

termination or the effective date of the amendment, provided that:

(a) No such notice need to be given if the only material effect of an amendment is to reduce or eliminate the sales charge payable at the time of a rollover; and

(b) No notice need to be given if, under extraordinary circumstances, either—

(i) There is a suspension of the redemption of units of the Rollover Trust under section 22(e) of the Act and the rules and regulations thereunder, or

(ii) A Reinvestment Trust Series temporarily delays or ceases the sale of its units because it is unable to invest amounts effectively in accordance with applicable investment objectives, policies and restrictions.

2. The sales charge collected at the time of any rollover shall not exceed 2.0% of the public offering price of the unit being acquired on each rollover.

3. The prospectus of each Reinvestment Trust Series and any sales literature or advertising that mentions the existence of the Rollover Option will disclose that the Rollover Option is subject to modification, termination or suspension.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 95-3283 Filed 2-8-95; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Notice of order Adjusting the Standard Foreign Fare Level Index

[Docket 37554]

Section 41509(e) of Title 49 of the United States Code requires that the Department, as successor to the Civil Aeronautics Board, establish a Standard Foreign Fare Level (SFFL) by adjusting the SFFL base periodically by percentage changes in actual operating costs per available seat-mile (ASM). Order 80-2-69 established the first interim SFFL, and Order 94-12-15 established the currently effective two-month SFFL applicable through January 31, 1995.

In establishing the SFFL for the two-month period beginning February 1, 1995, we have projected non-fuel costs based on the year ended September 30, 1994 data, and have determined fuel prices on the basis of the latest available experienced monthly fuel cost levels as reported to the Department.

By Order 95-2-9 fares may be increased by the following adjustment factors over the October 1979 level:

Atlantic.....	1.3924
Latin America	1.4213
Pacific.....	1.7999
Canada.....	1.5129

For further information contact: Keith A. Shangraw (202) 366-2439.

By the Department of Transportation:
February 3, 1995

Patrick V. Murphy,

Acting Assistant Secretary for Aviation and International Affairs.

[FR Doc. 95-3223 Filed 2-8-95; 8:45 am]

BILLING CODE 4910-62-P

Notice of Order Adjusting International Cargo Rate Flexibility Level

Policy Statement PS-109, implemented by Regulation ER-1322 of the Civil Aeronautics Board and adopted by the Department, established geographic zones of cargo pricing flexibility within which certain cargo rate tariffs filed by carriers would be subject to suspension only in extraordinary circumstances.

The Standard Foreign Rate Level (SFRL) for a particular market is the rate in effect on April 1, 1982, adjusted for the cost experience of the carriers in the applicable ratemaking entity. The first adjustment was effective April 1, 1983. By Order 94-12-16, the Department established the currently effective SFRL adjustments.

In establishing the SFRL for the two-month period beginning February 1, 1995, we have projected non-fuel costs based on the year ended September 30, 1994 data, and have determined fuel prices on the basis of the latest available experienced monthly fuel cost levels as reported to the Department.

By Order 95-2-8 cargo rates may be adjusted by the following adjustment factors over the April 1, 1982 level:

Atlantic.....	1.1709
Western Hemisphere	1.1160
Pacific.....	1.3994

For further information contact: Keith A. Shangraw (202) 366-2439.

By the Department of Transportation:

Dated: February 3, 1995.

Patrick V. Murphy,

Acting Assistant Secretary for Aviation and International Affairs.

[FR Doc. 95-3222 Filed 2-8-95; 8:45 am]

BILLING CODE 4910-62-P

National Highway Traffic Safety Administration

Denial of Petition

This notice sets forth the reasons for the denial of a petition submitted to the National Highway Traffic Safety Administration (NHTSA) under 49 U.S.C. § 30162 (formerly section 124 of the National Traffic and Motor Vehicle Safety Act of 1966, as amended).

By letter dated July 8, 1994, Mr. Kurt B. Chadwell petitioned NHTSA to reopen its closed defect investigation (Engineering Analysis, EA92-030) of power steering fluid leakage and resulting engine compartment fires in 1988 through 1990 Ford Taurus, Mercury Sable, and Lincoln Continental vehicles equipped with 3.8 liter engines. The petition also asked the NHTSA take all actions necessary to compel the Ford Motor Company (Ford) to initiate a safety recall of the 429,000 subject vehicles to remedy the alleged defect. By letter dated September 14, 1994, Mr. Chadwell provided additional information. By letter dated November 9, 1994, Mr. Chadwell requested that the investigation be expanded to include Taurus and Sable vehicles equipped with 2.5 liter and 3.0 liter engines.

The following are principal elements of the subject petition:

- The petitioner takes issue with NHTSA's decision to close the original investigation in October 1993.
- The petitioner states that Ford has followed an organizational practice of under-reporting to NHTSA the numbers of known failure incidents in this as well as in other investigations.
- The petitioner provides a document maintained by the U.S. Fire Administration in its National Fire Incident Reporting System (NFIRS), which lists engine compartment fires in Taurus, Sable, and Lincoln Continental vehicles equipped with 2.5 liter, 3.0 liter, and 3.8 liter engines. These data are presented as the basis for the petitioner's request that the investigation be expanded to include those vehicles with 2.5 liter and 3.0 liter engines.

In support of his claims, the petitioner discusses information taken from NHTSA's public record concerning EA92-030, other defect investigations, and other issues regarding compliance with Federal motor vehicle safety standards. In addition, he cites his personal experience as a former employee of Ford.

Regarding the specific petition elements as outlined above, the first represents a basic disagreement with NHTSA's conclusion in closing EA92-

030. The EA closing report clearly states that "the evidence does not support a conclusion that a safety defect exists" and that "it does not appear that further investigation would result in an enforceable defect finding." NHTSA finds no information in the subject petition that demonstrates that these conclusions should be withdrawn or modified.

Petitioner's September 14, 1994, submission entitled "Supplemental Information Relevant to Safety Recall Petition" questions the accuracy of the number of incidents (230) reported by Ford to NHTSA during the pendency of EA92-030, in part on the basis of numbers of power steering system parts sales reported in the EA Closing Report, and in part on the basis of alleged under-reporting by Ford with respect to another ODI investigation (EA93-033). These allegations appear to be speculative, and seem to be based solely on petitioner's opinions, inferences, beliefs, and grossly unscientific extrapolations of data that, in and of themselves, are questionable. In the absence of factual and reliable information, NHTSA views these allegations of under-reporting by Ford to be without substance.

The data from the NFIRS listing does not provide compelling evidence that NHTSA should expand its investigation of this matter. While the incidents listed are identified as engine compartment fires, there is no evidence that the leakage and ignition of power steering fluid was in any way the cause of these incidents. On the contrary, NHTSA finds no apparent source of ignition of any such fluid that may leak in those vehicles equipped with 2.5 liter or 3.0 liter engines. Analyses of the NFIRS data discloses that the 3.0 liter models of the subject vehicles have experienced a relatively low engine compartment fire incidence, for all causes. In the case of the relatively small population of vehicles equipped with 2.5 liter engines, the incidence of engine compartment fires does appear to be high. The absence of an apparent source of ignition for power steering fluid that may leak, however, indicates that other failures or malfunctions are more likely to be the cause of the fires. On this basis, even if NHTSA were to consider this matter as a potential issue for investigation, it would be a separate investigation unrelated to the prior investigation of power steering fluid-fed fires in vehicles with 3.8 liter engines.

The petition fails to present any substantive, significant, or new information of NHTSA's consideration regarding the request to reopen EA92-030. Similarly, no new evidence has

been discovered through any other source to justify reopening that investigation.

NHTSA recognizes that engine compartment fires create a serious safety problem. Manufacturers have consistently conducted safety recalls to remedy problems that lead to such fires, often in cases with a lower fire rate than that experienced by these Ford vehicles. Unfortunately, the available data indicates that the vast majority of these fires occurred after maintenance or repair work had been performed by Ford dealers or other maintenance facilities. NHTSA cannot compel dealers to conduct a safety recall and, under these circumstances, cannot compel Ford to remedy problems created by its dealers. Nevertheless, NHTSA has urged Ford on several occasions to take action to reduce the likelihood of engine compartment fires in these vehicles by notifying owners of the problem and bearing the expenses of repairs to correct the condition that can lead to such fires. To date, Ford has refused to do so.

In consideration of the available information, NHTSA has concluded that there is not a reasonable possibility that an order concerning recall and remedy of a safety-related defect in relation to the petitioner's allegations would be issued at the conclusion of an investigation. Further commitment of resources to reopen this investigation does not appear to be warranted. Therefore, the petition is denied.

Authority: 49 U.S.C. 30162; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: February 1, 1995.

William A. Boehly,

Associate Administrator for Enforcement.

[FR Doc. 95-3174 Filed 2-8-95; 8:45 am]

BILLING CODE 4910-59-M

Maritime Administration

[Docket S-917]

Notice of Application for Written Permission Pursuant to Section 805(a) of the Merchant Marine Act, 1936, as amended; Waterman Steamship Corporation

Central Gulf Lines, Inc. (Central Gulf), a U.S. corporate affiliate of Waterman Steamship Corporation (Waterman), by letter of January 26, 1995, requests written permission pursuant to section 805(a) of the Merchant Marine Act, 1936, as amended (Act), and Waterman's Operating-Differential Subsidy Agreement (ODSA), Contract MA/MSB-450, to operate the U.S.-flag S/S ENERGY INDEPENDENCE (Vessel),

Official Number 657540, in the coastwise trade of the United States. Central Gulf states that it has agreed to purchase the Vessel from New England Power Company (New England Power) and, in turn, own and operate the Vessel beginning on or about May 1, 1995 under time charter to New England Power for a term of fifteen years.

New England Power, which is headquartered in Westborough, Massachusetts, generates and transmits electricity to consumers in the New England area, including Vermont, New Hampshire, Rhode Island and Massachusetts. In addition, it regularly purchases coal for transportation by ship from east coast ports of the United States to its harbor side facilities located in Massachusetts.

According to Central Gulf, the Vessel will transport New England Power's proprietary cargo in the coastwise trade from points along the east coast of the United States to Brayton Point, Massachusetts or Salem, Massachusetts. At other times during the fifteen years, the Vessel may carry cargo in the coastwise trade of the United States for account of other clients of Central Gulf as yet undetermined. Central Gulf states that it may also operate the Vessel in the foreign trade from time to time for yet undetermined charterers.

The Vessel is a 38,234 long tons total deadweight capacity self-unloading bulk carrier with a coal and/or oil-fired steam turbine main engine and an inclined lift conveyor system. It was built by General Dynamics Corporation in Quincy, Massachusetts in 1983 and has been documented under the laws of the United States since that time. Central Gulf maintains that as a U.S. built, U.S. flag, U.S. owned and U.S. citizen-crewed vessel, the Vessel is coastwise-qualified within the meaning of section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883), popularly known as the Jones Act. It is also uniquely capable of transporting New England Power's cargo requirements, Central Gulf adds.

Central Gulf emphasizes that it will continue to function as a discrete corporate entity having entirely separate financial records and accounts, and that the operating and accounting activities of Central Gulf are, and will continue to be, entirely separate from the operating and accounting activities of Waterman.

Central Gulf believes that its instant application clearly warrants MARAD approval and section 805(a) permission should be granted until the expiration date of Waterman's ODS contract, which expires on December 31, 1996.

The application may be inspected in the Office of the Secretary, Maritime Administration. Any person, firm or