

Dated: Issued in Washington, DC, on March 20, 2003.

**Barry Molar,**

*Manager, Airports Financial Assistance Division.*

[FR Doc. 03-7381 Filed 3-27-03; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte No. 589]

#### Calculation of Variable Costs in Rate Complaint Proceedings Involving Non-Class I Railroads

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

**ACTION:** Policy Statement.

**SUMMARY:** The Surface Transportation Board concludes that it will determine the variable costs of non-Class I railroads in rail rate reasonableness cases using Class I railroad regional average costs and making appropriate adjustments to those average costs on a case-by-case basis.

**EFFECTIVE DATE:** This policy is effective April 27, 2003.

**FOR FURTHER INFORMATION CONTACT:** Rachel D. Campbell (202) 565-1568. [Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. Copies of the Board's decision may be purchased from Dã-2-Dã Legal Copy Service by calling (202) 293-7776 (assistance for the hearing impaired is available through FIRS at 1-800-877-8339) or visiting Suite 405, 1925 K Street, NW., Washington, DC 20423.

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

Decided: March 21, 2003.

By the Board, Chairman Nober and Commissioner Morgan.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 03-7334 Filed 3-27-03; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34305]

#### The Burlington Northern and Santa Fe Railway Company—Construction and Operation Exemption—Merced County, CA

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of exemption.

**SUMMARY:** Under 49 U.S.C. 10502, the Board conditionally exempts from the prior approval requirements of 49 U.S.C. 10901 the construction and operation by The Burlington Northern and Santa Fe Railway Company of an 850-foot line of railroad in Merced County, CA.

**DATES:** The exemption will not become effective until the environmental review process is completed. Once that process is completed, the Board will issue a further decision addressing the environmental matters and establishing an exemption effective date at that time, if appropriate. Petitions to reopen must be filed by April 17, 2003.

**ADDRESSES:** An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34305, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of all pleadings must be served on petitioner's representative Erika Z. Jones, Mayer, Brown, Rowe & Maw, 1909 K Street, NW., Washington, DC 20006.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 565-1600. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. Copies of the decision may be purchased from Dã 2 Dã Legal Copy Service by calling (202) 293-7776 (assistance for the hearing impaired is available through FIRS at 1-800-877-8339) or by visiting Suite 405, 1925 K Street, NW., Washington, DC 20006.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: March 21, 2003.

By the Board, Chairman Nober and Commissioner Morgan.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 03-7521 Filed 3-27-03; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34210]

#### Sunflower Rail Company, LLC—Construction and Operation Exemption—Finney County, KS

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of exemption.

**SUMMARY:** Under 49 U.S.C. 10502, the Board conditionally exempts from the prior approval requirements of 49 U.S.C. 10901 the construction by Sunflower Rail Company, LLC (SRC)<sup>1</sup> of approximately 4.7 miles of railroad line in the vicinity of Garden City in Finney County, KS.<sup>2</sup>

**DATES:** The exemption will not become effective until the environmental review process is completed. Once that process is completed, the Board will issue a further decision addressing the environmental matters and establishing an exemption effective date at that time, if appropriate. Petitions to reopen must be filed by April 17, 2003.

**ADDRESSES:** An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34210, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of all pleadings must be served on petitioner's representative David A. Hirsh, Harkins Cunningham, 801 Pennsylvania Avenue, NW., Suite 600, Washington, DC 20004.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 565-1600. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. Copies of the decision may be purchased from Dã to Dã Legal Copy Service by calling (202) 293-7776 (assistance for the hearing impaired is available through FIRS at 1-800-877-8339) or by visiting Suite 405, 1925 K Street, NW., Washington, DC 20006.

<sup>1</sup> SRC is a subsidiary of Sunflower Electric Power Corporation.

<sup>2</sup> The proposed construction involves a crossing of a line of The Burlington Northern and Santa Fe Railway Company (BNSF). SRC states that while it is hopeful it can reach an agreement with BNSF permitting it to cross BNSF's line, SRC has concurrently filed a related petition in STB Finance Docket No. 34210 (Sub-No. 1), *Sunflower Rail Company, LLC—Petition for Crossing Authority Under 49 U.S.C. 10901(d)*, seeking authority to cross the BNSF track.