

countries. The Automotive Standards Council concluded that it should seek help from outside the governments to complete the task of eliminating needless barriers to trade caused by incompatibilities in automotive-related standards and regulations among the three countries. These outside parties may be in the best position to judge the extent to which an incompatibility constitutes a barrier to trade. In addition, many parties outside the governments had asked that the Council try to involve the public to a greater extent in the Council's activities.

At the third meeting in Washington, D.C. on April 30–May 1, 1996, the Council agreed to establish working groups to assist it. Based on the public comments identifying what are believed to be incompatibilities and experience in regulating motor vehicles, the Council will form working groups to address four different areas. These would be:

- Emissions/Engines/Fuels
- Light Vehicle Safety Standards
- Heavy Vehicle Safety Standards, and
- Parts and Equipment (both original equipment and replacement)

The Council also agreed on Terms of Reference to provide an outline for how the working groups will function. The complete text of the Terms of Reference follows this notice as an appendix.

The United States has decided to establish four working groups, one in each of these areas. The United States has also identified the following government co-chairs for each of the four working groups:

- Mr. Thomas M. Baines (Emissions/Engines/Fuels)
- Mr. Stephen R. Kratzke (Light Vehicle Safety Standards)
- Mr. Clive Van Orden (Heavy Vehicles Safety Standards and Parts and Equipment).

The United States is now soliciting interested parties from outside the government to participate in the four working groups. Interested parties should write or fax the government co-chair for the working group(s) they would like to participate in by July 5, 1996. The government co-chair will then contact all respondents to announce the time and place for an organizational meeting for each working group. At the initial meeting, each working group will decide upon the internal procedures it wants to follow and select a co-chair from outside the government.

Issued on May 30, 1996.

Francis J. Turpin,
Director, Office of International Harmonization.

Appendix—Terms of Reference for Working Groups Under The NAFTA Automotive Standards Council

Objectives

The Automotive Standards Council ("the Council") has agreed under Annex 913.5.a-3.3 of the North American Free Trade Agreement to establish working groups of interested persons to pursue the following objectives:

- Facilitate the attainment of compatibility among, and review the implementation of, national standards-related measures of the Parties that apply to automotive goods; and
- Suggest recommendations the Council could make that would facilitate the attainment of such compatibility.

Structure of Working Groups

a. Subject Areas To Be Addressed by Working Groups

1. The Council will initially address four areas by means of working groups in the Parties. These four areas are:

- i. Emissions/Engines/Fuels
- ii. Light Vehicle Safety Standards
- iii. Heavy Vehicle Safety Standards and
- iv. Parts and Equipment (both Original Equipment and Replacement)

2. The Council may specify additional areas to be addressed by working groups, as needed.

b. General Structure of Working Groups

1. Each Party will establish one or more working groups to address these four areas.

2. Each working group will be co-chaired by a representative of the government and a person not employed by the government. The government co-chair will serve as a liaison between the Council and the working group.

3. Members of the working groups not employed by the government will not be compensated by the government for their work on the working groups.

4. Each Party may use whatever procedures it deems appropriate to decide the membership of its working groups.

c. General Responsibilities of Working Groups

1. The working groups will have the primary responsibility for identifying incompatibilities among the national standards-related measures of the Parties that apply to automotive goods, providing an assessment of the extent to which such incompatibilities represent a barrier to trade, and for offering suggestions to the Council about ways to remove those incompatibilities.

2. Each working group will be responsible for informing other working groups, including the counterpart working groups in the other Parties and other working groups established by the same Party, of its planned and current activities. The Council will be responsible for ensuring that information it receives from any working group is passed on to all other working groups through the government co-chairs.

3. Each working group shall report annually on its activities to the Council. Such reports shall briefly indicate the activities in which the working group has been engaged for the preceding year and the activities the working group plans for the upcoming year, any priorities on which the working group has agreed, and provide a status report on the current projects of the working group.

4. Each working group may develop its own internal rules and priorities consistent with the objectives set forth in these Terms of Reference.

5. Working groups may hold trilateral meetings with the working groups in the other Parties if deemed necessary.

d. Working Group Presentations to the Council

1. The Council will give the working groups as much notice as possible of upcoming Council meetings to allow the working groups to request some time on the agenda to make presentations to the full Council.

2. Before any working group asks to make a presentation to the full Council, it must coordinate the presentation with the appropriate working groups in the other Parties. For the purposes of this document, "coordinate" means the working group must inform the appropriate working groups in other Parties of the planned presentation and discuss the presentation with those other working groups. For instance, if the Canadian working group addressing Light Vehicle Safety Standards wants to make a presentation to the Council, it must first inform the working groups addressing Light Vehicle Safety Standards in Mexico and the United States of the presentation and discuss it with those working groups. Working groups will, to the maximum extent possible, make a single presentation that represents the views of the appropriate working groups in all Parties, including a statement of any differing views. This requirement does not mean that the working groups in the other Parties must agree to the presentation before the Council will hear it. Instead, it means that the working groups in the other Parties must be fully informed of the details of the presentation and the intention to present it to the full Council.

3. The Council encourages working groups to make joint presentations when possible. Nongovernment representatives of the presenting working group or groups would be permitted to present the suggestions to a meeting of the full Council.

4. As soon as possible after the Council completes its internal consideration of the presentation, the Council will inform the presenters of the Council's decision on the working group recommendations to the Council.

Amendments

These terms of reference may be amended at any time with the unanimous consent of all Parties.

[FR Doc. 96-14063 Filed 5-31-96; 12:25 pm]

BILLING CODE 4910-59-P

Saint Lawrence Seaway Development Corporation

Advisory Board; Notice of Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of the Advisory Board of the Saint Lawrence Seaway Development Corporation, to be held at 2:00 p.m., June 20, 1996, at the Corporation's Washington, D.C. office, 400 7th Street, S.W., Suite 5424, Washington, D.C. 20590. The agenda for this meeting will be as follows: Opening Remarks; Consideration of Minutes of Past Meeting; Review of Programs; Business; and Closing Remarks.

Attendance at meeting is open to the interested public but limited to the space available. With the approval of the Administrator, members of the public may present oral statements at the meeting. Persons wishing further information should contact not later than June 17, 1996, Marc C. Owen, Advisory Board Liaison, Saint Lawrence Seaway Corporation, 400 Seventh Street, S.W., Washington, D.C. 20590; 202-366-0091.

Any member of the public may present a written statement to the Advisory Board at any time.

Issued at Washington, D.C. on May 29, 1996.

Marc C. Owen,

Advisory Board Liaison.

[FR Doc. 96-14012 Filed 6-4-96; 8:45 am]

BILLING CODE 4910-61-M

Surface Transportation Board¹

[STB Ex Parte No. 523 (Sub-No. 1)]

Railroad Cost of Capital—1995

AGENCY: Surface Transportation Board.

ACTION: Notice of decision.

SUMMARY: On June 5, 1996, the Board served a decision to update its estimate of the railroad industry's cost of capital for 1995. The composite cost of capital rate for 1995 is found to be 11.7%, based on a current cost of debt of 7.4%,

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (ICCTA), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of ICCTA provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by ICCTA. This decision relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10704.

a cost of common equity capital of 13.4%, a cost of preferred equity capital of 3.2%, and a 26.0% debt, 72.8%

common equity, 1.2% 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 June 6, 1996.

FOR FURTHER INFORMATION CONTACT:

Leonard J. Blistein, (202) 927-6171. (TDD for the hearing impaired: (202) 927-5721.)

SUPPLEMENTARY INFORMATION: The cost of capital finding in this decision shall be used to evaluate the adequacy of railroad revenues for 1995 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 2229, 1201 Constitution Avenue, NW., Washington, DC 20423. Telephone: (202) 289-4357/4359. (Assistance for the hearing impaired is available through TDD services (202) 927-5721.)

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: May 22, 1996.

By the Board, Chairman Morgan, Vice Chairman Simmons, and Commissioner Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 96-14088 Filed 6-4-96; 8:45 am]

BILLING CODE 4915-00-P

Surface Transportation Board¹

[STB Finance Docket No. 32968]

Luxapalila Valley Railroad, Inc.—Acquisition and Operation Exemption—Rail Lines of Norfolk Southern Railway Co. and Columbus and Greenville Railway Co.

Luxapalila Valley Railroad, Inc. (LVR), a noncarrier, filed a verified notice of exemption under 49 CFR 1150.31 to acquire and to operate approximately 34.2 miles of connecting, separately owned main rail lines in Mississippi and Alabama. The lines to be acquired are currently owned by Norfolk Southern Railway Company (NS) and Columbus and Greenville Railway Company (C&G).² The trackage lies between NS milepost 884.9 at Belk, AL, and NS milepost 919.1 at Columbus, MS. NS currently owns and operates the 24.5-mile Alabama portion, lying between NS milepost 884.9 at Belk and NS milepost 909.4 at the Mississippi-Alabama state line. The 9.7-mile Mississippi portion, lying between NS milepost 909.4 and NS milepost 919.1 at Columbus, is owned by C&G but has been operated by NS since 1926 under a lease that expired in 1995.

The transaction was intended to be consummated shortly after May 30, 1996.

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to reopen will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 32968, must be filed with

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803, which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission and transferred certain functions to the Surface Transportation Board (Board). This notice relates to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10901.

² LVR and C&G are owned by CAGY Industries, Inc., a noncarrier that controls several class III rail carriers. Because CAGY Industries owns other carriers, it would require the prior approval of this Board under 49 U.S.C. 11323(a)(5) and 11324(d), or exemption therefrom under 49 U.S.C. 10502, to continue in control of these other carriers when LVR becomes a carrier by its acquisition of the line in question. In STB Finance Docket No. 32968 (Sub-No. 1), CAGY Industries has filed a petition for exemption to permit such continuance in control. Because LVR will connect with another carrier controlled by CAGY Industries (C&G), CAGY Industries cannot invoke the class exemption at 49 CFR 1180.2(d)(2) for continuance-in-control transactions. Prior to closure of this transaction and pending approval of the exemption sought in the (Sub-No. 1) proceeding, LVR's stock will be placed into an independent voting trust.