

enhance the quality of the collection, to Dr. Radwan Saade, Economist, Office of Advocacy, Small Business Administration, 409 3rd Street SW., Suite 7800, Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Dr. Radwan Saade, Economist, 202-205-6878 or Curtis B. Rich, Management Analyst, 202-205-7030.

**SUPPLEMENTARY INFORMATION:**

*Title:* "Costs of Litigation to Small Business".

*Form No:* N/A.

*Description of Respondents:* Small Businesses.

*Annual Responses:* 100.

*Annual Burden:* 50.

Jacqueline White,

Chief, Administrative Information Branch.

[FR Doc. 03-7123 Filed 3-25-03; 8:45 am]

BILLING CODE 8025-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 290 (Sub No. 5) (2003-2)]

#### Quarterly Rail Cost Adjustment Factor

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

**ACTION:** Approval of rail cost adjustment factor.

**SUMMARY:** The Board has approved the second quarter 2003 rail cost adjustment factor (RCAF) and cost index filed by the Association of American Railroads. The second quarter 2003 RCAF (Unadjusted) is 1.020. The second quarter 2003 RCAF (Adjusted) is 0.522. The second quarter 2003 RCAF-5 is 0.502.

**DATES:** April 1, 2003.

**FOR FURTHER INFORMATION CONTACT:** H. Jeff Warren, (202) 565-1533. Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dã 2 Dã Legal, Suite 405, 1925 K Street, NW., Washington, DC 20006, phone (202) 293-7776. [Assistance for the hearing impaired is available through FIRS: 1-800-877-8339.]

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

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic impact on a substantial number of small entities

within the meaning of the Regulatory Flexibility Act.

Decided: March 19, 2003

By the Board, Chairman Nober, Vice Chairman Burkes, and Commissioner Morgan.

**Vernon A. Williams,**

Secretary.

[FR Doc. 03-7065 Filed 3-25-03; 8:45 am]

BILLING CODE 4915-00-M

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34321]

#### Union Pacific Railroad Company— Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company

The Burlington Northern and Santa Fe Railway Company (BNSF) has agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP) over BNSF's rail lines between BNSF milepost 143.2 near Los Angeles, CA, and BNSF milepost 10.5 near Riverside, CA,<sup>1</sup> a distance of approximately 57.2 miles.<sup>2</sup>

The transaction was scheduled to be consummated on March 14, 2003 (7 days after the notice was filed). The temporary trackage rights will allow UP to conduct maintenance work on its lines.

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 the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C.

<sup>1</sup> On March 7, 2003, UP concurrently filed a petition for partial revocation of this class exemption in STB Finance Docket No. 34321 (Sub-No. 1), *Union Pacific Railroad Company—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company*, wherein UP and BNSF request that the Board permit the proposed overhead trackage rights arrangement described in the present proceeding to expire on or about May 12, 2003. That petition will be addressed by the Board in a separate decision.

<sup>2</sup> The original notice of exemption stated that the distance involved is 52.2 miles. By letter filed March 12, 2003, UP states that the correct distance for the trackage rights is 57.2 miles. By letter filed March 13, 2003, UP explains that the milepost designations of the trackage rights segment (between BNSF mileposts 143.4 and 10.5) do not reflect the actual length of the segment between Los Angeles and Riverside because the trackage includes portions of two BNSF subdivisions that have noncontiguous milepost designations.

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. 34321, must be filed with the Surface Transportation Board, 1925 K Street, NW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Robert T. Opal, 1416 Dodge Street, Room 830, Omaha, NE 68179.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: March 18, 2003.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

Secretary.

[FR Doc. 03-6921 Filed 3-25-03; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34320]

#### Union Pacific Railroad Company— Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company

The Burlington Northern and Santa Fe Railway Company (BNSF) has agreed to grant overhead trackage rights to Union Pacific Railroad Company (UP) over a BNSF line of railroad between BNSF milepost 203.0 near Keddle, CA, and BNSF milepost 0.0 near Klamath Falls, OR,<sup>1</sup> a distance of approximately 203.0 miles.<sup>2</sup>

The transaction was scheduled to be consummated on March 16, 2003. The purpose of the temporary trackage rights is to facilitate maintenance work on UP's lines.

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).

<sup>1</sup> On March 7, 2003, UP and BNSF filed a petition for partial revocation of this class exemption in STB Finance Docket No. 34320 (Sub-No. 1), *Union Pacific Railroad Company—Trackage Rights Exemption—The Burlington Northern and Santa Fe Railway Company*, wherein UP and BNSF request that the Board permit the proposed overhead trackage rights arrangement described in the present proceeding to expire on or about May 22, 2003. That petition will be addressed by the Board in a separate decision.

<sup>2</sup> By amendment filed March 12, 2003, a representative of UP indicates that the correct distance of the involved trackage is 203.0 miles in lieu of 202.5 miles as initially stated.