

compromised with Computer Associate's lawyers in coming up with the non-exclusive license idea.

Who ever heard of 2 companies marketing the same product(s) to foster competition? Do Ford and GM market any of the same products? No, they market different products. If Computer Associates could be equated to General Motors, it would already own Ford and all the Japanese and European automobile manufacturers; and Legent would be Chrysler. Then the D.O.J. Proposed Final Judgement would be equivalent to an order requiring GM to jointly market Jeeps with Hyundai, while maintaining ownership of the engine and vehicle assembly plants. It's ludicrous, and simply won't work in the real world.

In conclusion, the only workable solution I see is to require Computer Associates to divest, i.e. completely sell-off and cease marketing, all Legent products that are in any way integrated with the five already covered by the Proposed Final Judgement. And this must be done quickly, before Legent's entire VSE product line and customer base are destroyed. And finally, Computer Associates should be severely fined for all present violations of the Proposed Final Judgement and forced in complete compliance ASAP.

One final note: although I am a former Legent employee, I am not "disgruntled". I worked in the VSE community long before I worked for Legent, and still desire to see it prosper. A Computer Associate's monopoly on VSE systems software is in no one's best interest except theirs. I urge the court to modify the Proposed Final Judgement to prevent such an occurrence at ALL levels.

Sincerely,

Brian W. Gore,

101 Mira Mesa, Rancho Santa Margarita, CA 92688.

Certificate of Service

The undersigned certifies that he is a paralegal employed by the Antitrust Division of the United States Department of Justice, and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that on February 1, 1996, he caused true copies of the Response of the United States to Public Comments, and this Certificate of Service, to be served upon the person at the place and address stated below:

Counsel for Computer Associates

Richard L. Rosen, Esq., Arnold & Porter, 555 12th Street, NW., Washington, D.C. 20004 (by hand delivery)

Dated: February 1, 1996.

Joshua Holian,

Paralegal, U.S. Department of Justice, Antitrust Division, Computers & Finance Section, 555 4th Street, NW., Room 9901, Washington, D.C. 20001, (202) 307-6200.

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Notice of Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given that a proposed Consent Decree in *United States of America v. Southern Ohio Coal Company*, Civil Action No. C2-96-0097, was lodged on January 30, 1996, with the United States District Court for the Southern District of Ohio, Eastern Division. The proposed consent decree would require the Settling Defendant to: (1) Perform actions necessary to restore two stream systems affected by certain of its discharges; (2) perform a detailed assessment and improvement plan for the entire watershed of the more severely affected stream system; (3) pay to the United States \$1.9 million for damages to natural resources; (4) pay to the State of West Virginia \$100,000 for benefaction of aquatic communities or habitat in the Ohio River; (5) pay to the United States a civil penalty of \$300,000; and (6) reimburse the United States for \$240,200 in costs incurred in connection with monitoring and assessing the impact of the discharges at issue.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044. Comments should refer to *United States of America v. Southern Ohio Coal Company*, DOJ Ref. #90-5-1-1-5033.

The proposed consent decree may be examined at the office of the United States Attorney, 2 Nationwide Plaza, 280 N. High Street, 4th Floor, Columbus, OH 43215; the Region V the Environmental Protection Agency, Office of Regional Counsel, 77 West Jackson Boulevard, Chicago, IL 60604-3590; and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington DC 20005, (202) 624-0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library.

In requesting a copy, please enclose a check in the amount of \$37.50 (25 cents per page reproduction cost) payable to the "Consent Decree Library."

Joel M. Gross,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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Antitrust Division

United States of America v. Texas Television, Inc., Gulf Coast Broadcasting Company, and K-Six Television Inc., Proposed Final Judgment and Competitive Impact Statement

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. section 16(b) through (h), that a proposed Final Judgment, Stipulations, and a Competitive Impact Statement have been filed with the United States District Court for the Southern District of Texas, Corpus Christi Division in *United States of America v. Texas Television, Inc., Gulf Coast Broadcasting Company, and K-Six Television Inc.*, Civil Action No. C-96-64.

The complaint in the case alleges that the three defendants, which respectively operate the ABC, NBC and CBS affiliates in Corpus Christi, engaged in a combination and conspiracy to increase the price of retransmission consent rights being sold to local cable operators, in violation of Section 1 of the Sherman Act, 15 U.S.C. § 1. Retransmission consent rights, granted by a television broadcast station, permit a cable operator to carry that station on its cable system.

The proposed Final Judgment agreed to by the defendants prohibits them for a period of ten years from engaging in the type of combination of conspiracy alleged in the Complaint. Specifically, each defendant is enjoined from entering into any agreement with any broadcaster not affiliated with it that relates to retransmission consent or retransmission consent negotiations. The defendants are also prohibited from communicating to any non-affiliated broadcaster any information relating to retransmission consent or retransmission consent negotiations, or from communicating certain types of information that relate to any actual or proposed transaction with any cable operator or other multichannel video programming distributor.

Public comment on the proposed Final Judgment is invited within the statutory 60-day comment period. Such comments and responses thereto will be published in the Federal Register and filed with the Court. Comments should be directed to Donald J. Russell, Chief; Telecommunications Task Force; United States Department of Justice; Antitrust Division, 555 4th Street N.W., Room