

in San Diego, California) (I&D); (14) Other Business.

ITS AMERICA provides a forum for national discussion and recommendations on ITS activities including programs, research needs, strategic planning, standards, international liaison, and priorities. The charter for the utilization of ITS AMERICA establishes this organization as an advisory committee under the Federal Advisory Committee Act (FACA), 5 USC app. 2, when it provides advice or recommendations to DOT officials on ITS policies and programs. (56 FR 9400, March 6, 1991).

DATES: The Coordinating Council of ITS AMERICA will meet on Sunday, June 1, 1997, from 1:00 p.m. to 5:00 p.m. (Eastern Standard time)

ADDRESSES: Sheraton Washington Hotel, 2660 Woodley Road, N.W., Washington, D.C. 20008. Phone: (202) 328-2000. Fax: (202) 234-0015.

FOR FURTHER INFORMATION CONTACT: Materials associated with this meeting may be examined at the offices of ITS AMERICA, 400 Virginia Avenue, SW., Suite 800, Washington, D.C. 20024. Persons needing further information or to request to speak at this meeting should contact Kenneth Faunteroy at ITS AMERICA by telephone at (202) 484-4130, or by FAX at (202) 484-3483. The DOT contact is Mary Pigott, FHWA, HVH-1, Washington, D.C. 20590, (202) 366-9230. Office hours are from 8:30 a.m. to 5:00 p.m., e.t., Monday through Friday, except for legal holidays. (23 U.S.C. 315; 49 CFR 1.48)

Issued on: April 24, 1997.

Whitey Metheny,

ITS Joint Program Office.

[FR Doc. 97-10985 Filed 4-28-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Intelligent Transportation Society of America; Public Meeting

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of public meeting.

SUMMARY: The Intelligent Transportation Society of America (ITS AMERICA) will hold a meeting of its Board of Directors on Wednesday, June 4, 1997. It will be held in conjunction with the ITS America Annual Meeting. The meeting begins at 1 p.m. with an Administrative Business session (Voting Board Members and Key Staff Only). The letter designations that follow each item mean

the following: (I) is an "information item;" (A) is an action item; (D) is a discussion item. This meeting includes the following items: (1) Introductions and ITS America Antitrust Policy and Conflict of Interest Statements (I); (2) Review and Approval of Previous Meeting's Minutes (A); (3) Review and Acceptance of Election Results: Installation of New Board Members (A); (4) Election of New Officers of the Board of Directors (A); Transfer of gavel from outgoing Chairman Robert MacLennan to New Board Chair; (5) Report of the Executive Committee (I&D); (6) Report on Membership Development (I&D); (7) Report of Administrative Policy and Finance Committee (I); (8) Other Business.

The General Session begins at 2 p.m. and is open to all members and observers. The following items will be addressed: (9) Welcome and Review of ITS America Antitrust Policy and Conflict of Interest Statements (Introduction of New Board Members and New Officers of the Board) (I); (10) Federal Report (I&D); (11) Special FHWA Report (I&D); (12) Appointment of Coordinating Council Members (A); (13) Coordinating Council Report (I&D); (14) State Chapters Council Report (I&D); (15) President's Report (I&D); (16) Report of Board Special Task Force on Infrastructure Priorities (I&D); (17) Final Update on National Investment & Market Analysis (I&D); (18) Seventh Annual Meeting Update and Report of the World Congress (I); (19) New Board of Directors Committee Appointments (I); (20) Board Emphasis Areas (I/D); (21) Plans for Board of Directors Retreat (August 11-12, 1997); (22) Other Business: (a.) Report on ITS in Japan and (b.) Report on the NAHS Demonstration; (23) Adjournment until August 11, 1997 Retreat and August 12, 1997, Board of Directors Meeting in San Diego, California.

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Issued on: April 24, 1997.

Whitney Metheny,

ITS Joint Program Office.

[FR Doc. 97-10986 Filed 4-28-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Section 5a Application No. 70 (Amendment No. 11)]

Western Motor Tariff Bureau, Inc.—Agreement

AGENCY: Surface Transportation Board.

ACTION: Notice of decision and opportunity for comment.

SUMMARY: Western Motor Tariff Bureau, Inc. (WMTB), has filed a petition seeking approval of minor amendments to its collective ratemaking agreement, which was approved under former section 49 U.S.C. 10706(b), the predecessor to 49 U.S.C. 13703. The amendments would modify WMTB's bylaws as follows: (1) reduce the notice members must provide to WMTB upon their withdrawal from the rate bureau from 60 days to 45 days; (2) reduce the notice period for termination for failure to pay dues and fees from 90 days to 45 days after the member has received notice of delinquency and upon expiration of the 30-day period to correct the delinquency; (3) divide the membership into two classes of carriers, "mainland membership" and "Hawaii membership;" (4) provide that annual meetings of the membership may be held in Hawaii in addition to meetings held in Los Angeles County, CA; and (5) provide for separate fee arrangements for member carriers performing intrastate service within the State of California.

In addition, a new Article XVII would be added to WMTB's bylaws, which

would: (1) provide the procedures for the adoption of a plan of partial redemption or partial liquidation of corporate assets upon recommendation of the board of directors and an affirmative membership vote; (2) provide the procedures for the adoption of a plan for complete liquidation and dissolution upon the recommendation of the board of directors and an affirmative vote of the membership; and (3) provide the formula for distribution to member carriers which were members during the 12-month period prior to the adoption of a plan of partial or complete liquidation.

DATES: Comments from interested persons are due May 30, 1997. Replies are due June 24, 1997. If no timely filed adverse comments are received, the sought relief will automatically become effective at the close of the comment period. If opposition comments are filed, the comments and any reply will be considered, and the Board will issue a further decision.

ADDRESSES: An original and 10 copies of comments referring to STB Section 5a Application No. 70 (Amendment No. 11) should be sent to: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. A copy of any comments filed with the Board must also be served on applicant's representative: Leo Franey, 1920 N Street, N.W., Washington, D.C. 20036.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 565-1600. [TDD for the hearing impaired: (202) 565-1695].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the decision, write to, call, or pick up in person from: DC News & Data, Inc., 1925 K Street, N.W., Suite 210, Washington, DC 20006.

Telephone: (202) 289-4357.
[Assistance for the hearing impaired is available through TDD services (202) 565-1695.]

Decided: April 18, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,
Secretary.

[FR Doc. 97-11031 Filed 4-28-97; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33380]

The Indiana Rail Road Company— Trackage Rights Exemption— Consolidated Rail Corporation

Consolidated Rail Corporation (Conrail) has agreed to grant trackage rights to The Indiana Rail Road Company (INRD) between INRD's connection with Conrail's Indianapolis Belt Running Track (Belt Track) near Raymond Street, Indianapolis, IN, at approximately milepost 5.3 and the end of Conrail's Belt Track at the connection with the former Norfolk and Western Railway Company at approximately milepost 13.5, a distance of approximately 8.2 miles.¹

In its notice, INRD stated its intention that the trackage rights would become effective on April 20, 1997. On April 18, 1997, Joseph C. Szabo, for and on behalf of United Transportation Union-Illinois Legislative Board (UTU-IL), filed a petition to reject INRD's notice of exemption because the notice, filed on April 14, 1997, purported to give only 6 days' notice of the transaction when the Board's rules require that the notice be filed with the Board at least 7 days prior to consummation of an exempt transaction. See 49 CFR 1180.4(g). INRD replied on April 22, 1997, in opposition to the petition to reject. INRD argues that the trackage rights should be allowed to become effective on April 20, 1997, because it mailed its notice of exemption on April 10, 1997, and that it "could reasonably assume that the Notice of Exemption would get from Jacksonville, Florida to Washington, D.C. in three days via first-class U.S. mail service."

The notice of exemption was not received by the Board until Monday, April 14, 1997, and hence was not filed

until April 14, 1997.² The earliest the exemption could take effect, therefore, was Monday, April 21, 1997, and INRD's intended consummation date of April 20, 1997, was premature. While this is not a basis for rejection, UTU-IL is correct that INRD could not lawfully consummate the trackage rights transaction that is the subject of its notice until April 21, 1997.

If INRD consummated the trackage rights transaction (for which it invoked the class exemption) prior to April 21, 1997, it will need to pursue after-the-fact relief by means of a petition for exemption that would permit effectiveness of the exemption sooner than 7 days after the filing of its notice of exemption. The petition should be filed with an appropriate filing fee.³

The purpose of the trackage rights is to allow INRD to continue to interchange with Norfolk Southern Railway Company, at milepost 13.5, and with CSXT near State Street, at approximately milepost 8.9.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33380, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Charles M. Rosenberger, Esq., 500 Water Street, Jacksonville, FL 32202.

Decided: April 23, 1997.

² The April 14, 1997 date of receipt at the Board is controlling. Moreover, there is no merit to INRD's argument that it could reasonably have expected a document mailed via first class in Jacksonville on Thursday, April 10, 1997, to have been received for filing at the Board in Washington, D.C., on or before April 13, 1997. If a document filed by mail had been received by the Board on April 13 (a Sunday) or even on April 12 (a Saturday), it would not have been processed in any event until the next business day (Monday, April 14, 1997).

³ See *Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services—1997 Update*, STB Ex Parte No. 542 (Sub-No. 1) (STB served Jan. 23, 1997). Specific questions concerning filing fees should be directed to the Office of the Secretary, (202) 565-1650.

¹ INRD, Conrail, and CSX Transportation, Inc. (CSXT), are surviving parties to an agreement dated September 20, 1883, whereby all three maintained the right to operate over property owned by the former Indianapolis Union Railway Company (IU). IU's properties were conveyed to Conrail in 1976 by the United States Railway Administration. The track over which INRD operates consists of Conrail's 13.5-mile Belt Track and approximately 1.1 miles in downtown Indianapolis through the Indianapolis Union Station area. The surviving parties have agreed to terminate the 1883 agreement because many of its provisions have become obsolete. INRD has filed a notice of exemption to discontinue its trackage rights over the remainder of the Belt Track between mileposts 0.0 and milepost 5.3, as well as over the 1.1 miles of trackage in the Indianapolis Union Station area in *The Indiana Rail Road Company—Discontinuance of Trackage Rights Exemption—in Marion County, IN*, STB Docket No. AB-295 (Sub-No. 3).