

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

#### Proposed Posting of Stockyards

The Grain Inspection, Packers and Stockyards Administration, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in Section 302 of the Packers and Stockyards Act (7 U.S.C. 202), and should be made subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 *et seq.*).

MO-281 St. James Horse Sales Company,  
St. James, Missouri

NJ-108 Camelot Auction Company,  
Cranbury, New Jersey

NC-173 Burgin Auction & Real Estate,  
Marion, North Carolina

SC-156 Greer Horse & Pony Auction, Greer,  
South Carolina

Pursuant to the authority under Section 302 of the Packers and Stockyards Act, notice is hereby given that it is proposed to designate the stockyards named above as posted stockyards subject to the provisions of said Act.

Any person who wishes to submit written data, views or arguments concerning the proposed designation may do so by filing them with the Director, Livestock Marketing Division, Grain Inspection, Packers and Stockyards Administration, Room 3408-South Building, U. S. Department of Agriculture, Washington, DC 20250, by April 30, 1998.

All written submissions made pursuant to this notice will be made available for public inspection in the office of the Director of the Livestock Marketing Division during normal business hours.

Done at Washington, DC, this 7th day of April 1998.

**Daniel L. Van Ackeren,**

*Director, Livestock Marketing Division,  
Packers and Stockyards Programs.*

[FR Doc. 98-9975 Filed 4-14-98; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### Dissemination of Information

AGENCY: Rural Utilities Service, USDA.

ACTION: Request for public comment.

**SUMMARY:** The Rural Utilities Service (RUS) seeks comments on agency policies for releasing and publishing information about electric and telecommunications borrowers. RUS makes and guarantees loans to electric and telecommunications systems serving rural areas. These loans are generally repaid over a period of 35 years and are secured by the borrower's assets. RUS has a responsibility to protect the security of multimillion dollar loans, to monitor compliance with debt covenants, and to ensure that loan funds are used for purposes authorized by law. As part of this oversight, RUS requires that borrowers submit certain information to RUS periodically. Currently a great deal of this information is easily available to the public.

Both the electric and the telecommunications industries are moving from a regulated utility model to a more competitive model. In a regulated utility model, information about market participants is available to the public. In contrast, under a competitive model, a great deal of information is competitively sensitive. Release of this information could cause competitive harm to individual respondents and to the overall working of the market.

RUS is seeking comments on whether the current policy of providing information to the public should be changed to reflect this new industry environment, and whether certain information should, in the future, be released only in an aggregated form that does not associate data with specific borrowers.

**DATES:** Written comments must be received by RUS or bear a postmark or equivalent not later than May 15, 1998.

**ADDRESSES:** Send comments to Sue Arnold, Office of the Assistant Administrator, Electric Program, Rural Utilities Service, United States Department of Agriculture, 1400 Independence Avenue, SW, Stop 1560, Room 4024-S, Washington, DC. 20250-1560. RUS requires, in hard copy, a signed original and 3 copies of all comments. Comments will be available for public inspection during normal business hours.

**FOR FURTHER INFORMATION CONTACT:** Sue Arnold, Office of the Assistant Administrator, Electric Program, Rural Utilities Service, United States Department of Agriculture, 1400 Independence Avenue, SW, Stop 1560, Room 4024-S, Washington, DC. 20250-1560. Phone: 202-690-1078. Fax: 202-690-0717. E-mail: sarnold@rus.usda.gov.

**SUPPLEMENTARY INFORMATION:** The Rural Utilities Service (RUS) makes and guarantees loans to electric and telecommunications systems serving rural areas pursuant to the Rural Electrification Act of 1936, as amended, (7 U.S.C. 901 *et seq.*) (RE Act). Most loans are repaid over a period of 35 years and are secured by the borrower's assets. As a creditor, RUS has a fiduciary responsibility to protect the security of multimillion dollar loans, to monitor compliance with debt covenants, and to ensure that loan funds are used for purposes authorized by law. As part of this oversight, RUS requires that borrowers submit certain information to RUS. This information includes Financial and Statistical Reports. Electric distribution borrowers submit this information in RUS Form 7. Power supply borrowers, also known as "generation and transmission borrowers" or "G&T's," submit RUS Form 12. Telecommunications borrowers report this information on RUS Form 479.

The environment of both the electric and telecommunications industries is in a state of flux. Until very recently, most Americans received virtually all electricity and most telecommunications services from utilities that are regulated monopolies. Both industries are rapidly moving away from the regulated monopoly

model toward a more competitive model that relies heavily on market forces.

The electric industry is now characterized by a mix of utilities and nonutilities, and the distinction between activities performed by utilities and activities performed by nonutilities is becoming increasingly blurred. Both utilities and nonutilities, for example, generate electric power, and nonutility power marketers, brokers, aggregators, and similar entities now compete directly in business activities that were once the exclusive domain of utilities. In fact, electric power may pass through multiple utility and nonutility entities before reaching ultimate consumers.

The telecommunications industry is in the midst of the deregulation brought about by the Telecommunications Act of 1996 (1996 Act). The service now being deregulated is local telephone service—long distance service was deregulated in the early 1980's. Prior to the 1996 Act, most customers bought local service from a provider that was a utility with an exclusive franchise to serve an area. Today the Federal Communications Commission is implementing the 1996 Act by opening local markets to competition. The distinction between providers of long distance and local telephone services is evaporating, and cable TV companies, internet providers, and others are beginning to explore entering markets that were once the exclusive domain of a traditional telephone company.

In a regulated monopoly model, a great deal of information about utilities is traditionally available to the public. In a competitive environment, in contrast, a great deal of information about market participants could be competitively sensitive. Release of this information could cause substantial competitive harm and impede the workings of a free market.

RUS borrowers are utilities, and RUS currently releases data about individual borrowers on a routine basis. For example, the Statistical Report, Electric Borrowers (RUS Information Publication 201-1) is RUS's annual compilation of data submitted by electric borrowers on RUS Forms 7 and 12. Information about telecommunications borrowers based on RUS Form 479 is compiled in the Statistical Report, Rural Telecommunications Borrowers (RUS Informational Publication 300-4). These reports may be purchased at nominal cost from the U.S. Government Printing Office (GPO). On the other hand, comparable information about nonutilities that compete, or may wish to compete, against RUS borrowers is not easily available.

Because of the changes in the electric and telecommunications industries, and the current imbalance of information available about different industry participants, RUS is seeking public comments to help determine whether some information now routinely published should, in the future, be treated with more confidentiality.

Specifically, RUS requests comments on the following:

1. Should RUS change its current practice of making borrower specific information available in the annual RUS Statistical Reports, and in responses to specific requests from individuals?

2. How do various members of the public use information about specific borrowers that RUS now makes available on a routine basis?

3. Specifically, what information, if any, should be withheld from publication by RUS, and released only in an aggregated form that does not allow information to be matched with specific borrowers? RUS requests that respondents discuss the exact types of information that they believe could be harmful if released.

4. What information should RUS continue to release and/or publish at the borrower level, and why is release or publication of this information in the public interest?

5. How could release of certain business data relating to borrowers cause harm to RUS borrowers, RUS as a secured creditor, rural consumers, and/or the RUS goal of ensuring that rural consumers continue to have access to high quality, reliable electric and telecommunications service at reasonable cost?

Dated: April 9, 1998.

**Christopher A. McLean,**

*Acting Administrator, Rural Utilities Service.*

[FR Doc. 98-10029 Filed 4-14-98; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 19-98]

#### **Foreign-Trade Zone 32—Miami, Florida, Application for Subzone Komatsu Latin-America Corporation (Distribution of Construction and Mining Equipment Parts) Miami, FL**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Greater Miami Foreign-Trade Zone, Inc., grantee of FTZ 32, requesting special-purpose subzone status for the construction and mining equipment parts distribution facility of

Komatsu Latin-America Corporation, located in Miami, Florida. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on April 6, 1998.

The Komatsu facility (204,382 sq. ft. on 4.72 acres) is located at 7600 N.W. 50th Street, Miami, Florida. The facility (61 employees) is used for storage, inspection, packaging and distribution of a wide variety of parts and components for construction and mining equipment, such as engine parts, equipment, vehicle parts, electrical/electronic components and instruments. The products are distributed throughout the U.S. and Latin America. About half of the parts are sourced from abroad and over 90 percent are exported. Plant activity also includes the occasional packaging or assembly of parts into subassemblies, but no authority is being sought for activity conducted under FTZ procedures that would result in a change in tariff classification.

Zone procedures would exempt Komatsu from Customs duty payments on foreign parts that are reexported. On its domestic sales, the company would be able to defer duty payments until merchandise is shipped from the plant. The application indicates that the savings from zone procedures would help improve the plant's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ staff has been appointed examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is June 15, 1998.

Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to June 29, 1998).

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce Export Assistance Center, P.O. Box 590570, Miami, Florida 33159

Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716, U.S. Department of Commerce, 14th & Pennsylvania Avenue, N.W., Washington, D.C. 20230