

operators to decrease their rates or alternatively, permits them to increase their rates to make adjustments for over- or under- estimations of these cost changes. Operators would not lose the right to make a rate increase at a later date if they choose not to implement a rate adjustment at the beginning of the next rate year. Finally, in order that operators not feel compelled to make rate filings or increase rates when they otherwise would not, we will eliminate the "use or lose" requirement for operators that elect this methodology.

#### Filing Instructions for the Form 1240

If this is your first time filing Form 1240 (assuming your franchise area is already subject to regulation), and if your most recent Form 1210 does not incorporate changes through June 30, 1995, there are two circumstances under which you must file a Form 1210 which records the changes in your system's costs which have occurred between the last Form 1210 and June 30, 1995. The first is if you moved any channels between regulated tiers in this time period. The second is if you have added channels to your regulated tier(s) during this time period and you wish to claim Caps Method or Markup Method adjustments for these channels. Any Form 1210 you file to meet these two conditions should not be treated as a separate filing, but rather as an attachment to your Form 1240. If your most recent Form 1210 does incorporate changes through June 30, 1995, you do not have to perform this first step.

If this is your first time filing Form 1240 and you have never been subject to CPST regulation, in order to meet your burden of showing that your CPST rate is not unreasonable, you may have to provide details about your previous increases.

If your local franchising authority becomes certified to regulate the basic service tier ("BST", see the General Instructions section for a full definition), you are required to follow the Commission's existing rules and file a Form 1200, a Form 1205, and a Form 1210. Once those have been filed, you may switch to the annual filing system.

The Commission's rules recognize seven categories of external costs: retransmission consent fees, copyright fees, programming costs, certain cable specific taxes, franchise-related costs, franchise fees and Commission regulatory fees. You may adjust your maximum permitted rate for changes in these categories of costs except for franchise fees, which are not included in your permitted rates but rather are simply added to them.

Form 1240 must be filed with your local franchising authority at least 90 days before you plan to implement a change in your basic rates if your local franchising authority is certified to regulate basic rates. You must notify your local franchising authority of the annual filing date prior to filing Form 1240.

If the Commission found your cable programming service rates to be unreasonable less than one year ago, or if a complaint about a CPST rate is pending before the Commission, and you now wish to increase your CPST rates, you must submit FCC Form 1240 to the Commission at least 30 days before raising your rates.

The Commission's mailing address for Form 1240 filings is: Federal Communications Commission, Form 1240, P.O. Box 18658, Washington, DC 20036.

*OMB Approval Number:* New Collection.

*Title:* Annual Updating of Maximum Permitted Rates for Regulated Cable Services.

*Form No.:* FCC Form 1240.

*Type of Review:* New Collection.

*Respondents:* Business or other for-profit; State, Local or Tribal Governments.

*Number of Respondents:* 5,850.

*Estimated Time Per Response:* 15 hours.

*Total Annual Burden:* 116,438 hours.

*Needs and Uses:* The Commission has created the FCC Form 1240 Annual Updating of Maximum Permitted Rates for Regulated Cable Services as a filing alternative to the FCC Form 1210, which is filed quarterly. The Form 1240, like the Form 1210, is filed by cable operators seeking to adjust maximum permitted rates for regulated services to reflect changes in external costs. Cable operators will submit the Form 1240 to their respective local franchising authorities upon certification to regulate basic service tier rates and associated equipment; or with the Commission (in situations where the Commission has assumed jurisdiction). The Form 1240 will also be filed with the Commission when responding to a complaint filed with the Commission about cable programming service rates and associated equipment. The data will be used by the Commission and local franchising authorities to adjudicate permitted rates for regulated cable services and equipment, for the addition of new programming tiers and to account for the addition and deletion of channels and the allowance for pass throughs of external costs and costs due to inflation.

*Fax Document Retrieval Number:* 601240.

Federal Communications Commission.

William F. Caton,

*Acting Secretary.*

[FR Doc. 95-28468 Filed 11-21-95; 8:45 am]

BILLING CODE 6712-01-F

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## FEDERAL DEPOSIT INSURANCE CORPORATION

### Determination of Insufficiency of Assets To Satisfy All Claims of Certain Financial Institutions in Receivership

**AGENCY:** Federal Deposit Insurance Corporation.

**ACTION:** Notice.

**SUMMARY:** In accordance with the authorities contained in 12 U.S.C. 1821(c), the Federal Deposit Insurance Corporation (FDIC) was duly appointed receiver for the financial institution specified in **SUPPLEMENTARY INFORMATION**.

The FDIC has determined that the proceeds which can be realized from the liquidation of the assets of the below listed receivership estate are insufficient to wholly satisfy the priority claims of depositors against the receivership estates. Therefore, upon satisfaction of secured claims, depositor claims and claims which have priority over depositors under applicable law, no amount will remain or will be recovered sufficient to allow a dividend, distribution or payment to any creditor of lessor priority, including but not limited to, claims of general creditors. Any such claims are hereby determined to be worthless.

**FOR FURTHER INFORMATION CONTACT:** Tina A. Lamoreaux, Counsel, Legal Division, FDIC, 550 17th Street NW., Room H-11027, Washington, DC 20429. Telephone: (202) 736-3134.

**SUPPLEMENTARY INFORMATION:** Financial Institution in Receivership Determined to Have Insufficient Assets to Satisfy All Claims, Lakeland State Bank, #4235, Austin, Texas.

Dated: November 13, 1995.

Federal Deposit Insurance Corporation.

Jerry L. Langley,

*Executive Secretary.*

[FR Doc. 95-28460 Filed 11-21-95; 8:45 am]

BILLING CODE 6714-01-M

**FEDERAL MARITIME COMMISSION****Ocean Freight Forwarder License; Applicants**

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR part 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarders, Federal Maritime Commission, Washington, DC 20573.

Perform Air International, Inc., 2111 Welch Street, #B222, Houston, TX 77019, Officers: Jean-Jacques Gouelle, President; Shlomit Shimrat, Secretary/Branch Manager  
AFS, Inc., dba Denali International, 80 Yesler Way, Seattle, WA 98104, Officers: James L. Dodson, President; Pamela Held, Vice President

Summit Trade Specialists (U.S.), Inc., 4621 Grumman Drive, Medford, OR 97504, Officers: Dennis E. Schrank, President; Sidney Gould, Secretary.

Dated: November 13, 1995.

By the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 95-28441 Filed 11-21-95; 8:45 am]

BILLING CODE 6730-01-M

**FEDERAL TRADE COMMISSION**

[File No. 931-0097]

**Dell Computer Corp.; Consent Agreement With Analysis To Aid Public Comment**

**AGENCY:** Federal Trade Commission.

**ACTION:** Consent agreement.

**SUMMARY:** In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would require Dell not to enforce patent rights against computer manufacturers using the VL-bus, a mechanism to transfer instructions between a computer's central processing unit and peripherals such as a video monitor, which had been accepted by the Video Electronics Standards Association (VESA) as the industry standard. The Commission had alleged that Dell, as a member of the VESA, did not disclose to other VESA members that it held patent rights to the VL-bus technology at the time the VESA standard for such technology was adopted and then later attempted to

enforce those patent rights against certain VESA members, in an effort to unilaterally impose costs on its rivals.

**DATES:** Comments must be received on or before January 22, 1996.

**ADDRESSES:** Comments should be directed to: FTC/Office of the Secretary, Room 159, 6th Street and Pennsylvania Avenue NW., Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** William J. Baer, Bureau of Competition, Federal Trade Commission, H-374, 6th Street and Pennsylvania Avenue NW., Washington, DC 20580. (202) 326-2932.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 2.34 of the Commission's rules of practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(6)(ii) of the Commission's rules of practice (16 CFR 4.9(b)(6)(ii)).

**Agreement Containing Consent Order To Cease and Desist**

The Federal Trade Commission ("Commission") having initiated an investigation of certain acts and practices of the Dell Computer Corporation ("Dell"), and it now appearing that Dell Computer Corporation, hereinafter sometimes referred to as proposed respondent, is willing to enter into an agreement containing an order to cease and desist from engaging in the acts and practices being investigated, and providing for other relief,

*It is hereby agreed* by and between the proposed respondent, by its duly authorized officer and its attorney and counsel for the Commission that:

1. Proposed respondent Dell is a corporation organized, existing and doing business under and by virtue of the laws of the State of Delaware, with its offices and principal place of business located at 2214 West Braker Lane, Austin, Texas 78758.

2. Proposed respondent admits all the jurisdictional facts set forth in the draft of complaint.

3. Proposed respondent waives:

(a) Any further procedural steps;

(b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law;

(c) All rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement; and

(d) Any claim under the Equal Access to Justice Act.

4. Proposed respondent shall submit with this agreement an initial report signed by the proposed respondent setting forth in precise detail the manner in which the proposed respondent will comply with Paragraph IV of the order when and if entered. Such report will not become part of the public record unless and until the accompanying agreement and order are accepted by the Commission. At the time such report is submitted, proposed respondent may request confidentiality for any portion thereof with a precise showing of justification therefor.

5. This agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission it, together with the draft of complaint contemplated thereby, will be placed on the public record for a period of sixty (60) days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify the proposed respondent, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

6. This agreement is for settlement purposes only and does not constitute an admission by proposed respondent that the law has been violated as alleged in the draft of complaint, or that the facts as alleged in the draft complaint, other than jurisdictional facts, are true.

7. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's rules of practice, the Commission may, without further notice to the proposed respondent, (1) issue its complaint corresponding in form and substance with the draft complaint and its decision containing the following order to cease and desist in disposition of the proceeding, and (2) make information public in respect thereto. When so entered, the order to cease and desist shall have the same force and effect and may be altered, modified, or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery by the U.S.