

filed with the Court, has consented to termination of the Final Decree, but has reserved the right to withdraw its consent based on public comments and for other reasons.

The Original Petition in this case was filed on June 21, 1917, and charged the NEFE, and 49 other businesses and individuals, with combining and conspiring to monopolize and restrain interstate trade and commerce in the fresh fish industry in New England, in violation of Sections 1 and 2 of the Sherman Act and Section 7 of the Clayton Act. Specifically, the Petition alleged that of the 40 member dealers of the NEFE, 28 were owned by defendant dealer Boston Fish Pier Co. and 8 were owned by defendant dealer Boston Fish Pier Co. and 8 were owned by defendant dealer Bay State Fishing Co. Because of their monopoly power, Boston Fish Pier Co. and Bay State Fishing Co. were able to impose rules and regulations upon the NEFE that made it impossible for boat captains to get fair prices for their fish when it was auctioned off at the NEFE. It was also virtually impossible for non-NEFE members to purchase fish in Boston.

The Final Decree: (i) prohibited the NEFE's practice of restricting its membership to only those dealers having offices on the Boston Fish Pier; (ii) ordered Boston Fish Pier Co. to divest and dissolve; (iii) ordered Bay State Fishing Co. to divest; (iv) prohibited the defendants from "splitting trips", that is, entering into action pools when lots of fish were being bid on. They were also enjoined from "agreeing among themselves to raise or depress the price of fish; (v) limited the NEFE's annual return on capital to 8%; and (iv) prohibited the NEFE from accumulating capital in excess of \$36,000, plus a safety fund of an additional \$15,000.

The government has filed with the Court a memorandum setting forth the reasons why the government believes that termination of the Final Decree would serve the public interest. Copies of the Petition, Final Decree, the Government's Memorandum, motion papers and all further papers filed with the Court in connection with this motion will be available for inspection at Room 3233, Antitrust Division, Department of Justice, 10th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20530 (telephone 202-633-2481), and at the Office of the Clerk of the United States District Court for the District of Massachusetts, United States Courthouse, John W. McCormack Post Office and Courthouse Building, Boston, Massachusetts 02109. Copies of any of these materials may be obtained

from the Antitrust Division upon request and payment of the copying fee set by Department of Justice regulations.

Interested persons may submit comments regarding the proposed termination of the Final Decree to the government. Such comments must be received within the sixty-day period established by Court order, and will be filed with the Court by the government. Comments should be addressed to Ralph T. Giordano, Chief, New York Office, Antitrust Division, Department of Justice, New York, New York 10278 (telephone 212-264-0390).

Constance K. Robinson,

Director of Operations.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-30,216]

AEG Transportation Systems, Incorporated Pittsburgh, PA; Affirmative Determination Regarding Application for Reconsideration

On November 30, 1994, the company requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance for workers at the subject firm. The Department's Negative Determination was issued on October 17, 1994 and was published in the **Federal Register** on November 1, 1994 (59 FR 54631).

The company submitted additional information showing a lost major bid that caused worker separations in 1994.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, D.C., this 24th day of January 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

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[TA-W-30,317]

Exxon Company, U.S.A., A/K/A Exxon Corporation; Southeastern Production Division, New Orleans, Louisiana (Formerly Known as Eastern Division Production Department, New Orleans, Louisiana Under TA-W-26,798); A/K/A New Orleans Production Organization New Orleans, Louisiana; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility To Apply for Worker Adjustment Assistance on November 8, 1994, applicable to all workers of the subject firm engaged in employment related to the production of crude oil and condensate.

The certification notice was published in the **Federal Register** on December 9, 1994 (59 FR 63823).

At the request of the State Agency, the Department again reviewed the certification for workers of the subject firm. New findings show a series of corporate and divisional name changes. On December 31, 1989, the employer account number for unemployment insurance (UI) for the Exxon Company, U.S.A., went inactive when a new UI account number bearing the name of the Exxon Corporation becoming the successor account.

Further, the workers of Exxon Corporation's Eastern Division Production Department in New Orleans certified earlier under TA-W-26,798 is the same group of workers certified under this certification as Exxon Corporation's Southeastern Production Division in New Orleans with the name changing to the Exxon Corporation's New Orleans Production Organization on September 1, 1994.

Other findings show a coverage overlap between the Eastern Division Production Department of Exxon Corporation in New Orleans, Louisiana from January 21, 1991 to February 11, 1994 (TA-W-26,798) and the Southeastern Production Division of Exxon Corporation, New Orleans, Louisiana from August 30, 1993 to November 8, 1994 (TA-W-30,317). Accordingly, the Department is deleting the August 30, 1993 impact date for TA-W-30,317 and inserting a new impact date of February 11, 1994.

The amended notice applicable to TA-W-30,317 is hereby issued as follows:

"All workers of the Southeastern Production Division of Exxon Company, U.S.A., A/K/A Exxon Corporation, New