

information for shipper certification on the signature pages of its service contracts; as a result, none of the freight forwarders who entered into service contracts with HUAL certified their shipper status in the contracts. Thereafter, HUAL filed these service contracts at the Commission. Thus, HUAL appears to have failed to file complete service contracts at the Commission in violation of the Commission's regulations at 46 CFR 514.4(d)(5)(i)(A).

Now therefore it is ordered, That pursuant to sections 3, 8, 10, 11, 13 and 19 of the 1984 Act, 46 U.S.C. app. 1702, 1707, 1709, 1710, 1712 and 1718, and 46 CFR Part 514, an investigation is hereby instituted to determine:

(1) Whether HUAL violated section 10(b)(1) of the 1984 Act by charging, demanding, collecting or receiving less compensation for the transportation of property than the rates or charges that are set forth in its tariffs;

(2) Whether HUAL violated section 10(b)(4) of the 1984 Act by allowing freight forwarders and shippers to obtain transportation for property at less than the rates or charges established in HUAL's tariffs by an unjust or unfair device or means;

(3) Whether HUAL violated section 19(d)(1) of the 1984 Act by paying freight forwarder compensation on shipments without obtaining certifications from the freight forwarders;

(4) Whether HUAL violated section 19(d)(4) of the 1984 Act by paying freight forwarder compensation on shipments to freight forwarders who had beneficial interests in the shipments;

(5) Whether HUAL violated 46 CFR 514.17(d)(7)(vi), 46 CFR 514.4(d)(5)(i)(A) and 46 CFR 514.17(a)(1), by failing to file complete essential terms for its service contracts;

(6) Whether HUAL violated 46 CFR 514.4(d)(5)(i)(A) by failing to file complete service contracts at the Commission;

(7) Whether, in the event HUAL violated sections 10(b)(1), 10(b)(4), 19(d)(1) or 19(d)(4) of the 1984 Act or the Commission's regulations at 46 CFR 514.4(d)(5)(i)(A), 46 CFR 514.17(a)(1), or 46 CFR 514.17(d)(7)(vi), civil penalties should be assessed and, if so, the amount of such penalties;

(8) Whether, in the event HUAL violated sections 10(b)(1) or 10(b)(4) of the 1984 Act, the tariff of HUAL should be suspended for a period not to exceed 12 months; and

(9) Whether, in the event HUAL violated sections 10(b)(1), 10(b)(4), 19(d)(1) or 19(d)(4) of the 1984 Act or

the Commission's regulations at 46 CFR 514.4(d)(5)(i)(A), 46 CFR 514.17(a)(1), or 46 CFR 514.17(d)(7)(vi), an appropriate cease and desist order should be issued against HUAL.

It is further ordered, That a public hearing be held in this proceeding and that this matter be assigned for hearing before an Administrative Law Judge of the Commission's Office of Administrative Law Judges in compliance with Rule 61 of the Commission's Rules of Practice and Procedure, 46 CFR 502.61. The hearing shall include oral testimony and cross-examination in the discretion of the Presiding Administrative Law Judge only upon a proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matters in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record;

It is further ordered, That HUAL is designated Respondent in this proceeding;

It is further ordered, That the Commission's Bureau of Enforcement is designated a party to this proceeding;

It is further ordered, That notice of this Order be published in the **Federal Register**, and a copy be served on parties of record;

It is further ordered, That other persons having an interest in participating in this proceeding may file petitions for leave to intervene in accordance with Rule 72 of the Commission's Rules of Practice and Procedure, 46 CFR 502.72;

It is further ordered, That all further notices, orders, and/or decisions issued by or on behalf of the Commission in this proceeding, including notice of the time and place of hearing or prehearing conference, shall be served on parties of record;

It is further ordered, That all documents submitted by any party of record in this proceeding shall be directed to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, in accordance with Rule 118 of the Commission's Rules of Practice and Procedure, 46 CFR 502.118, and shall be served on parties of record; and

It is further ordered, That in accordance with Rule 61 of the Commission's Rules of Practice and Procedure, the initial decision of the Administrative Law Judge shall be issued by August 13, 1999, and the final decision of the Commission shall be issued by December 13, 1999.

By the Commission.

Joseph C. Polking,
Secretary.

[FR Doc. 98-22355 Filed 8-19-98; 8:45 am]

BILLING CODE 6730-01-P

FEDERAL RESERVE SYSTEM

Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies That are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than September 3, 1998.

A. Federal Reserve Bank of Boston (Richard Walker, Community Affairs Officer) 600 Atlantic Avenue, Boston, Massachusetts 02106-2204:

1. *Androscoggin Bancorp, MHC*, and *Androscoggin Bancorp, Inc.*, both of Lewiston, Maine; to acquire Financial Institutions Service Corp., Lewiston, Maine and thereby engage in providing primarily item and certain data processing functions to a number of financial institutions that are primarily located in Maine pursuant to § 225.28(b)(14) of Regulation Y.

Board of Governors of the Federal Reserve System, August 14, 1998.

Jennifer J. Johnson,
Secretary of the Board.

[FR Doc. 98-22423 Filed 8-19-98; 8:45 am]

BILLING CODE 6210-01-F