

Petitioner: ABX Air, Inc. (ABX).
Section of the FAR Affected: 14 CFR 121.503(b), 121.505(a), and 121.511(a).
Description of Relief Sought/Disposition: To permit ABX's pilots and flight engineers to complete certain transcontinental flight schedules before being provided with at least 16 hours of rest.

GRANT, 11/19/99, Exemption No. 5167E

Docket No.: 29871.
Petitioner: Construcciones Aeronauticas, S.A. (CASA).
Section of the FAR Affected: 14 CFR 25.723.

Description of Relief Sought/Disposition: To grant CASA a partial exemption from 25.723 to the extent necessary to permit type certification of the Model C-295 airplane.

PARTIAL GRANT, 12/17/99, Exemption No. 7088

Docket No.: 25863.
Petitioner: Department of Defense (DOD).
Section of the FAR Affected: 14 CFR 91.117(a) and (b), 91.159(a), and 91.209(a).

Description of Relief Sought/Disposition: To permit the DOD to conduct air operations in support of drug law enforcement and traffic interdiction without meeting certain requirements pertaining to (1) aircraft speed, (2) cruising altitudes for flights conducted under visual flight rules, and (3) the use of aircraft position lights.

GRANT, 9/25/99, Exemption No. 5100E

Docket No.: 29751.
Petitioner: United Way of Northwest Illinois, Inc. (United Way), and the Freeport Pilots Association (FPA).
Section of the FAR Affected: 14 CFR 135.251, 135.255, and 135.353, and appendixes I and J to part 121.

Description of Relief Sought/Disposition: To permit allow the FPA to conduct local sightseeing flights at Freeport Albertus Airport, for the United Way campaign kickoff hosted by the United Way on September 18, 1999, for compensation or hire, without complying with certain anti-drug and alcohol misuse prevention requirements of part 135.

GRANT, 9/17/99, Exemption No. 6996

Docket No.: 29682.
Petitioner: GE Engine Services—Corporate Aviation, Inc.
Section of the FAR Affected: 14 CFR 145.45(f).

Description of Relief Sought/Disposition: To permit GE Engine Services—Corporate Aviation, Inc.,

doing business as Garrett Aviation Services, to place and maintain copies of its inspection procedures manual (IPM) in strategic locations throughout its maintenance facility rather than giving a copy of the IPM to each of its supervisory and inspection personnel.

GRANT, 12/16/99, Exemption No. 7089

Docket No.: 29792.
Petitioner: Tennessee Technical Services, L.L.C.
Section of the FAR Affected: 14 CFR 145.45(f).

Description of Relief Sought/Disposition: To permit Tennessee Technical Services, L.L.C., to place copies of its inspection procedures manual (IPM) in strategic locations throughout its repair station rather than giving a copy of its IPM to each of its supervisory and inspection personnel.

GRANT, 12/23/99, Exemption No. 7092

Docket No.: 29234.
Petitioner: Cowboy Transportation Company.
Section of the FAR Affected: 14 CFR 135.163(f)(2), 135.411(c), and/or 135.421(c) and (d).

Description of Relief Sought/Disposition: To permit Cowboy to conduct passenger-carrying operations under instrument flight rules (IFR) in its single-engine aircraft without complying with certain equipment and maintenance requirements of part 135.

DENIAL, 12/23/99, Exemption No. 7091

[FR Doc. 00-247 Filed 1-5-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Ex Parte No. 290 (Sub-No. 2) and (Sub-No. 5)]

Decision: Railroad Cost Recovery Procedures and Quarterly Rail Cost Adjustment Factor

Decided: December 29, 1999.

In this decision, we grant the request of Western Coal Traffic League (WCTL) to inspect all RCAF workpapers used in developing the Rail Cost Adjustment Factor (RCAF). We order the American Association of Railroads (AAR) to make available for inspection the confidential RCAF workpapers under the condition that the proprietary workpapers are subject to a standard protective order and treated as "Highly Confidential."

Background

Under the provisions of 49 U.S.C. 10708, the Board periodically issues the

RCAF, which is an index reflecting changes in railroad costs. The RCAF data are developed by the AAR, and are reviewed by Board staff and audited by an independent accounting firm.¹

In a filing transmitting to the Board its data for the fourth quarter 1999 RCAF, the AAR disclosed that the previous quarter's filing contained an error in the calculation of the weights for the Materials and Supplies component of the RCAF for the third quarter of 1999. The error, which was discovered by the AAR, was not of sufficient magnitude to alter the RCAF.

Nonetheless, in a letter dated September 13, 1999, WCTL asks the Board to direct the AAR to permit private parties to review the AAR's RCAF calculations. WCTL notes that shippers use the RCAF to periodically adjust many rail rates, and thus it asks that affected shippers be given the opportunity to review the accuracy of the underlying calculations. The AAR did not respond to WCTL's request.

Discussion and Conclusions

WCTL's request will be granted. Clearly, the accuracy of the RCAF is important, and although the data are already audited, mistakes are possible. Granting WCTL's request will enhance the accuracy of the data, and will also maintain shipper confidence in the RCAF process.

We recognize that, in 1990, our predecessor, the Interstate Commerce Commission (ICC), issued an order denying WCTL and its consultants access to the RCAF workpapers on the ground that the information is proprietary and commercially sensitive.² However, as WCTL notes, in various proceedings, the Board has authorized disclosure of commercially sensitive information provided the parties agreed to be bound by appropriate protective orders. Our experience has been that the protective orders and confidentiality agreements entered in recent Board proceedings have been effective.³ We see no reason

¹ The Board conducts regular staff reviews of the RCAF workpapers, and of the audits conducted by certified public accounting firms, whose audit plans are approved and monitored by Board staff.

² *Railroad Cost Recovery Procedures*, Ex Parte No. 290 (Sub-No. 2) (ICC served September 21, 1990).

³ For example, we protect the very sensitive STB Carload Waybill Sample data using confidentiality agreements. Protective orders were also successfully used to protect commercially sensitive information in STB Finance Docket 33388, *CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company—Control and Operating Leases/Agreements—Conrail Inc. and Consolidated Rail Corporation*, and STB Docket No. 41989, *Potomac*

why the RCAF workpapers can not be similarly protected pursuant to an appropriate order. Therefore, we grant WCTL's request and order the AAR to make available for inspection the confidential RCAF workpapers under the condition that the proprietary workpapers are subject to a standard protective order and treated as "Highly Confidential."

It is ordered:

1. WCTL's request is granted.
2. AAR shall make available for inspection the confidential RCAF workpapers under the condition that the proprietary workpapers are subject to a standard protective order and treated as "Highly Confidential."
3. This decision is effective on January 5, 2000.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

Vernon A. Williams,

Secretary.

[FR Doc. 00-193 Filed 1-5-00; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

December 28, 1999.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

DATES: Written comments should be received on or before February 7, 2000, to be assured of consideration.

Financial Crimes Enforcement Network (FinCEN)

OMB Number: New (Formerly under 1515-0079).

Form Number: Customs Form 4790.

Type of Review: Extension.

Title: Report of International Transportation of Currency or Monetary Instruments (CMIR).

Description: Persons transporting into or out of the United States (and persons receiving in the United States) more

Electric Power Company v. CSX Transportation, Inc.

than \$10,000 in currency or monetary instruments must file a CMIR.

Respondents: Individuals or households, business or other for-profit.

Estimated Number of Respondents: 180,000.

Estimated Burden Hours Per

Respondent: 11 minutes.

Frequency of Response: On occasion.

Estimated Total Reporting Burden: 33,000 hours.

Clearance Officer: Lois K. Holland, (202) 622-1563, Departmental Offices, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.

OMB Reviewer: Alexander T. Hunt, (202) 395-7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 00-283 Filed 1-5-00; 8:45 am]

BILLING CODE 4810-31-U

DEPARTMENT OF THE TREASURY

Customs Service

Extension of General Program Test; Quota Preprocessing

AGENCY: Customs Service, Treasury.

ACTION: General notice.

SUMMARY: This notice announces that the testing period for the quota preprocessing program, which allows for the electronic processing of quota-class apparel merchandise, is being extended through the year 2000. The test is being extended and not expanded at this time because of programming changes that will be made to the Automated Commercial System. When the programming changes which are scheduled to begin on March of 2000 have been completed, Customs will expand the program to all ports. Public comments concerning any aspect of the test are solicited.

DATES: The test is extended from January 1, 2000, until December 31, 2000, with evaluations of the test occurring periodically. Applications to participate in the test and comments concerning the test will continue to be accepted throughout the testing period.

ADDRESSES: Written comments regarding this notice or any aspect of this test should be addressed to Lori Bowers, U.S. Customs Service, QWG Team Leader, 1000 Second Ave., Suite 2100, Seattle, WA 98104-1020 or may be sent via e-mail to Lori.Bowers@customs.treas.gov. Applications should be sent to the prototype coordinator at any of the four

following port(s) where the applicant wishes to submit quota entries for preprocessing:

(1) Julian Velasquez, Port of Los Angeles, 300 S. Ferry St., Terminal Island, CA 90731;

(2) Tony Piscitelli, Los Angeles International Airport, 11099 S. La Cienega Blvd., Los Angeles, CA 90045;

(3) Barry Goldberg, JFK Airport, JFK Building 77, Jamaica, NY 11430; and

(4) John Lava, Ports of New York/Newark, 6 World Trade Center, New York, NY 10048.

FOR FURTHER INFORMATION CONTACT: Lori Bowers (206) 553-0452 or Cynthia Porter (202) 927-5399.

SUPPLEMENTARY INFORMATION: On July 24, 1998, Customs published a general notice in the **Federal Register** (63 FR 39929) announcing the limited testing, pursuant to the provisions of § 101.9(a) of the Customs Regulations (19 CFR 101.9(a)), of a new operational procedure regarding the electronic processing of quota-class apparel merchandise. The new procedure was designed to allow certain quota entries (merchandise classifiable in chapters 61 and 62 of the Harmonized Tariff Schedule of the United States (HTSUS)) to be processed prior to carrier arrival, thus, reducing the quota processing time. The test was to be conducted at only four ports located in New York/Newark and Los Angeles and was to commence no earlier than August 24, 1998, and run for approximately six months. The notice informed the public of the new procedure and eligibility requirements for participation in the test, and solicited comments concerning any aspect of the test. The initial testing of the quota preprocessing program did not begin until September 15, 1998. The six-month time period of the original test expired on March 14, 1999.

On March 25, 1999, Customs published a general notice in the **Federal Register** (64 FR 14499) announcing that the testing period for the quota preprocessing program was being extended through the remainder of 1999. The testing was extended so that Customs could further evaluate the program's effectiveness and determine whether the program should be extended to other ports. Again, the notice informed the public of the eligibility requirements for participation in the test, and solicited comments concerning any aspect of the test. The testing of the program is currently scheduled to expire on December 31, 1999.

In the future, Customs will be expanding the quota preprocessing program to all ports. However,