

Carriers of Passengers. OMB Control No. 2139-0003.

Form No.: BTS Form MP-1.

Type of Review: Extension of a currently approved collection.

Respondents: Class I Motor Carriers of Passengers.

Number of Respondents: 26.

Estimated Time Per Response: 90 minutes.

Total Annual Burden: 156 hours.

Needs and Uses: This data collection form was transferred from the Interstate Commerce Commission to the Department of Transportation (DOT) on January 1, 1996, by the ICC Termination Act of 1995. The OMB Control number while under the ICC was 3120-0021. Pursuant to 14 U.S.C. 14123, DOT is required to collect annual financial reports from Class I motor carriers. DOT may also require motor carriers to file quarterly reports. In determining the matters to be covered by the reports, DOT must consider: (1) Safety needs; (2) the need to preserve confidential business information and trade secrets and prevent competitive harm; (3) private sector, academic, and public use of information in the reports; and (4) the public interest. BTS wishes to continue to provide periodic information on the health of the motor carrier of passengers industry, its impact on the economy, and the economy's impact on the industry. The current report accomplishes this with minimal data items to be completed quarterly.

II. Request for Comments

BTS requests comments concerning the information collection, including whether (a) the reports are needed by BTS to fulfill its legal mandate under 14 U.S.C. 14123 to collect financial data from motor carriers; (b) BTS accurately estimated the reporting burden; (c) there are other ways to enhance the quality, utility, or clarity of the information collected; and (d) there are ways to minimize reporting burden, including the use of automated collection techniques or other forms of information technology.

T.R. Lakshmanan,

Director, Bureau of Transportation Statistics.

[FR Doc. 96-20894 Filed 8-15-96; 8:45 am]

BILLING CODE 4910-FE-P

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ending August 9, 1996

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier

Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 et. seq.). The due date for Answers, Conforming Applications, or Motions to modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: OST-96-1632.

Date filed: August 8, 1996.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: September 5, 1996.

Description: Joint application of Comair and Delta Air Lines, Inc., pursuant to 49 U.S.C. Section 41105 and Subpart Q of the Regulations, request that the Department approve the transfer to Comair of the authority held by Delta to transport persons, property and mail between New York City, New York/Newark, New Jersey, and Ottawa/Montreal, Canada, as contained in Delta's Experimental Certificate of Public Convenience and Necessity for Route 617, issued by Order 91-10-35 (amended), effective October 17, 1991.

Docket Number: OST-96-1634.

Date filed: August 9, 1996.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: September 6, 1996.

Description: Application of Servicios Aereos Tribasa, S.A. de C.V. ("Tribasa"), pursuant to 49 U.S.C. Section 41302, Part 211 of the Department's Economic Regulations and Subpart Q, applies for a foreign air carrier permit authorizing it to engage in foreign charter air transportation of persons between a point or points in Mexico, on the one hand, and a point or points in the United States, on the other hand.

Paulette V. Twine,

Chief Documentary Services Division.

[FR Doc. 96-20974 Filed 8-15-96; 8:45 am]

BILLING CODE 4910-62-P

Aviation Proceedings; Agreements Filed During the Week Ending 8/09/96

The following agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: OST-96-1626.

Date filed: August 6, 1996.

Parties: Members of the International Air Transport Association.

Subject: TC2 Telex Mail Vote 820, Fares from Zaire to Belgium, r-1- 042h

r-2-052e, Intended effective date: September 1, 1996.

Docket Number: OST-96-1627.

Date filed: August 6, 1996.

Parties: Members of the International Air Transport Association.

Subject: TC12 Reso/C 0932 dated June 4, 1996, USA/US Territories-Austria/Belgium/Germany/Netherlands/Switzerland Cargo Resos r1-4, Tables—TC12 Rates 0526 dated August 2, 1996, Intended effective date: October 1, 1996.

Docket Number: OST-96-1628.

Date filed: August 6, 1996.

Parties: Members of the International Air Transport Association.

Subject: TC12 MV/P 0372 dated July 9, 1996, Mail Vote 813—US-Austria/Belgium/Germany/Netherlands/Scandinavia/Switzerland Resos, Telex Correcting Mail Vote, TC12 Meet/P 0581 dated August 2, 1996—Minutes, Intended effective date: October 1, 1996.

Docket Number: OST-96-1630.

Date filed: August 8, 1996.

Parties: Members of the International Air Transport Association.

Subject: TC12 Reso/P 1760 dated July 5, 1996 r1; TC12 Reso/P 1761 dated July 5, 1996 r2; TC12 Reso/P 1762 dated July 5, 1996 r3; TC12 Reso/P 1763 dated July 5, 1996 r4; USA-Europe Expedited Passenger Resos (Summaries attached. Minutes are filed this date with the non-expedited portion of the agreement.) Intended effective date: November 1, 1996 and beyond.

Docket Number: OST-96-1631.

Date filed: August 8, 1996.

Parties: Members of the International Air Transport Association.

Subject: TC12 Reso/P 1764 dated July 9, 1996 r-1-31, USA-Europe Passenger Resos (Excluding Austria/Belgium/Germany/Netherlands/Scandinavia/Switzerland), Minutes—TC12 Meet/P 0580 dated July 30, 1996, Tables—TC12 Fares 0508 dated July 26, 1996, Intended effective date: October 1, 1996.

Paulette V. Twine,

Chief, Documentary Services Division.

[FR Doc. 96-20975 Filed 8-15-96; 8:45 am]

BILLING CODE 4910-62-P

Federal Aviation Administration

Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Tri-State Airport, Huntington, WV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the

application to impose and use the revenue from a PFC at Tri-State Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

DATES: Comments must be received on or before September 16, 1996.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Mr. Elonza Turner, Beckley Airports Field Office, Main Terminal building, 469 Airport Circle, Beaver, West Virginia 25813-6216.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Larry G. Salyers, Airport Director of the Tri-State Airport Authority at the following address: Tri-State Airport Authority, 1449 Airport Road, Unit 1, Box, Huntington, West Virginia 26505.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Tri-State Airport Authority under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Elonza Turner, Beckley Airports Field Office, Main Terminal building 469 Airport Circle, Beaver, West Virginia 25813-6216 (Tel. 304-252-6216). The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Tri-State Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On July 24, 1996, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Tri-State Airport Authority was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than October 30, 1996.

The following is a brief overview of the application.

Level of the proposed PFC: \$3.00.

Proposed charge effective date: October 1, 1996.

Proposed charge expiration date: July 1, 1998.

Total estimated PFC revenue: \$366,600.

Brief description of proposed projects: The PFC funds will be utilized to fund

the local share of the following proposed AIP project.

—Repair Land Slide in Runway 30 Safety Area

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Non-Scheduled Part 135 and Part 121 charter operators.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA regional Airports office located at: Fitzgerald Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Tri-State Airport Authority.

Issued in Jamaica, New York on August 7, 1996.

William Degraaff,

Acting Manager, Airports Division, Eastern Region.

[FR Doc. 96-20969 Filed 8-15-96; 8:45 am]

BILLING CODE 4910-13-M

Surface Transportation Board¹

[Section 10706(a)(5)(A) Application No. 11]

Carbon Black Producers Pooling Agreement

AGENCY: Surface Transportation Board.
ACTION: Notice of filing of agreement and request for comments.

SUMMARY: On May 23, 1996, Degussa Corp. and Columbian Chemicals Company (applicants) supplemented the application they originally filed on December 27, 1995, seeking approval of a shipper agreement under 49 U.S.C. 10706(a)(5)(A). Under the proposed agreement, applicants and any other participating carbon black producers would be permitted: (1) To discuss among themselves issues relating to the

compensation railroads pay for use of producer-owned or leased cars, and to the producers' cost of car ownership and operation; and (2) to pool the freight cars they use to transport carbon black. The Board seeks public comment prior to acting on the application.

DATES: Comments must be filed by September 16, 1996, and applicants may file a reply by October 7, 1996.

ADDRESSES: Send pleadings referring to Section 10706(a)(5)(A) Application No. 11 to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW., Washington, DC 20423; and (2) Charles A. Spitulnik and Alicia M. Serfaty, Hopkins & Sutter, 888 16th Street, NW., Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: Under 49 U.S.C. 10706(a)(5)(A), shippers must obtain Board approval of any agreements to discuss among themselves the compensation to charge rail carriers for the use of privately owned or leased freight cars. The Board will approve an agreement only if it furthers the rail transportation policy of 49 U.S.C. 10101a. When necessary, additional conditions may be imposed by the Board to further that policy. If an agreement is approved, the antitrust laws do not apply to parties and other persons with respect to the making and carrying out of the agreement.

Under *Shippers Equitable Compensation Action Committee*, 365 I.C.C. 939 (1982) (*SECAC*), collective agreements for shippers, at a minimum, must contain three basic safeguards to be found consistent with the public interest: (1) an unrestricted guarantee of the right of independent action by both members and non-members; (2) a requirement for open meetings with a correlative requirement for reasonable notice to members and other interested noncarrier owners or rail cars lessees; and (3) a requirement for formal recordkeeping of all meetings by transcript or sound recording.²

In a decision served April 3, 1996, we held this proceeding in abeyance to give

² See *American Petroleum Institute*, Section 10706(a)(5)(A) Application No. 4 (ICC served Nov. 18, 1982, and July 22, 1983); *Chemical Manufacturers Association*, 367 I.C.C. 290 (1983); *Institute of Shortening and Edible Oils, Inc.*, Section 10706(a)(5)(A) Application No. 6 (ICC served Mar. 22 and Dec. 7, 1983); and *U.S. Clay Producers Traffic Association, Inc.*, Section 10706(a)(5)(A) Application No. 10 (ICC served Mar. 21, 1985).

These are the same standards and requirements that are applied to rail carrier rate bureau applications. See *Western Railroads—Agreement*, 364 I.C.C. 1 (1980).

¹ The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (ICCTA), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the ICCTA provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the ICCTA. This notice relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10706(a)(5)(A). Therefore, this notice applies the law in effect prior to the ICCTA, and citations are to the former sections of the statute, unless otherwise indicated.