

Since Kin Bridge USA canceled its tariff on April 18, 1998, Kin Bridge Taiwan has maintained what many be characterized as a "shell" tariff, consisting of ten commodity descriptions, four of which are applicable to Cargo N.O.S. Only these latter Cargo N.O.S. rates apply to cargo inbound from the Far East. Kin Bridge Taiwan does not publish "per container" rates for inbound cargo, nor does it appear likely that it charges those rates which it does publish, since these are assessed solely on a weight/measurement (W/M) ton basis. Nonetheless, it appears that Kin Bridge Taiwan is actively soliciting NVOCC cargo, and that it may not be assessing or collecting those rates set forth in its tariff.

Section 10(a)(1) of the Shipping Act of 1984 ("1984 Act"), 46 U.S.C. app. sec. 1709(a)(1), prohibits any person knowingly and willfully, directly or indirectly, by means of false billings, false classification, false weighing, false report of weight, false measurement, or by any other unjust or unfair device or means, to obtain or attempt to obtain ocean transportation for property at least than the rates or charges that would otherwise be applicable. Section 10(b)(1), 46 U.S.C. app. sec. 1709(b)(1), prohibits a common carrier from charging, collecting or receiving greater, less or different compensation for the transportation of property than the rates and charges set forth in its tariff. Sections 8 and 23 of the 1984 Act, 46 U.S.C. app. secs. 1707 and 1721, require that every NVOCC maintain a tariff and a bond. Under section 13 of the 1984 Act, 46 U.S.C. app. sec. 1712, a person is subject to a civil penalty of not more than \$25,000 for each violation knowingly and willfully committed, and not more than \$5,000 for other violations.³ Section 13 further provides that a common carrier's tariff may be suspended for violations of section 10(b)(1) for a period not to exceed one year, while section 23 provides for a similar suspension in the case of violations of section 10(a)(1) of the 1984 Act.

Now therefore, it is ordered, That pursuant to sections 10, 11, 13, and 23 of the 1984 Act, 46 U.S.C. app. secs. 1709, 1710, 1712, and 1721, an investigation is instituted to determine:

(1) Whether Kin Bridge Express Inc. and Kin Bridge Express (USA) Inc. violated section 10(a)(1) of the 1984 Act by directly or indirectly obtaining

transportation at least than the rates and charges otherwise applicable through the means of misdescription of cargo;

(2) Whether Kin Bridge Express Inc. and Kin Bridge Express (USA) Inc. violated section 10(b)(1) of the 1984 Act by charging, demanding, collecting or receiving less or different compensation for the transportation of property than the rates and charges shown in their respective NVOCC tariffs;

(3) Whether Kin Bridge Express Inc. violated sections 8 and 23 of the 1984 Act by operating as a non-vessel-operating common carrier without having a tariff and bond on file with the Commission;

(4) Whether, in the event violations of sections 8, 10(a)(1), 10(b)(1), and 23 of the 1984 Act are found, civil penalties should be assessed and, if so, the amount of such penalties;

(5) Whether, in the event violations of sections 10(a)(1) and 10(b)(1) of the 1984 Act are found, the tariff of Kin Bridges Express Inc. should be suspended; and

(6) Whether, in the event violations are found, an appropriate cease and desist order should be issued.

It is further ordered, that a public hearing be held in this proceeding and that this matter be assigned for hearing before an Administrative Law Judge of the Commission's Office of Administrative Law Judges at a date and place to be hereafter determined by the Administrative Law Judge in compliance with Rule 61 of the Commission's rules of practice and procedure, 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the Presiding Administrative Law Judge only after consideration has been given by the parties and the Presiding Administrative Law Judge to the use of alternative forms of dispute resolution, and upon a proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, deposition, or other documents or that the nature of the matters in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record;

It is further ordered, that Kim Bridge Express Inc. and Kin Bridge Express (U.S.A.) Inc. are designated as Respondents in this proceeding;

It is further ordered, that the Commission's Bureau of Enforcement is designated a party to this proceeding;

It is further ordered, that notice of this order be published in the **Federal Register**, and a copy be served on parties of record;

It is further ordered, that other persons having an interest in participating in this proceeding may file petitions for leave to intervene in accordance with Rule 72 of the Commission's rules of practice and procedure, 46 CFR 502.72;

It is further ordered, that all further notices, orders, and/or decisions issued by or on behalf of the Commission in this proceeding, including notice of the time and place of hearing or prehearing conference, shall be served on parties of record;

It is further ordered, that all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, DC 20573, in accordance with Rule 118 of the Commission's rules and practice and procedure, 46 CFR 502.118, and shall be served on parties of record; and

It is further ordered, that in accordance with Rule 61 of the Commission's Rules of Practice and Procedures, the initial decision of the Administrative Law Judge shall be issued by June 23, 1999 and the final decision of the Commission shall be issued by October 21, 1999.

By the Commission.

Joseph C. Polking,
Secretary.

[FR Doc. 98-17141 Filed 6-26-98; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than July 15, 1998.

A. Federal Reserve Bank of St. Louis
(Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63102-2034;

³The maximum penalties are raised by 10 percent for violations occurring after November 7, 1996. See *Inflation Adjustment of Civil Monetary Penalties*, 27 S.R.R. 809 (1996).

1. *Henderson Family Limited Partnership*, Vienna, Missouri; to acquire voting shares of Maries County Bancorp, Inc., Vienna, Missouri and Progress Bancshares, Inc., Sullivan, Missouri, and thereby indirectly acquire Progress Bank, Sullivan, Missouri; Maries County Bank, Vienna, Missouri; and Belle State Bank, Belle, Missouri.

B. Federal Reserve Bank of Kansas City (D. Michael Manies, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *Donald Ray Clark and Kitty Darline Clark*, both of Anadarko, Oklahoma; to acquire voting shares of First State Bank, Anadarko, Oklahoma.

Board of Governors of the Federal Reserve System, June 23, 1998.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 98-17205 Filed 6-26-98; 8:45 am]

BILLING CODE 6210-01-F

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. The application also will 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. 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 indicated or the offices of the Board of Governors not later than July 23, 1998.

A. Federal Reserve Bank of Cleveland (Paul Kaboth, Banking Supervisor) 1455

East Sixth Street, Cleveland, Ohio 44101-2566:

1. *Citizens Bancshares, Inc.*, Salineville, Ohio; to merge with Mid Am, Inc., Bowling Green, Ohio, and thereby indirectly acquire Adrian State Bank, Adrian, Michigan; American Community Bank, N.A., Lima, Ohio; Amerifirst Bank, N.A., Xenia, Ohio; First National Bank of Northwestern Ohio, Bryan, Ohio; Mid American National Bank and Trust Company, Toledo, Ohio; and Northside Deposit Bank, Pittsburgh, Pennsylvania.

In connection with this application, Citizens Bancshares also has applied to acquire MFI Investments Corp, Bryan, Ohio; Mid Am Recovery Services, Inc., Clearwater, Florida; Mid Am Credit Corp, Columbus, Ohio; Mid Am Financial Services, Inc., Carmel, Indiana; and Mid Am Private Trust, N.S., Cincinnati, Ohio, and thereby engage directly in permissible broker/dealer securities activities pursuant to §§ 225.28(b)(7) and 225.28(b)(8) of Regulation Y; permissible collection agency activities pursuant to § 225.28(b)(2)(iv) of Regulation Y; permissible lending and leasing activities pursuant to §§ 225.28(b)(1) and 225.28(b)(3) of Regulation Y; permissible consumer finance, lending, and loan servicing activities pursuant to § 225.28(b)(1) of Regulation Y; and permissible trust company functions pursuant to § 225.28(b)(5) of Regulation Y.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63102-2034:

1. *Mercantile Bancorporation Inc.*, St. Louis, Missouri; and its wholly owned subsidiary, Ameribanc, Inc., St. Louis, Missouri, to acquire 100 percent of the voting shares and merge with First Financial Bancorporation, Iowa City, Iowa, and thereby indirectly acquire First National Bank Iowa, Iowa City, Iowa.

C. Federal Reserve Bank of Kansas City (D. Michael Manies, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *BancFirst Corporation*, Oklahoma City, Oklahoma; to acquire 100 percent of the voting shares of AmQuest Financial Corporation, Duncan, Oklahoma, and thereby indirectly acquire AmQuest Bank, N.A., Lawton, Oklahoma, and Exchange National Bank and Trust Company, Ardmore, Oklahoma.

D. Federal Reserve Bank of Dallas (W. Arthur Tribble, President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *Violeta Investments, Ltd.*, Hebbbronville, Texas; to become a bank holding company by acquiring 9.18 percent of the voting shares of Hebbbronville State Bank, Hebbbronville, Texas.

Board of Governors of the Federal Reserve System, June 23, 1998.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 98-17206 Filed 6-26-98; 8:45 am]

BILLING CODE 6210-01-F

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. The application also will 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. 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 indicated or the offices of the Board of Governors not later than July 24, 1998.

A. Federal Reserve Bank of Atlanta (Lois Berthaume, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303-2713:

1. *CCF Holding Company*, Jonesboro, Georgia; to become a bank holding company by acquiring 100 percent of the voting shares of Heritage Bank, Jonesboro, Georgia.

2. *SunTrust Banks, Inc.*, Atlanta, Georgia, and SunTrust Banks of Florida, Inc., Orlando, Florida; to merge with Citizens Bancorporation, Inc., Marianna,