

James A. Kay, Jr. has willfully or repeatedly operated a conventional station in the trunked mode in violation of 47 CFR 90.113; (c) whether Kay has willfully or repeatedly violated any of the Commission's construction and operation requirements in violation of 47 CFR 90.155, 90.157, 90.313, 90.623, 90.627, 90.631, and 90.633; (d) whether James A. Kay, Jr. has abused the Commission's processes by filing applications in multiple names in order to avoid compliance with the Commission's channel sharing and recovery provisions in violation of 47 CFR 90.623 and 90.629; (e) whether James A. Kay, Jr. willfully or maliciously interfered with the radio communications of other systems, in violation of Sections 333 of the Act; (f) whether James A. Kay, Jr. has abused the Commission's processes in order to obtain cancellation of other licenses; (g) in light of the evidence adduced pursuant to the foregoing issues, whether James A. Kay, Jr. is qualified to remain a Commission licensee; and (h) whether any of James A. Kay, Jr.'s licenses have automatically cancelled as a result of violations listed in subparagraph (c) pursuant to 47 CFR 90.155, 90.157, 90.631 or 90.633.

The Commission also directed pursuant to Sections 312 (b) and (c) of the Act that Kay show cause why he should not be ordered to cease and desist from failing to operate his Private Land Mobile Radio licenses substantially as set forth in the licenses, from violating Sections 308(b) and 333 of the Act, from violating 47 CFR 1.17, 90.155, 90.157, 90.313, 90.623, 90.627, 90.629, 90.631, 90.633 and/or from certain abuses of process.

The Commission also ordered that it be determined, pursuant to section 503 of the Act, whether an *Order For Forfeiture* shall be issued against James A. Kay, Jr. for willful and/or repeated violations of the Act and the Commission's Rules discussed in the preceding paragraphs in an amount not to exceed \$10,000 for each violation or each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of \$75,000 for any single act or failure to act.

The Commission ordered that to avail himself of the opportunity to be heard, Kay, in person or by attorney, shall file with the Commission (within thirty (30) days of the receipt of the Order to Show Cause, Hearing Designation Order and Notice of Opportunity for Hearing for Forfeiture) a written appearance stating that he will appear at the hearing and present evidence on the matters specified in the Order. If Kay fails to file

an appearance within the time specified, his right to a hearing shall be deemed to have been waived. Where a hearing is waived, a written statement in mitigation or justification may be submitted within thirty (30) days of the receipt of the Order. In the event the right to a hearing is waived, the presiding Officer, or the Chief Administrative Law Judge, if no presiding officer has been designated, will terminate the hearing proceeding and certify the case to the Commission in the regular course of business and an appropriate order will be entered. See 47 CFR 1.92 of the Commission's rules. Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 95-1087 Filed 1-17-95; 8:45 am]

BILLING CODE 6712-01-M

## FEDERAL MARITIME COMMISSION

### Agreement(s) Filed; South Europe American Conference, et al.

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, DC 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, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirement for comments are found in § 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.:* 202-0114456-006.

*Title:* South Europe American Conference.

*Parties:*

Cast Logistics (USA) Limited  
Cho Yang Shipping Co., Ltd.  
Compagnie Maritime d'Affretement  
DSR Senator Lines GmbH  
Evergreen Marine Corporation  
(Taiwan) Ltd.  
"Italia" di Navigazione, S.p.A.  
Lykes Bros. Steamship Co., Ltd.  
A.P. Moller Maersk Line  
Nedlloyd Lijnen B.V.  
P&O Containers Limited  
Sea-Land Service, Inc.  
Zim Israel Navigation Company, Ltd.

*Synopsis:* The proposed amendment modifies Article 14.1 and adds a new

Article 14.3 provision to service contracts.

*Agreement No.:* 217-011486.

*Title:* NL/Tricon Agreement.

*Parties:*

Cho Yang Shipping Co., Ltd. ("CYS")  
DSR Senator Lines GmbH ("DSL")  
Nedlloyd Lijnen B.V. ("Nedlloyd")

*Synopsis:* The proposed Agreement authorizes CYS and DSL to charter space to Nedlloyd in the trade between Mediterranean ports in Spain, France, and Italy and Arabian/Persian Gulf and Red Sea ports (including the Arabian Peninsula and Gulfs of Aden and Oman) on the one hand; and U.S. Atlantic Coast ports on the other hand.

*Agreement No.:* 224-200907.

*Title:* Port Authority of New York & New Jersey/Neptune Orient Lines Container Incentive Agreement.

*Parties:*

Port Authority of New York & New Jersey ("Port")  
Neptune Orient Lines ("NOL")

*Synopsis:* The Agreement provides for the Port to pay NOL an incentive of \$15.00 for each import container and \$25.00 for each export container loaded or unloaded from a vessel at the Port's marine terminals during calendar year 1995, provided each container is shipped by rail to or from points more than 260 miles from the Port.

*Agreement No.:* 224-200908.

*Title:* Port of New York & New Jersey/Mediterranean Shipping Co., S.A. Container Incentive Agreement.

*Parties:*

Port Authority of New York & New Jersey ("Port")  
Mediterranean Shipping Co., S.A.  
("MSC")

*Synopsis:* The Agreement provides for the Port to pay MSC an incentive of \$15.00 for each import container and \$25.00 for each export container loaded or unloaded from a vessel at the Port's marine terminals during calendar year 1995, provided each container is shipped by rail to or from points more than 260 miles from the Port.

Dated: January 11, 1995.

By Order of the Federal Maritime Commission.

**Joseph C. Polking,**

*Secretary.*

[FR Doc. 95-1149 Filed 1-17-95; 8:45 am]

BILLING CODE 6730-01-M

### Port of Houston Authority; Agreement(s) Filed

The Federal Maritime Commission hereby gives notice that the following agreement(s) has been filed with the