

Action by the Commission November 6, 1996. Chairman Reed Hundt, Commissioners James Quello, Susan Ness, and Rachelle Chong, voting to consider this item.

Additional information concerning this meeting may be obtained from Astrid Carlson, of the Common Carrier Bureau, telephone number (202) 530-6023.

Copies of materials adopted at this meeting can be purchased from the FCC's duplicating contractor, International Transcription Services, Inc., at (202) 857-3800. Audio and video tapes of this meeting can be purchased from Telspan International at (301) 731-5355. The meeting can be heard via telephone, for a fee, from National Narrowcast Network, telephone (202) 966-2211 or fax (202) 966-1770; and from Conference Call USA (available only outside the Washington, DC metropolitan area), telephone 1-800-962-0044.

Dated November 6, 1996.

Federal Communications Commission

William F. Caton,

Acting Secretary.

[FR Doc. 96-29075 Filed 11-13-96; 8:45 am]

BILLING CODE 6712-01-F

[CC Docket No. 92-237; DA 96-1838]

FCC Announces Meeting of the North American Numbering Council

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: On November 7, 1996, the Commission released a public notice announcing the second meeting of the North American Numbering Council and the Agenda for that meeting. The intended effect of this action is to make the public aware of the NANC's second meeting and its Agenda.

FOR FURTHER INFORMATION CONTACT: Marian Gordon, Designated Federal Official of the North American Numbering Council, (202) 418-2337 or Linda Simms, Administrative Assistant of the North American Numbering Council, (202) 418-2330. The address for both is: Network Services Division, Common Carrier Bureau, Federal Communications Commission, 2000 M Street, NW., Suite 235, Washington, DC 20054. The fax number for both is: (202) 418-2345. The TTY number for both is: (202) 418-0484.

SUPPLEMENTARY INFORMATION:

Released: November 7, 1996.

The second meeting of the North American Numbering Council (NANC)

will be held on Monday, December 2, 1996, at 9:30 a.m. EST at the Federal Communications Commission, 1919 M Street, NW., Room 856, Washington, DC 20554.

Marian Gordon, Designated Federal Official of the NANC, (202) 418-2337 or Linda Simms, Administrative Assistant of the NANC, (202) 418-2330. The address for both is: Network Services Division, Common Carrier Bureau, Federal Communications Commission, 2000 M Street, NW., Suite 235, Washington, DC 20054. The fax number for both is: (202) 418-2345. The TTY number for both is: (202) 418-0484.

This meeting will be open to members of the general public. The FCC will attempt to accommodate as many people as possible. Admittance, however will be limited to the seating available. The public may submit written statements to the NANC, which must be received two business days before the meeting. In addition, oral statements at the meeting by parties or entities not represented on the NANC will be permitted to the extent time permits. Such statements will be limited to five minutes in length by any one party or entity, and requests to make an oral statement must be received two business days before the meeting. Requests to make an oral statement or provide written comments to the NANC should be sent to Marian Gordon or Linda Simms, at the address under **FOR FURTHER INFORMATION CONTACT**, stated above.

AGENDA: The planned agenda for the second meeting is as follows:

1. Reports on the NANC Steering Group Meetings of October 1 and November 13 and conference calls of October 17 and October 28.
2. Report on progress of NANC Working Groups.
3. Review of future activities.
4. Other.

Federal Communications Commission

Geraldine A. Matise,

Chief, Network Services Division, Common Carrier Bureau.

[FR Doc. 96-29152 Filed 11-13-96; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL ELECTION COMMISSION

Sunshine Act Meeting

Federal Register Number: 96-28734.

Previously announced date and time: Thursday, November 14, 1996, 10:00 a.m., meeting open to the public.

The following item was added to the agenda: Revised Draft Advisory Opinion 1996-42: Michael A. Nemeroff on behalf of Lucent Technologies, Inc.

Person to contact for information: Mr. Ron Harris, Press Officer, Telephone: (202) 219-4155.

Delores Hardy,

Administrative Assistant.

[FR Doc. 96-29301 Filed 11-12-96; 10:26 am]

BILLING CODE 6715-01-M

FEDERAL MARITIME COMMISSION

[Docket No. 96-22]

U.S.A. Paper, Inc. v. Venezuelan American Maritime Association, Crowley American Transport, Inc., King Ocean Services, S.A., Seaboard Marine, Ltd., A.P. Moller-Maersk Line, Sea-Land Service, Inc., Venezuelan Container Line, C.A., and Consorcio Naviero Del Occidente, C.A.; Notice of Filing of Complaint and Assignment

Notice is given that a complaint filed by U.S.A. Paper, Inc. ("Complainant") against Venezuelan American Maritime Association, Crowley American Transport, Inc., King Ocean Services, S.A., Seaboard Marine, Ltd., A.P. Moller-Maersk Line, Sea-Land Service, Inc., Venezuelan Container Line, C.A., and Consorcio Naviero Del Occidente, C.A. (collectively designated "Respondents") was served November 8, 1996. Complainant alleges that Respondents have violated section 10 of the Shipping Act of 1984, 46 U.S.C. app. § 1709, in connection with a Time Volume Rate for waste paper between the United States and Venezuela that is discriminatory, unfair, and an unreasonable practice by Respondents.

This proceeding has been assigned to the office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence with the time limitations prescribed in 46 CFR 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by November 7, 1997, and the

final decision of the Commission shall be issued by March 9, 1998.

Joseph C. Polking,

Secretary.

[FR Doc. 96-29143 Filed 11-13-96; 8:45 am]

BILLING CODE 6730-01-M

[Docket No. 96-21]

Royal Venture Cruise Line, Inc.; Order of Investigation

This proceeding is being instituted in response to the request of Royal Venture Cruise Line, Inc. ("Royal Venture") for a hearing in response to a Federal Maritime Commission ("Commission") Notice of Intent to Deny Royal Venture's application for a Certificate of Financial Responsibility of Non-Performance ("Certificate"). Section 3 of Public Law 89-777, 46 U.S.C. app. 817e, provides that no person in the United States may arrange, offer, advertise, or provide passage on a vessel having berth or stateroom accommodations for fifty or more passengers, which is to embark passengers at a United States port, to receive a Certificate for the vessel.¹

Royal Venture is a Georgia corporation which maintains an office in Clearwater, FL. Anastassios Kiriakidis ("Kiriakidis") is the Chairman of Royal Venture. Kiriakidis, on behalf of Royal Venture, filed an application with the Commission to obtain a Certificate for the *Sun Venture*, a vessel with berth or stateroom accommodations for fifty or more passengers, for 2-day cruises to nowhere and 5-day cruises to Mexico from Tampa, FL. The Certificate was to be secured by an Escrow Agreement pursuant to the Commission's regulations at 46 CFR 540.5(b). The First Bank National Association, New York, New York, was named as the Escrow Agent for the Escrow Agreement. The Commission approved the application and notified Royal Venture on April 19, 1996, that a Certificate would be issued upon confirmation that an initial deposit of \$303,000 had been deposited by Royal Venture in the escrow account.² Even though the application was approved in April, 1996, Royal Venture has yet to notify the Commission that it has made the initial deposit of \$303,000 in Escrow Account.

In June, 1996, it came to the attention of the Commission's staff that Royal Venture apparently had circulated a brochure to the travel industry for

cruises from Tampa on the *Sun Venture*. As a result of learning this information, the Commission's staff on July 1, 1996, sent Royal Venture a warning letter advising Royal Venture that a Certificate had not been issued, and that Royal Venture should immediately cease any activity which involved arranging, offering, advertising or providing passage on the *Sun Venture*. In response, Royal Venture acknowledged that brochures for its planned cruises on the *Sun Venture* had been distributed to travel agents at a trade show in Tampa, and stated that Royal Venture would not sell passages or collect any money for passages on the *Sun Venture* until a Certificate for the vessel was issued.

In August, 1996, the Commission's staff learned that travel agents in the Tampa area had been promoting Royal Venture's proposed cruises on the *Sun Venture* and that a series of advertisements for the vessel had appeared in Tampa area newspapers. Another warning letter was sent by the Commission's staff to Royal Venture on August 23, 1996. Thereafter, information was obtained by the Commission's staff that indicated Royal Venture, through travel agents, had confirmed reservations or otherwise arranged for the sale of passages for cruises on the *Sun Venture* and that Royal Venture was holding deposits or fares for the passages.

In order to verify this information and determine the extent of Royal Venture's activities, a member of the Commission's staff met with Kiriakidis at Royal Venture's office in Clearwater, FL on September 11, 1996. At the meeting, Kiriakidis admitted that Royal Venture had advertised its planned service on the *Sun Venture* but took the position that the firm had not confirmed reservations or otherwise sold passages on the *Sun Venture*. His position was that Royal Venture had only obtained "indications of interest" for cruises and any deposits or fares which had been sent, unsolicited, to Royal Venture were promptly returned. This position appeared to be contrary to the information developed by the Commission's staff. Thus, the Commission, by Order of Investigation served September 25, 1996,³ instituted a proceeding to determine if Royal Venture and Kiriakidis had violated the provisions of section 3 of Public Law 89-777 and (or) Part 540.3 of the Commission's regulations, and, if so, whether a civil penalty should be assessed, the amount thereof, and

whether a cease and desist order should be issued.

The above course of conduct by Royal Venture also appears to bring into question the issuance of a Certificate to Royal Venture based on an Escrow Agreement. When a passenger vessel operator relies upon an Escrow Agreement to establish its financial responsibility, the Commission must have accurate, credible and reliable information concerning the collection of passenger deposits and fares to ensure the protection of passengers and the integrity of the Escrow Agreement. The Commission's experience thus far with Royal Venture and its Chairman creates doubts as to whether information to be provided by Royal Venture under the terms of the Escrow Agreement could be relied upon. Accordingly, pursuant to the Commission's Regulations at 46 CFR 540.8, a Notice of Intent to Deny Royal Venture's Application for a Certificate was sent to Royal Venture on October 3, 1996. Part 540.8(b) of the Commission's regulations provides that a Certificate may be denied, revoked, suspended, or modified for making any willfully false statement to the Commission in connection with an application for a Certificate, circumstances whereby the party does not qualify as financially responsible in accordance with the requirements of the Commission, or failure to comply with or respond to lawful inquiries, rules, regulations or orders of the Commission. Royal Venture was given 20 days to request a hearing, to be held in accordance with the Commission's Rules of Practice and Procedure, to show that the intended denial should not take place. By letter received October 22, 1996, Royal Venture requested a hearing on the intended denial.

Now therefore it is ordered, That pursuant to section 3 of Public Law 89-777 and 46 CFR Part 540, a proceeding is instituted to determine whether Royal Venture's application for a Certificate should be denied for: (1) making any willfully false statement to the Commission in connection with an application for a Certificate; (2) circumstances whereby Royal Venture does not qualify as financially responsible in accordance with the requirements of the Commission; and (or), (3) failure to comply with or respond to lawful inquiries, rules, regulations or orders of the Commission.

It is further ordered, That this matter be assigned for public hearing before an Administrative Law Judge ("Presiding Officer") of the Commission's Office of Administrative Law Judges at a date and place to be determined by the Presiding Officer in compliance with Rule 61 of

¹ A Certificate is issued pursuant to the Commission's regulations at 46 CFR Part 540.

² Royal Venture was also informed that it would have to file a signed original copy of the Escrow Agreement with the Commission.

³ Docket No. 96-16, *Royal Venture Cruise Line, Inc. and Anastassios Kiriakidis-Possible Violations of Passenger Vessel Certification Requirements*.