conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), BNSF shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effects by filing of a notice of consummation by May 11, 2017, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at WWW.STB.DOT.GOV.

Decided: May 6, 2016.
By the Board, Rachel D. Campbell, Director, Office of Proceedings.

Jeffrey Herzig, Clearance Clerk.

[FR Doc. 2016–11132 Filed 5–10–16; 8:45 am]
BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION
Surface Transportation Board

[Docket No. MCF 21066]
Rose Chauffeured Transportation, LTD—Acquisition of Control—My Bus Division of Cherry Consulting of the Carolinas, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice tentatively approving and authorizing finance transaction.

SUMMARY: On April 11, 2016, Rose Chauffeured Transportation, Ltd. (Rose), a noncarrier, filed an application under 49 U.S.C. 14303 so that it can obtain approval for its acquisition of common control of the MY Bus division of Cherry Consulting of the Carolinas, Inc. (Cherry) pursuant to a July 21, 2015, Asset Purchase Agreement (APA) between the parties. The Board is tentatively approving and authorizing the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action. Persons wishing to oppose the application must file comments by June 28, 2016.

DATES: Comments must be filed by June 27, 2016. Rose may file a reply by July 11, 2016. If no comments are filed by June 27, 2016, this notice shall be effective on June 28, 2016.

ADDRESSES: Send an original and 10 copies of any comments referring to Docket No. MCF 21066 to: Surface Transportation Board, 395 E Street SW., Washington, DC 20423–0001. In addition, send one copy of comments to Rose’s representative: Robert Norris, Shumaker, Loop & Kendrick, LLP, 101 S. Tryon Street, Suite 2200, Charlotte, NC 28280.


SUPPLEMENTARY INFORMATION:
Rose, a North Carolina corporation, holds authority from the Federal Motor Carrier Safety Administration (FMCSA) as a motor carrier providing chauffeur and charter bus transportation services to the public in the states of North Carolina and South Carolina (MC–323248). Rose states that it is privately held and owned and managed by its president, H.A. Thompson, a resident of North Carolina. According to Rose, it created Rose Charters, LLC (RC), a non-carrier holding company, for the purpose of consummating the transaction between Rose and Cherry. Rose states that RC, which is managed by H.A. Thompson, does not have any operating assets or interstate motor carrier authority.

Rose further states that Cherry, a North Carolina corporation, provides consultation services related to interstate and intrastate transportation. According to Rose, Cherry’s MY Bus division owned two buses that it used to provide passenger services to churches in and around Charlotte, N.C. Rose states that the MY Bus division also states that it does not anticipate a significant changes in compensation and benefits, and perform DOD contracts that Cherry had not bid on or received any DOD contracts for the preceding 12-month period. See 49 U.S.C. 14303(g).

Rose submits that the proposed transaction would have no significant impact on the adequacy of transportation services to the public. Rose states that it will be able to bid on and perform DOD contracts that Cherry did not have the resources to handle. In fact, Rose anticipates improved public service because Cherry had not bid on or performed any DOD contracts in the years prior to the transaction, and Rose has bid on and performed several DOD contracts since the transaction “to the full satisfaction of all parties.” (Appl. 7.)

Rose asserts there are no fixed charges associated with the transaction or the proposed acquisition of control. Rose also states that it does not anticipate a measurable reduction in force or changes in compensation and benefits, to the extent that passengers, property, or both, are transported by motor carrier or a state or in another state.”

Rose states that, at the time they entered into the APA, none of the parties were aware of the Board’s jurisdiction over the transaction. Rose now seeks retroactive, or nunc pro tunc, approval of the transaction “over transportation by motor carrier and the procurement of that transportation, to the extent that passengers, property, or both, are transported by motor carrier . . . between a place in . . . a State and a place in another State.”

We also note that, according to Rose, Cherry “operated a largely interstate point-to-point and special party passenger service to local churches,” but it also had interstate operations due to “its location in Charlotte, North Carolina, being a few miles away from the South Carolina border, and the fact that several churches in Charlotte lived over the state border in South Carolina.” (Appl. 8) See 49 U.S.C. 13501 (the Board has jurisdiction “over transportation by motor carrier and the procurement of that transportation, to the extent that passengers, property, or both, are transported by motor carrier . . . between a place in . . . a State and a place in another State.”).
and states that Cherry has not
terminated any employees since the
transaction was agreed upon in July
2015.

The Board finds that the acquisition
described in the application is
consistent with the public interest and
should be tentatively approved and
authorized. If any opposing comments
are timely filed, these findings will be
deemed vacated, and, unless a final
decision can be made on the record as
developed, a procedural schedule will
be adopted to reconsider the
application. See 49 CFR 1182.6(c). If no
opposing comments are filed by the
expiration of the comment period, this
notice will take effect automatically and
will be the final Board action.

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available on our Web site at
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It is ordered:
1. The proposed transaction is
approved and authorized, subject to the
filing of opposing comments.
2. If opposing comments are timely
filed, the findings made in this notice
will be deemed vacated.
3. This notice will be effective June
28, 2016, unless opposing comments are
filed by June 27, 2016.
4. A copy of this notice will be served
on: (1) The U.S. Department of
Transportation, Federal Motor Carrier
Safety Administration, 1200 New Jersey
Avenue SE., Washington, DC 20590; (2)
the U.S. Department of Justice, Antitrust
Division, 10th Street & Pennsylvania
Avenue NW., Washington, DC 20530; and
(3) the U.S. Department of
Transportation, Office of the General
Counsel, 1200 New Jersey Avenue SE.,
Washington, DC 20590.

Decided: May 6, 2016.
By the Board, Chairman Elliott, Vice
Chairman Miller, and Commissioner
Begeman.

Jeffrey Herzig,
Clearance Clerk.

For further information contact:
Oscar D. Sanchez, Program Manager,
Harrington Airports District Office,
3905 Hartzdale Dr., Suite 308, Camp
Hill, PA 17011, (717) 730–2834.

For further information contact:
Oscar D. Sanchez, Program Manager,
Harrington Airports District Office
(location listed above). The documents
reflecting the Sponsor’s request are
available, by appointment only, for
inspection at the Harrington
International Airport, Executive
Director’s Office.

Supplementary information: The
following is a brief overview of the request:
This action will allow the
redesignation of the 11.398 acres as land
available for non-aeronautical use on
the Airport Layout Plan (ALP). The
purpose of the release request is that
SARAA has determined that it is in its
best interest to encourage development
under long-term leases of land not
needed for airport development on the
approved ALP to increase airport
revenues. Consistent with this purpose,
this release request will enable SARAA
to enter into a long-term lease agreement
with Shanier Hotel Holdings for the
purpose of constructing and operating a
four (4) story hotel consisting of 120
guest rooms, a meeting center and
restaurant. The hotel will encompass
2.73 acres of the 11.398-acre site. The
remaining acres will be available for
future long-term lease agreements for
commercial retail development. There is
to be no sale or transfer of property
rights in connection with this Airport
Layout Plan change. Proceeds from the
lease of this property will be utilized in
accordance with FAA’s Policy and
Procedures Concerning the Use of
Airport Revenue, published in the
Federal Register on February 16, 1999.

MDT, including the 11.398 acres that
are the subject of this release request,
was the former Olmsted Air Force Base.
On June 20, 1967, under the provisions of
the Federal Property and Administrative Services Act of 1949,
and the Surplus Property Act of 1944,
as amended, the Air Force ceded
Olmsted Air Force Base to the
Commonwealth of Pennsylvania for the
purpose that it be utilized as an airport.
This land was conveyed to SARAA by the Commonwealth of Pennsylvania
through its Department of
Transportation by a deed dated 01/02/
1998 and recorded in Dauphin County,
December 8, 2015, the Department of
Defense concurred with the decision to
release the National Emergency Use
Provision on the 11.398 acres.

The 11.398 acres is located on the
landside of the airport in a central area
in close proximity to the parking garage,
terminal building, and long-term
parking within the Terminal Drive loop.
To the north, the area is bordered by
Airport Drive, Amtrak Railroad, and
Route 230. To the south of the area lies
the snow removal equipment building
and a passenger cell phone lot. West of
the area is a paved employee parking
lot. The parcel is further identified as
Dauphin County identification Parcel
36–024–001. The property is currently
depicted on the approved ALP on
record as airport property and consists of
asphalt pavement that is currently
used as a nonrevenue producing
employee vehicle parking lot. MDT has
sufficient parking space available to
replace the employee parking lot. This
parcel is not needed for future
aeronautic development as shown on
the airport’s ALP.

Any person may inspect the request
by appointment at the FAA office

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on a Release
Request for a Change in Designation
Of Airport Surplus Property From
Aeronautical To Non-Aeronautical Use
At the Harrisburg International Airport
(MDT), Middletown, PA

Agency: Federal Aviation
Administration (FAA) DOT.

Action: Notice release request for a
change in designation of on-airport
surplus property from aeronautical to
non-aeronautical use.

Summary: The Federal Aviation
Administration (FAA) is requesting
public comment on the Susquehanna
Area Regional Airport Authority's
(SARAA) request to change 11.398
acres of airport property from
aeronautical use to non-aeronautical use.
The acreage in question is subject to the
Provisions of the Federal Property and
Administrative Services Act of 1949,
and the Surplus Property Act of 1944 as
amended. In accordance with 49 U.S.C.
47151(d), 47153(c), and 47107(h), this
notice is required to be published in the
Federal Register for 30 days before
waiving the condition that such land
be used for aeronautical purposes. The
purpose of the release request is to
enable SARAA to generate revenue from
this property by taking action including,
but not limited to, entering into a long-
term lease with Shanier Hotel Holdings
for the purpose of constructing and
operating a four (4) story hotel
consisting of 120 guest rooms, a meeting
center and restaurant.

Dates: Comments must be received on
or before June 10, 2016.

Addresses: Documents are available
for review at the Susquehanna Area
Regional Airport Authority Office
located at the Harrisburg International
Airport.

Timothy Edwards, Executive Director,
Harrington International Airport,
Susquehanna Area Regional Airport
Authority, One Terminal Drive, Suite
300, Middletown, PA 17057, 717–
948–3900.

and at the FAA Harrisburg Airports
District Office:
Oscar D. Sanchez, Program Manager,
Harrington Airports District Office,
3905 Hartzdale Dr., Suite 308, Camp
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