1989). Periodic review of URCS is called for in 49 U.S.C. 11161.

The first review of URCS came in a decision served on October 1, 1997, in which the system was modified to: (1) Alter the procedures used to determine the variable costs associated with rail movements of intermodal traffic; (2) revise the train switching conversion factor used in the costing procedures; (3) discontinue the collection of cost data on switching and terminal companies; and (4) revise the procedure for determining the variable cost of using privately-owned rail cars. See *Review of the General Purpose Costing System*, 2 S.T.B. 659 (1997). On reconsideration in a decision served on December 12, 1997, the costing of intermodal rail movements was further modified. See *Review of the General Purpose Costing System*, 2 S.T.B. 754 (1997).

The Board believes it is time for a second, and more comprehensive, review of URCS to determine whether and to what extent modifications are needed to account for recent changes in

Board procedures and to improve the system outputs. Accordingly, the Board is instituting this proceeding and holding a hearing to receive public comment on how best to revise the existing URCS model. Parties are specifically encouraged to address whether and how the Board could:

1. Improve the efficiency adjustments associated with unit-train and multi-car movements;
2. Update the historical studies used in URCS;
3. Improve the costing of trailer or container on flat car (TOFC/COFC) traffic;
4. Update the URCS national car tare weight calculation to account for the number of car miles that each car type operates;
5. Update the number of miles between non-intermodal intertrain/intratrain (I&I) switches by URCS car type;
6. Disaggregate loss and damage information by carrier and by two-digit Standard Transportation Commodity Code (STCC) groupings;
7. Revise the Train Switching Conversion factor used to place all road train crew wages on a common mileage basis;
8. Require carriers to report their average switch engine speeds in order to better reflect switching expenses;
9. Revise the ratio of urban and rural land values to allocate expenses between running and switching;
10. Revise the URCS car types to eliminate outdated car types and add new car types to reflect those currently used in the railroad industry;
11. Revise the spotted to pulled factor for each car type;
12. Revise the approach used in individual proceedings to index URCS in order to use the Rail Cost Adjustment Factor indexes published by the Board; and
13. Update the various statistical relationships used in URCS, including the variability estimates.

The Board welcomes suggestions on additional aspects or features of URCS the Board should revisit. However, note that, by an advance notice of proposed rulemaking served and published on January 5, 2009 (74 FR 248), the Board already sought comments on whether and how the Board should update its accounting and financial reporting for Class I rail carriers and URCS to better capture the operating cost of transporting hazardous materials. The Board is currently reviewing the comments submitted. Therefore, comments for this public hearing need not duplicate those already submitted in that proceeding.

As a follow up to this hearing, the Board will accept comments for 30 days responsive to the hearing.

Date of Hearing. The hearing will begin at 9 a.m. on Thursday, April 30, 2009, in the 1st floor hearing room at the Board's headquarters at 395 E Street, SW., in Washington, DC, and will continue until every person scheduled to speak has been heard.

Notice of Intent to Participate and Testimony. Any person wishing to speak at the hearing should file with the Board a combined written notice of intent to participate (identifying the party, the proposed speaker, the time requested, and topic(s) to be covered) and their written testimony as soon as possible, but no later than April 23, 2009.

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 <http://www.stb.dot.gov>. This hearing will be available on the Board's Web site by live video streaming. To access the hearing, click on the "Live Video" link under "Information Center" at the left side of the home page beginning at 9 a.m. on April 30, 2009.

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

Dated: April 6, 2009.

Kulunie L. Cannon,
Clearance Clerk.

[FR Doc. E9-8152 Filed 4-9-09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Membership Availability in the National Parks Overflights Advisory Group Aviation Rulemaking Committee

ACTION: Notice.

SUMMARY: The National Park Service (NPS) and the Federal Aviation Administration (FAA), as required by the National Parks Air Tour Management Act of 2000, established the National Parks Overflights Advisory Group (NPOAG) in March 2001. The NPOAG was formed to provide continuing advice and counsel with respect to commercial air tour operations over and near national parks. This notice informs the public of six vacancies (due to completion of membership on October 9, 2009) on the NPOAG (now the NPOAG Aviation Rulemaking Committee (ARC)) for members representing general aviation

(one vacancy), commercial air tour operators (two vacancies), environmental concerns (two vacancies), and Native American tribal concerns (one vacancy) and invites interested persons to apply to fill the vacancies.

DATES: Persons interested in serving on the NPOAG ARC should contact Mr. Barry Brayer in writing and postmarked or e-mailed on or before May 20, 2009.

FOR FURTHER INFORMATION CONTACT:

Barry Brayer, AWP-1SP, Special Programs Staff, Federal Aviation Administration, Western-Pacific Region Headquarters, PO Box 92007, Los Angeles, CA 90009-2007, telephone: (310) 725-3800, e-mail: Barry.Brayer@faa.gov, or Karen Trevino, National Park Service, Natural Sounds Program, 1201 Oakridge Dr., Suite 100, Ft. Collins, CO 80525, telephone (970) 225-3563, e-mail: Karen_Trevino@nps.gov.

SUPPLEMENTARY INFORMATION:

Background

The National Parks Air Tour Management Act of 2000 (the Act) was enacted on April 5, 2000, as Public Law 106-181. The Act required the establishment of the advisory group within 1 year after its enactment. The advisory group was established in March 2001, and is comprised of a balanced group of representatives of general aviation, commercial air tour operations, environmental concerns, and Native American tribes. The Administrator of the FAA and the Director of NPS (or their designees) serve as ex officio members of the group. Representatives of the Administrator and Director serve alternating 1-year terms as chairman of the advisory group.

The advisory group provides "advice, information, and recommendations to the Administrator and the Director—

(1) On the implementation of this title [the Act] and the amendments made by this title;

(2) On commonly accepted quiet aircraft technology for use in commercial air tour operations over a national park or tribal lands, which will receive preferential treatment in a given air tour management plan;

(3) On other measures that might be taken to accommodate the interests of visitors to national parks; and

(4) At the request of the Administrator and the Director, safety, environmental, and other issues related to commercial air tour operations over a national park or tribal lands."

Members of the advisory group may be allowed certain travel expenses as

authorized by section 5703 of Title 5, United States Code, for intermittent Government service.

By FAA Order No. 1110-138, signed by the FAA Administrator on October 10, 2003, the NPOAG became an Aviation Rulemaking Committee (ARC). FAA Order No. 1110-138, was amended and became effective as FAA Order No. 1110-138A, on January 20, 2006.

The current NPOAG ARC is made up of one member representing general aviation, three members representing the commercial air tour industry, four members representing environmental concerns, and two members representing Native American tribal concerns. Current members of the NPOAG ARC are: Claire Kultgen, Aircraft Owners and Pilots Association; Alan Stephen, fixed-winged air tour operator representative; Elling Halvorson, Papillon Airways, Inc.; Matthew Zuccaro, Helicopters Association International; Chip Dennerlein, Siskiyou Project; Gregory Miller, American Hiking Society; Kristen Brengel, The Wilderness Society; Don Barger, National Parks Conservation Association; Rory Majenty, Huatapai Nation; and Richard Deertrack, Taos Pueblo.

Public Participation in the NPOAG ARC

In order to retain balance within the NPOAG ARC, the FAA and NPS invite persons interested in serving on the ARC to represent general aviation, commercial air tour operators, environmental concerns, or Native American tribal concerns, to contact Mr. Barry Brayer (contact information is written above in **FOR FURTHER INFORMATION CONTACT**).

Requests to serve on the ARC must be made to Mr. Brayer in writing and postmarked or e-mailed on or before May 20, 2009. The request should indicate whether or not you are a member of an association or group representing general aviation, commercial air tours, environmental concerns, or Native American tribal concerns or have another affiliation with issues relating to aircraft flights over national parks. The request should also state what expertise you would bring to the NPOAG ARC as related to the vacancy you are seeking to fill (e.g., general aviation). The term of service for NPOAG ARC members is 3 years.

Issued in Hawthorne, CA on March 30, 2009.

Barry Brayer,

NPOAG Chairman, Manager, Special Programs Staff, Western-Pacific Region.

[FR Doc. E9-7695 Filed 4-9-09; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. MC-F-21032]

FirstGroup plc—Intra-Corporate Family Transaction Exemption

FirstGroup plc (FirstGroup), a noncarrier, has filed a verified notice of exemption under the Board's class exemption procedure at 49 CFR 1182.9.¹ The exempt transaction involves the reorganization by the FirstGroup family of companies.²

The transaction is intended to reorganize the North American structure of FirstGroup to reduce the taxes payable by its family of companies and thereby to retain more of their earnings to render the operations of their motor carriers of passengers as safely and comfortably as possible.

The transaction was expected to be consummated on March 27, 2009.

This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1182.9. FirstGroup states that the transaction will not result in adverse changes in service levels, significant operational changes, or a change in the competitive balance with carriers outside the corporate family. FirstGroup also states that (1) no contracts or agreements have been entered into to effect the proposed changes within the FirstGroup's North American structure, and (2) there will be no foreseeable effect upon the

¹ The Board exempted intra-corporate family transactions of motor carriers of passengers that do not result in significant operational changes, adverse changes in service levels, or a change in the competitive balance with carriers outside the corporate family in *Class Exemption for Motor Passenger Intra-Corporate Family Transactions*, STB Finance Docket No. 33685 (STB served Feb. 18, 2000).

² Laidlaw International, Inc. has changed its name to FirstGroup International, Inc., and instead of being a direct subsidiary of FirstGroup will become an indirect subsidiary, with two subsidiaries having interests in FMCSA-registered motor carriers of passengers: (1) FGI Canada Holdings Ltd., which will control Greyhound Canada Transportation Corp., which will be changed from an Ontario corporation to an Alberta unlimited liability corporation, and (2) First Group America Holdings, Inc., formerly Laidlaw Transit Holdings, Inc., which will control First Student, Inc., First Transit, Inc., and Greyhound Lines, Inc., which will continue to have control of Americanos U.S.A., LLC and Valley Transit Co., Inc.