

[DA 96-1752]

Streamlining the International Section 214 Authorization Process and Tariff Requirements**AGENCY:** Federal Communications Commission.**ACTION:** Notice.

SUMMARY: On October 22, 1996, the International Bureau of the Federal Communications Commission adopted an Order on Reconsideration modifying the Order adopting the exclusion list in this proceeding (*Exclusion List Order* adopted on July 26, 1996). The Commission modified the exclusion list by removing CANUS-1 from the exclusion list consistent with a letter from the State Department. This decision should make the market for cable access more competitive, leading to lower prices for U.S. carriers' end users.

EFFECTIVE DATE: October 22, 1996.

FOR FURTHER INFORMATION CONTACT: James Hedlund, Attorney-Advisor, Policy and Facilities Branch, Telecommunications Division, International Bureau, (202) 418-1399.

SUPPLEMENTARY INFORMATION: This is a summary of the International Bureau's Order adopted on October 22, 1996 and released on October 24, 1996 (DA 96-1752). The full text of this Order is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C. 20554. The complete text of this Order also may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037 (202) 857-3800. The Order also is available as a text file at <http://www.fcc.gov/Bureaus/International/Orders/da961752.txt>. It is available as a WordPerfect file at <http://www.fcc.gov/Bureaus/International/Orders/da961752.wp>.

Summary of Order

1. On February 29, 1996, the Federal Communications Commission adopted rules to streamline the international Section 214 authorization process and tariff requirements. (*Report and Order, Streamlining the International Section 214 Authorization Process and Tariff Requirements*, IB Docket No. 95-118, FCC 96-79, released March 13, 1996, 61 FR 15724 (April 9, 1996)). The Report and Order adopted procedures for issuing global, rather than country-specific and facility-specific, Section 214 authorizations to qualified applicants. As part of the new

procedures, the International Bureau was required to establish and maintain an exclusion list identifying restrictions on providing service using particular facilities or to particular countries for those carriers receiving a global Section 214 authorization. On July 6, 1996, the Commission adopted the exclusion list. (*Exclusion List Order* adopted on July 26, 1996, 61 FR 50023 (September 24, 1996)).

2. On October 22, 1996, the State Department notified the Bureau that it would support the removal of CANUS-1 from the exclusion list, provided that the conditions of the cable landing license granted to OPTTEL are not modified. In particular, the State Department requested the Commission to continue to require that the licensee shall not sell or lease any capacity on CANUS-1, including capacity for non-common carrier services, to Teleglobe, its affiliates or any partnerships or joint ventures in which Teleglobe is a participant, unless and until Teleglobe, its affiliates or partnerships or joint ventures in which Teleglobe is a participant has requested and received prior Commission approval for the sale or lease of any such capacity. Further, the State Department requested the Commission to continue to require Teleglobe to obtain specific Section 214 authorization in order to acquire or use capacity on CANUS-1 for common carrier services.

3. Now that the State Department supports the removal of CANUS-1 from the exclusion list, the Commission found that there are no "imperative circumstances," as that term is used in the *Streamlining Order*, warranting the placement of the facility on the exclusion list. The Commission noted that the removal of CANUS-1 from the exclusion list does not in any way modify the conditions placed on OPTTEL in the cable landing license. The removal of CANUS-1 from the exclusion list will reduce the regulatory burden on U.S. carriers wishing to obtain capacity on this facility. This decision should make the market for cable access more competitive, leading to lower prices for U.S. carriers' end users.

Ordering Clauses

4. Accordingly, *it is ordered* that pursuant to Section 1.113 of the Commission's Rules, 47 CFR 1.113, the *Exclusion List Order* adopted on July 26, 1996, is modified to the extent detailed above.

5. Accordingly, *it is ordered* that the Exclusion List attached to this order, which identifies restrictions on providing service using particular

facilities or to particular countries for those carriers receiving a global Section 214 authorization, is hereby adopted.

6. This *Order* is issued under 0.261 of the Commission's Rules and is effective upon adoption. Petitions for reconsideration under § 1.106 or applications for review under § 1.115 of the Commission's Rules may be filed within 30 days of the date of the public notice of this Order (see 47 CFR 1.4(b)(2)).

Federal Communications Commission
Diane J. Cornell,
Chief, Telecommunications Division,
International Bureau.

Attachment—International Section 214 Authorizations**Exclusion List as of October 22, 1996**

The following is a list of countries and facilities not covered by grant of global Section 214 authority under § 63.18(e)(1) of the Commission's Rules. 47 CFR 63.18(e)(1). In addition, the facilities listed shall not be used by U.S. carriers authorized under § 63.01 of the Commission's Rules, unless the carrier's Section 214 authorization specifically lists the facility. Carriers desiring to serve countries or use facilities listed as excluded hereon shall file a separate Section 214 application pursuant to § 63.18(e)(6) of the Commission's Rules.

Countries

Cuba (applications for service to this country shall comply with the separate filing requirements of the Commission's Public Notice Report No. I-6831, dated July 27, 1993, "FCC to Accept Applications for Service to Cuba.")

Facilities

All non-U.S. licensed Cable and Satellite Systems Except:

Foreign Cable Systems

Aden-Djibouti
APC
APCN
APHRODITE 2
ARIANNE 2
ASEAN
B-M-P
Brunei-Singapore
CADMOS
CANTAT-3
CARAC
CELTIC
China-Japan
CIOS
Denmark-Russia 1
ECFS
EMOS-1
EURAFRICA
Germany-Denmark 1
Germany-Sweden No. 4
Germany-Sweden No. 5
H-J-K
HONTAI-2
ITUR
KATTEGAT-1
Kuantan-Kota Kinabalu
LATVIA-SWEDEN

Malaysia-Thailand
Marseille/Palermo Link
MAT-2
ODIN
PENCAN-5
R-J-K
RIOJA
SAT-2
SEA-ME-WE 2
SEA-ME-WE 3
T-V-H
TAGIDE 2
TASMAN 2
UGARIT
UK-BEL 6
UK-Denmark 4
UK-Germany 5
UK-Netherlands 12
UK-Netherlands 14
UK-Spain 4
UNISUR

This list is subject to change by the Commission when the public interest requires. Before amending the list, the Commission will first issue a public notice giving affected parties the opportunity for comment and hearing on the proposed changes. The Commission will then release an order amending the exclusion list. This list also is subject to change upon issuance of an Executive Order. See Streamlining the Section 214 Authorization Process and Tariff Requirements, IB Docket No. 95-118 FCC 96-79, released March 13, 1996.

For additional information, contact the International Bureau's Telecommunications Division, Policy and Facilities Branch, (202) 418-1460.

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BILLING CODE 6712-01-P

FEDERAL MARITIME COMMISSION

Notice of Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, D.C. Office of the Federal Maritime Commission, 800 North Capitol Street NW., 9th Floor. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after the date of the Federal Register in which this notice appears. The requirements for comments are found in section 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 202-008900-060.

Title: The "8900" Lines Agreement.

Parties: A.P. Moller-Maersk Line, DSR-Senator Lines, The National Shipping Company of Saudi Arabia,

P&O Containers, Ltd., Sea-Land Service, Inc., United Arab Shipping Company (S.A.G.).

Synopsis: The proposed modification makes several technical corrections to the Agreement: (1) deletes the reference to Agreement No. 203-011408; (2) revises the geographic scope in Article V(1) to correspond with the scope in Article IV of the Agreement; (3) revises Article VI to clarify who will chair meetings in the absence of the Executive Director; (4) revises Articles VII and XIII by substituting "e-mail" for "telex"; (5) revises paragraphs J(1), J(2) and L of Appendix B by substituting "Executive Director" for "Vice Chairman"; and (6) revises paragraph M of Appendix B to provide for arbitration in New Jersey instead of New York.

Agreement No.: 224-200229-003.

Title: Manchester Terminal Corporation/Empire Scott Stevedoring, Inc., Terminal Agreement.

Parties: Manchester Terminal Corporation ("MTC"), Empire Scott Stevedoring, Inc. ("Empire").

Synopsis: The proposed modification is a renegotiated contract between MTC and Empire. MTC assigns the right to Empire Scott Stevedoring, Inc., to load, unload, handle and render other related services to cargo and containers moving through MTC's facilities. The Agreement also reflects a name change of Scott Marine Services, Inc., to Empire Scott Stevedoring, Inc.

Agreement No.: 224-200972-001.

Title: Port Of Houston/TMM/HLC Terminal Agreement.

Parties: Port of Houston Authority, Transportation Maritima Mexicana, S.A. de C.V. ("TMM"), Hapag-Lloyd (America), Inc. ("HLC").

Synopsis: The proposed modification amends section IX of the Agreement to specify that storage charges will be based on a reasonable number of containers and chassis. The Agreement is further amended in section VII to specify that the Port, under special conditions, will reimburse TMM or HLC for certain expenses.

Agreement No.: 224-201004.

Title: Indiana's International Port/ Burns Harbor General Cargo Terminal Operating Agreement.

Parties: Indiana Port Commission, Indiana Stevedoring and Distribution Corporation ("ISD").

Synopsis: The Agreement provides that ISD will operate and maintain terminal facilities, for all public users desiring to use ISD's services, at Indiana's International Port/Burns Harbor for an initial period of ten years beginning January 1, 1999.

By Order of the Federal Maritime Commission.

Dated: November 12, 1996.

Joseph C. Polking,

Secretary.

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BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act, including whether the acquisition of the nonbanking company can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices" (12 U.S.C. 1843). Any request for a hearing must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank