

I am not delegating hereby final decision authority, other than for dismissals arising from settlements or voluntary withdrawals; nor final authority to stay awards or contract performance.

Issued in Washington, DC, on July 29, 1998.

**Nicholas G. Garaufis,**  
Chief Counsel.

[FR Doc. 98-24618 Filed 9-11-98; 8:45 am]

BILLING CODE 4920-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Application To Use the Revenue From a Passenger Facility Charge (PFC) at Dallas-Fort Worth International Airport, DFW Airport, TX

**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 use the revenue from a PFC at Dallas-Fort Worth International 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 October 14, 1998.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate copies to the FAA at the following address: Mr. Ben Guttery, Federal Aviation Administration, Southwest Region, Airports Division, Planning and Programming Branch, ASW-610D, Fort Worth, Texas 76193-0610.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Jeffrey P. Fegan, Executive Director, of Dallas-Fort Worth International Airport at the following address: Mr. Jeffrey P. Fegan, Executive Director, Dallas-Fort Worth International Airport, PO Drawer 610428, DFW Airport, TX 75261-9428.

Air carriers and foreign air carriers may submit copies of the written comments previously provided to the Airport under Section 158.23 of part 158.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ben Guttery Federal Aviation Administration, Southwest Region, Airports Division, Planning and

Programming Branch, ASW-610D, Fort Worth, Texas 76193-0610, (817) 222-5614.

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 use the revenue from a PFC at Dallas-Fort Worth International 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 September 1, 1998, the FAA determined that the application to use the revenue from a PFC submitted by the Airport 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 December 15, 1998.

The following is a brief overview of the application.

*Level of the proposed PFC:* \$3.00  
*Charge effective date:* February 1, 1997

*Proposed charge expiration date:* December 1, 2001

*Total estimated PFC revenue:* \$517,441,547

*PFC application number:* 98-04-U-00-DFW

*Brief description of proposed projects:* Projects to Use PFC's.

5. Runway 17C Extension and Associated Development Project, and  
6. Runway 18L and 18R, Extensions and Associated Development Project.

*Proposed class or classes of air carriers to be exempted from collecting PFC's:* All air taxi/commercial operators operating under a certificate authorizing transport of passengers for hire under FAR 135 that file FAA form 1800-31.

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: Federal Aviation Administration, Southwest Region, Airports Division, Planning and Programming Branch, ASW-610D, 2601 Meacham Blvd., Fort Worth, Texas 76137-4298.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at Dallas-Fort Worth International Airport.

Issued in Fort Worth, Texas on September 1, 1998.

**Naomi L. Saunders,**  
Manager, Airports Division.

[FR Doc. 98-24614 Filed 9-11-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-98-3782; Notice 2]

#### Laforza Automobiles, Inc.; Grant of Application for Temporary Exemption From Federal Motor Vehicle Safety Standard No. 208

This notice grants the application by Laforza Automobiles, Inc., of Escondido, California, ("Laforza") for a temporary exemption from the automatic restraint requirements of Federal Motor Vehicle Safety Standard No. 208 *Occupant Crash Protection*, as described below. The basis of the application was that compliance would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard.

Notice of receipt of the application was published on May 20, 1998, and an opportunity afforded for comment (63 FR 27784).

Laforza is a Nevada corporation established in August 1997. To date it has produced no motor vehicles. It intends to purchase chassis from Magnum Industriales s.r.l., an Italian company, "where it will undergo the necessary modifications for the US market." A Ford engine, transmission, and associated emission control systems will be installed, and the end result will be a multipurpose passenger vehicle (sport utility) called the Prima 4X4. Laforza estimated that it will produce a total of 400 units between the date of the exemption and December 31, 2000. This is the date that its requested temporary exemption would expire.

Laforza seeks an exemption from S4.2.6.1.1 and S4.2.6.2 of Standard No. 208. Paragraph S4.2.6.1.1, in pertinent part, requires Laforza to provide a driver side air bag on not less than 80 percent of all Primas manufactured before September 1, 1998. Paragraph S4.2.6.2 requires all Primas manufactured on and after September 1, 1998, to be equipped with both driver and right front passenger airbags. Although the passenger side air bag is not required until September 1 of this year, "the airbag development program has to include both the passenger and driver side airbags since the development duration for a driver's side airbag would overlap the time when a passenger's side airbag will be required." Laforza continued, "If the development is not combined, many of these tests would have to be repeated with a significant increase in test and material costs."

In the first 6 months after its agreement with Magnum, Laforza spent

"an estimated total of 200 manhours and \$15,000" on air bag compliance issues. Lacking the resources to independently develop an air bag system, it "has contacted airbag development companies in the US to assist with the project." Laforza concluded that it will take 2 years to develop and certify the system. If immediate compliance were required, the cost would be \$4,000,000. An exemption would permit Laforza to generate revenues "to meet the costs mandated by the airbag development program" and spread these costs over a period of time. Because the company is less than a year old, it could not submit corporate balance sheets and income statements for the three years immediately preceding the filing of its application, as specified by NHTSA's regulation. Its stockholder equity is \$900,000.

Laforza argued that "production of the Laforza Prima 4X4 is in the best interest of the public and the U.S. economy," pointing to the uniqueness of the vehicle, and the American components that it incorporates, the powertrain from Ford Motor Company and the purchase of "other parts \* \* \* from approximately five different U.S. companies." The company currently employs 15 people full-time and three people part time, which will grow as production increases. Further, "in addition, \* \* \* at least 50 employees from other companies are involved in the Laforza project." During the exemption period, the Prima will be "equipped with a conventional retractor type, three-point driver and passenger seatbelt system that meets all requirements of FMVSS No. 208." The vehicle otherwise complies with all Federal motor vehicle safety standards that apply to it.

No comments were received on the application.

Laforza began its efforts to comply with the automatic restraint requirements upon its agreement with Magnum Industriales to purchase chassis from it (the term seems to encompass a body without the engine, transmission, and emission control systems). Since taking this step towards becoming a vehicle manufacturer, Laforza spent the time between then and the filing of its application in beginning its efforts to comply with the standard. It believes that it can comply by the end of 2000. On the other hand, a crash program to comply would cost it \$4,000,000. The company has not generated any income to establish a retained earnings account. Any significant up-front expenses to comply with Standard No. 208 would likely

place it in a negative net worth position. Negative operating cash flows combined with the required debt load and resulting interest charges would probably be unsustainable, and the company would never become a going concern. The enterprise to produce the Laforza involves purchases from several different American companies. The company has requested exemption from only one Federal motor vehicle safety standard for a vehicle which will be equipped with a "conventional retractor type three-point driver and passenger seatbelt system that meets all requirements of FMVSS No. 208." It estimates that only 400 vehicles will be produced while the exemption is in effect.

These facts and arguments are similar to those offered in other instances in which NHTSA has granted temporary exemptions based upon a manufacturer's hardship. In consideration of the foregoing, it is hereby found that compliance with the automatic restraint requirements would cause substantial economic hardship to a manufacturer that has tried in good faith to comply with the standard. It is further found that a temporary exemption from these requirements would be in the public interest and consistent with the objectives of motor vehicle safety. Accordingly, Laforza Automobiles, Inc., is hereby granted NHTSA Temporary Exemption No. 98-6 from paragraphs S4.2.6.1.1 and S4.2.6.2 of 49 CFR 571.208 Standard No. 208, Occupant Crash Protection, expiring January 1, 2001.

(49 U.S.C. 30113; delegation of authority at 49 CFR 1.50)

Issued on: September 2, 1998.

**Ricardo Martinez,**  
*Administrator.*

[FR Doc. 98-24593 Filed 9-11-98; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Finance Docket No. 33556]

**Canadian National Railway Company, Grand Trunk Corporation, and Grand Trunk Western Railroad Incorporated—Control—Illinois Central Corporation, Illinois Central Railroad Company, Chicago, Central and Pacific Railroad Company, and Cedar River Railroad Company**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of environmental review process schedule.

**SUMMARY:** On July 15, 1998, Canadian National Railway Company (CN) and Illinois Central Corporation (IC), along with their railroad affiliates, collectively referred to as CN/IC or Applicants, filed a joint application with the Surface Transportation Board (Board) seeking authority for CN to acquire control of IC. (This proposed transaction is subsequently referred to as the Acquisition or the CN/IC Acquisition.) The proposed CN/IC system would extend to both coasts of North America and the Gulf of Mexico. The Chicago area would serve as the hub of the combined system. This new system would cover approximately 18,670 miles of rail lines and related facilities, of which, approximately 4,520 miles would be in the United States. The Applicants state that integrating CN and IC operations would allow both rail systems to provide more reliable, efficient, and competitive service.

In Decision No. 6, served August 14, 1998, the Board accepted for consideration the proposed CN/IC Acquisition and issued a 300-day procedural schedule that will provide for the issuance of the Board's final written decision no later than May 11, 1999. The Board also announced that preparation of an Environmental Assessment is appropriate for this proceeding. The purpose of this notice is to advise that the Board's Section of Environmental Analysis (SEA) plans to issue a Draft Environmental Assessment (Draft EA) on the proposed CN/IC Acquisition for public review by November 1998. The public will then have 30 days to review and comment on the Draft EA. After reviewing all public comments on the Draft EA and conducting additional analyses, SEA will complete the Final Environmental Assessment (Final EA). SEA will issue the Final EA prior to the Board's Oral Argument which is currently scheduled for March 8, 1999. The Board will consider all public comments, the Draft EA and Final EA, and SEA's environmental mitigation recommendations in making its final decision on the proposed Acquisition. The Board plans to serve the final written decision on the proposed CN/IC Acquisition on May 11, 1999. Any party may file an administrative appeal within 20 days of the final written decision.

**FOR FURTHER INFORMATION CONTACT:** A Fact Sheet on the proposed Acquisition, which includes a general discussion on the environmental review process and schedule, is available by calling SEA's toll-free environmental hotline at 1-888-869-1997. For additional