

file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSEAmex-2011-69 and should be submitted on or before October 7, 2011.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>11</sup>

**Elizabeth M. Murphy,**  
Secretary.

[FR Doc. 2011-23771 Filed 9-15-11; 8:45 am]

BILLING CODE 8011-01-P

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket Number: DOT-OST-2011-0170]

#### Agency Request for Renewal of a Previously Approved Collection; Disclosure of Code Sharing Arrangements and Long-Term Wet Leases

**AGENCY:** Office of the Secretary.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of Transportation (DOT) invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. We are required

to publish this notice in the **Federal Register** by the *Paperwork Reduction Act of 1995*, Public Law 104-13.

**DATES:** Written comments should be submitted by November 15, 2011.

**ADDRESSES:** You may submit comments (identified by DOT Docket Number OST-2011-0170) through one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Fax:* 1-202-493-2251.

- *Mail or Hand Delivery:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** Aleta Best, (202) 493-0797, Office of the Assistant Secretary for Aviation and International Affairs, Office of the Secretary, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** *OMB Control Number:* 2105-0537.

*Title:* Disclosure of Code Sharing Arrangements and Long-Term Wet Leases.

*Type of Review:* Renewal of an information collection.

*Abstract:* Codesharing is the name given to a common airline industry marketing practice where, by mutual agreement between cooperating carriers, at least one of the airline designator codes used on a flight is different from that of the airline operating the aircraft. In one version, two or more airlines each use their own designator codes on the same aircraft operation. Although only one airline operates the flight, each airline in a codesharing arrangement may hold out, market, and sell the flight as its own in published schedules. Codesharing also refers to other arrangements, such as when a code on a passenger's ticket is not that of the operator of the flight, but where the operator does not also hold out the service in its own name. Such codesharing arrangements are common between commuter air carriers and their larger affiliates, and the number of arrangements between U.S. air carriers and foreign air carriers has also been increasing. Arrangements falling into this category are similar to leases of aircraft with crew (wet leases).

The Department recognizes the strong preference of air travelers for on-line service (service by a single carrier) on connecting flights over interline service (service by multiple carriers).

Codesharing arrangements are, in part, a marketing response to this demand for on-line service. Often, codesharing partners offer services similar to those available for on-line connections with the goal of offering "seamless" service (*i.e.*, service where the transfers from flight to flight or airline to airline are facilitated). For example, they may locate gates near each other to make connections more convenient or coordinate baggage handling to give greater assurance that baggage will be properly handled.

Codesharing arrangements can help airlines operate more efficiently because they can reduce costs by providing a joint service with one aircraft rather than operating separate services with two aircraft. Particularly in thin markets, this efficiency can lead to increased price and service options for consumers or enable the use of equipment sized appropriately for the market. Therefore, the Department recognizes that codesharing, as well as long-term wet leases, can offer significant economic benefits.

Although codesharing and wet-lease arrangements can offer significant consumer benefits, they can also be misleading unless consumers know that the transportation they are considering for purchase will not be provided by the airline whose designator code is shown on the ticket, schedule, or itinerary and unless they know the identity of the airline on which they will be flying. The growth in the use of codesharing, wet-leasing, and similar marketing tools, particularly in international air transportation, had given the Department concern about whether the then-current disclosure rules (14 CFR 399.88) protected the public interest adequately and led the Department to adopt specific regulations requiring the disclosure of code-sharing arrangements and long-term wet leases on March 15, 1999. (14 CFR part 257)

These regulations required U.S. airlines, foreign airlines and travel agents doing business in the United States, to notify passengers of the existence of code-sharing or long-term wet lease arrangements. It also required U.S. airlines, foreign airlines and travel agents to tell prospective consumers, in all oral communications before booking transportation, that the transporting airline is not the airline whose designator code will appear on travel documents and identify the transporting airline by its corporate name and any other name under which that service is held out to the public.

*Respondents:* All U.S. air carriers, foreign air carriers, computer reservations systems (CRSs), and travel

<sup>11</sup> 17 CFR 200.30-3(a)(12).

agents doing business in the United States, and the traveling public.

*Number of Respondents:* 16,000, excluding travelers.

*Frequency:* At 15 seconds per call and an average of 1.5 calls per trip, a total of 22.5 seconds per respondent or traveler, for the approximately 33% of codeshare itineraries that involve personal contact.

*Total Annual Burden:* Annual reporting burden for this data collection is estimated at 618,750 hours for all travel agents and airline ticket agents, based on 15 seconds per phone call and an average of 1.5 phone calls per trip, for the approximately 33% of codeshare itineraries that involve personal contact. Most of this data collection (third party notification) is accomplished through highly automated computerized systems.

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including (a) whether the proposed collection of information is necessary for the Department's performance; (b) the accuracy of the estimated burden; (c) ways for the Department to enhance the quality, utility, and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information.

**Authority :** The *Paperwork Reduction Act of 1995*; 44 U.S.C. chapter 35, as amended; and 49 CFR 1:48.

Dated: September 12, 2011.

**Todd M. Homan,**

*Director, Office of Aviation Analysis.*

[FR Doc. 2011-23770 Filed 9-15-11; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2011-0052]

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that by a document dated August 25, 2011, Norfolk Southern Railway (NS) has submitted information to amend and clarify the scope of a June 14, 2011, petition to the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 236. FRA had assigned the petition Docket Number FRA-2011-0052 as published in **Federal Register** (Ref.

Volume 76, No. 135, Thursday, July 14, 2011, Page 41556).

NS seeks a waiver of compliance from the cab signal system requirements found in 49 CFR 236.566, *Locomotive of each train operating in train stop, train control, or cab signal territory; equipped*. Specifically, NS seeks relief to operate nonequipped engines used in switching and transfer service, with or without cars such as work trains, wreck trains, ballast cleaners to and from work, and engines and rail diesel cars moving to and from shops, in the following locations with all movements at restricted speeds not exceeding 15 mph.

1. Operations on the Pittsburgh Line, Harrisburg Division, from CP Cannon at MP-PT 118.9 near Duncannon, PA, to CP Harrisburg at MP-PT 105.1 near Harrisburg, PA.

2. Operations on the Pittsburgh Line, Pittsburgh Division, from CP Cannon at MP-PT 118.9 near Duncannon, PA, to CP Solomon at MP-PT 352.5 near Pittsburgh, PA, with an absolute block to be established in advance of each movement of foreign trains and engines between CP Bloom at MP-PT 351.6 near Pittsburgh, PA, and CP Solomon.

3. Operations on the Fort Wayne Line, Pittsburgh Division, from CP Rochester at MP-PC 29.5, near East Rochester, PA, to CP Alliance at MP-PC 83.2., with an absolute block to be established in advance of each nonequipped movement.

4. Operations on the Conemaugh Line, Pittsburgh Division, from CP Conpit at MP-LC 0.0, near Bolivar, PA, to CP Kiski at MP-LC 47.8, near Freeport, PA, with an absolute block to be established in advance of each nonequipped movement.

NS argues that relief is in the public interest. The waiver of 49 CFR 236.566 requirements in these areas is important to maintaining efficient rail operations in the region. Exemptions have been previously granted for the operation of nonequipped locomotives in cab signal system territory at nearby locations and the relief requested in this application is a consistent extension of those currently granted exceptions.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at <http://www.regulations.gov> and in person at the U.S. Department of Transportation's Docket Operations Facility, 1200 New Jersey Ave., SE., W12-140, Washington, DC 20590. The Docket Operations Facility is open from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

Interested parties are invited to participate in these proceedings by

submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- *Web site:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Fax:* 202-493-2251.
- *Mail:* Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.
- *Hand Delivery:* 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by October 31, 2011, will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78), or online at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on September 13, 2011.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

[FR Doc. 2011-23840 Filed 9-15-11; 8:45 am]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket Number FRA-2010-0100]

#### Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 of the Code of Federal Regulations (CFR), this document provides the public notice that by a document dated April 29, 2011, the Brownsville & Rio Grande International Railroad (BRG) has