hearing may request notification by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, N.W., Washington, D.C. 20549. Applicant, 800 West Sixth Street, Suite 1000, Los Angeles, California 90017.

FOR FURTHER INFORMATION CONTACT: Mary Kay Frech, Senior Attorney, at (202) 942–0579, or Barry D. Miller, Senior Special Counsel at (202) 942–0564 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

Applicant's Representations

1. Applicant is a diversified open-end management investment company organized as a Massachusetts business trust. On September 24, 1980, applicant filed a notification of registration pursuant to section 8(a) of the Act, and a registration statement on Form N–1 under section 8(b) of the Act and the Securities Act of 1933. Applicant commenced its initial public offering on April 15, 1981.

2. On July 20, 1994, applicant's board of trustees approved an agreement and plan of reorganization (the ''Plan'') between applicant and Pacifica Funds Trust (the ''Trust''), a registered open-end management company. The Plan provided for the reorganization of applicant's Money Market Portfolio and U.S. Treasury Portfolio (the ''Portfolios'') as corresponding new portfolios of the Trust. Under the Plan, all of the assets and liabilities of the Portfolios would be transferred to the corresponding Money Market Portfolio and U.S. Treasury Portfolio of the Trust (the ''New Portfolios'') in exchange for the number of shares of the New Portfolios equal to the number of shares outstanding in the Portfolios.

3. According to applicant's proxy statement dated September 1, 1994, the trustees considered various factors in approving the reorganization, including, (a) the elimination of duplicate costs incurred for services that are performed for both applicant and the Trust separately, (b) the potential improvement of trading and operational efficiencies through the combination of the mutual fund groups, (c) economies of scale to be realized primarily with respect to fixed expenses, (d) the availability of additional investment portfolios of the Trust to applicant's shareholders after the reorganization, and (e) the enhancement of the distribution of the New Portfolio shares to potential investors. Applicant's trustees also determined that the sale of applicant's assets to the New Portfolios of the Trust was in the best interests of applicant's shareholders, and that the interests of the existing shareholders would not be diluted as a result.

4. Proxy materials soliciting shareholder approval of the reorganization were distributed to applicant's shareholders during the first week of September, 1994. Definitive copies of the proxy materials were filed with the SEC on September 6, 1994. Applicant's shareholders approved the reorganization at a special meeting held on September 27, 1994.

5. As of September 30, 1994, applicant's Money Market Portfolio had 565,408,253.15 shares outstanding, having an aggregate net asset value of $565,305,165 and a per share net asset value of $1.00 (based on the amortized cost valuation method), and applicant's U.S. Treasury Portfolio had 690,630,344.65 shares outstanding, having an aggregate net asset value of $690,630,344.65 and a per share net asset value of $1.00. On October 1, 1994, pursuant to the Plan, the assets and liabilities of the Portfolios were transferred to the corresponding New Portfolios. The aggregate net asset value of the New Portfolios' shares received are equal to the net asset value of applicant's shares held. Applicant then distributed the New Portfolios' shares it received *pro rata* to its shareholders, in complete liquidation of applicant.

6. No brokerage commissions were paid in connection with the reorganization. The expenses applicable to the Plan, consisting of legal, state registration, and filing fees and printing expenses, were approximately $70,000 and were allocated to applicant and the New Portfolios.

7. As of the date of the application, applicant had no shareholders, assets, or liabilities. Applicant is not a party to any litigation or administrative proceedings. Applicant is not engaged in, nor does it propose to engage in, any business activities other than those necessary for the winding up of its affairs.

8. Applicant intends to file a certificate of termination with the Commonwealth of Massachusetts.

For the SEC, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 95–3700 Filed 2–14–95; 8:45 am]

BILLING CODE 8010–01–M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. 94–64; Notice 2]

Accuride Corporation; Grant of Application for Decision of Inconsequential Noncompliance

Accuride Corporation (Accuride) of Henderson, Kentucky, determined that some of its wheels fail to comply with 49 CFR 571.120, Federal Motor Vehicle Safety Standard (FMVSS) No. 120, ''Tire Selection and Rims for Vehicles Other Than Passenger Cars,'' and filed an appropriate report pursuant to 49 CFR part 573, ''Defect and Noncompliance Reports.'' Accuride also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—''Motor Vehicle Safety'' on the basis that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published on July 28, 1994, and an opportunity afforded for comment (59 FR 38503).

Paragraph S5.2(b) of FMVSS No. 120 requires that each wheel be marked with the rim size designation. On January 11, 1994, Accuride produced an estimated 103 Accu-Forge 22.5 x 9.00 inch, 15 degree drop center, one-piece tubeless dual wheels with incorrect size designations for the rim width. The wheels were incorrectly stamped ''22.5 x 8.25.'' The wheels should have been stamped ''22.5 x 9.00.'' All other stampings and markings required by FMVSS No. 120 are correctly identified on each of the subject wheels.

Accuride supported its application for determination of inconsequential noncompliance with the following arguments:

Accuride has fully analyzed the issues surrounding the incorrect width designation on these wheels and has sought the input of the others with particular expertise on this subject. Based upon all of this analysis and the information obtained, it appears clear that there is no safety-related issue potentially arising from the incorrect width designations indicated on the wheels.

According to the 1994 Tire and Rim Association Yearbook, the permissible tires on a 22.5x9.00 inch rim are the 295/75*22.5 and the 12*22.5. The permissible tires for use on a 22.5x8.25 inch rim are the 265/75*22.5, 295/75*22.5, 11*22.5, and the 12*22.5 size. Because the 12*22.5 and the 295/75*22.5 tires are acceptable on both the 8.25 inch and 9.00 inch rims, these tire combinations are not of concern. The remaining 11*22.5 and 265/75*22.5 tires that are specified only for the 8.25 inch rim have been given particular attention. Accuride has carefully evaluated all of the issues surrounding the possible effect of use of such tires on a wider 9.00

inch rim. We have also solicited the input of two major tire manufacturers and specifically inquired as to potential negative effects of such usage. Our analysis, as well as that of the tire manufacturers, is that there is no safety-related issue. Load carrying capacities, air retention, handling characteristics, and other aspects of performance will not be affected to any degree significant to motor vehicle safety. The only potential effect of such usage results from the fact that the tires in question are slightly more spread on the wider 9.00 inch rim resulting in some chance of reduction in tread wear to a minor degree.

It should also be pointed out that the 22.5x9.00 inch size is generally a special application tire and wheel combination typically used in North America only on fleets requiring a particular larger tire for the needs of their operation. The wheel in question is heavier and more expensive than a standard 8.25 inch wheel, and these fleets use the product because of specific higher load requirements and would also use the larger tire to meet those same requirements. It is, therefore, Accuride's conclusion that the possibility that narrower tires would be used on these wheels is extremely remote.

A comment on the petition was received from Robert J. Crail of Knoxville, TN, who concurred with Accuride's argument that the possibility of a tire being misapplied on the noncompliant rims is remote. He recommended granting the petition.

Because Accuride had not specified the names of the tire manufacturers that it had consulted, NHTSA contacted the applicant and learned that the manufacturers were Michelin Tire Corporation and Bridgestone/Firestone, Inc. NHTSA spoke with representatives of the two companies, each of whom stated that the only possible effect of misapplication would be a possible minor increase in tire wear. At NHTSA's request, Accuride is sending an explanatory letter to the entities to whom Accuride sold the noncompliant rims. NHTSA agrees with the argument and comment that the possibility of misapplication is remote due to specialized use by truck fleets.

In consideration of the foregoing, Accuride has met its burden of persuasion that the noncompliance described above is inconsequential to motor vehicle safety, and it is hereby exempted from providing the notification required by 49 U.S.C. 30118, and the remedy required by 49 U.S.C. 30120.

Authority: (49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on: February 9, 1995.

Barry Felrice,

Associate Administrator for Rulemaking.

[FR Doc. 95–3693 Filed 2–14–95; 8:45 am]

BILLING CODE 4910–59–P

[Docket No. 94–103; Notice 2]

American Transportation Corporation; Grant of Application for Decision of Inconsequential Noncompliance

American Transportation Corporation (AmTran) of Conway, Arkansas determined that some of its vehicles failed to comply with 49 CFR 571.120, Federal Motor Vehicle Safety Standard (FMVSS) No. 120, ''Tire Selection and Rims for Vehicles Other Than Passenger Cars,'' and filed an appropriate report pursuant to 49 CFR part 573, ''Defect and Noncompliance Reports.'' AmTran also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—''Motor Vehicle Safety'' on the basis that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published on November 22, 1994, and an opportunity afforded for comment (59 FR 60190).

Paragraph S5.3 of FMVSS No. 120 requires that each vehicle to which it applies must have a label affixed which includes the size designation of the tires and the size designation of the rims. AmTran produced approximately 38,000 buses and school buses from 1987 through 1994 which do not meet the labeling requirements stated in the standard in that they lack the rim diameter designation on the label. However, the label does bear the complete tire size, which includes the tire diameter.

AmTran supported its application for inconsequential noncompliance with the following:

> The rim width is listed on the certification label; however, the rim diameter is not listed. The complete tire size, including the diameter (which is identical to the rim diameter), is listed on each label. Therefore, [AmTran] believes that sufficient information is available for the user to match tire and rim sizes appropriately.

No comments were received in response to the notice.

Lack of rim size designation could result in installation of replacement tires of an improper size, or installation of a replacement rim that is not congruent with the other (unmarked) rims. Presumably, a tire too small for the rim would not fit and a tire too large for the rim would be noticeable. Further, in determining an appropriate replacement rim, the individual servicing the vehicle would most likely look at the size of the tire on the rim being replaced. NHTSA deems it unlikely that such an individual would simply guess at the correct rim diameter without confirmation from a reliable source. The vehicles whose labels lack the rim size designation are buses and school buses, are typically serviced by experienced individuals, and, as a practical matter, the noncompliance is unlikely to have adverse safety consequences.

In consideration of the foregoing, the applicant has met its burden of persuasion, and the Administrator has decided that the noncompliance herein described is inconsequential to safety. Accordingly, American Transportation Corporation is hereby exempted from providing notification according to 49 U.S.C. 30118, and remedy according to 49 U.S.C. 30120.

(49 U.S.C. 30118, 30120; delegation of authority at 49 CFR 501.8)

Issued on: February 9, 1995.

Barry Felrice,

Associate Administrator for Rulemaking.

[FR Doc. 95–3694 Filed 2–14–95; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE TREASURY

Fiscal Service

Surety Company Application and Renewal Fees; Increase in Fees Imposed

The Department of the Treasury, Financial Management Service, will be increasing the fees imposed and collected as referred to in 31 CFR 223.22. This increase is to cover the costs incurred by the Government for services performed relative to qualifying corporate sureties to write Federal business.

The new fees are effective December 31, 1994, and are determined in accordance with the Office of Management and Budget Circular A–25, as amended. The increase in fees is the result of a thorough analysis of costs associated with the Surety Bond Branch.

The new rate schedule is as follows:

(1) Examination of a company's application for a Certificate of Authority as an acceptable surety or as an acceptable reinsuring company on Federal bonds—$3,725.

(2) Determination of a company's continued qualification for annual renewal of its Certificate of Authority—$2,200.

(3) Examination of a company's application for recognition as an Admitted Reinsurer (except on excess risks running to the United States)—$1,325.

(4) Determination of a company's continued qualification for annual renewal of its authority as an Admitted Reinsurer—$930.