

The petitioner must provide copies of its petition to the CTC at the time of filing with the Commission. The Commission will also send a copy of this Public Notice to the CTC by overnight express mail to ensure that the CTC is notified of the notice and comment period.

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, interested parties may file comments as follows: comments are due June 17, 2002, and reply comments are due July 1, 2002. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (May 1, 1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words

in the body of the message, "get form <your e-mail address> ." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appear in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Parties also must send three paper copies of their filing to Sheryl Todd,

Telecommunications Access Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 Twelfth Street SW., Room 5-B540, Washington, DC 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, Qualex International, Portals II, 445 Twelfth Street, SW., Room CY-B402, Washington, DC 20054.

Pursuant to 47 CFR 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which *ex parte* communications are permitted subject to disclosure.

Federal Communications Commission.

**Mark G. Seifert,**

*Deputy Chief, Telecommunications Access Policy.*

[FR Doc. 02-12316 Filed 5-16-02; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**Sunshine Act Meeting**

May 9, 2002.

**Open Commission Meeting; Thursday, May 16, 2002**

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Thursday, May 16, 2002 which is scheduled to commence at 9:30 a.m. in Room TW-C305, at 445 12th Street, SW., Washington, DC.

Item No.	Bureau	Subject
1 .....	Wireline Competition .....	<i>Title:</i> Section 272(f)(1) Sunset of the BOC Separate Affiliate and Related Requirements. <i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking concerning section 272.
2 .....	Media .....	<i>Title:</i> Amendment of Eligibility Requirements in Part 78 Regarding 12 GHz Cable Television Relay Service (CS Docket No. 99-250; RM-9257). <i>Summary:</i> The Commission will consider a Report and Order allowing private cable operators to use frequencies in the 12 GHz band of the Cable Television Relay Service (CARS).
3 .....	Media .....	<i>Title:</i> Requests for Extension of the October 5, 2001, Digital Television Construction Deadline. <i>Summary:</i> The Commission will consider an Order concerning extension of the October 5, 2001, digital television construction deadline filed by certain network-affiliated television stations located in the top thirty television markets and a Notice of Proposed Rulemaking on remedial steps for failure to comply with the DTV construction schedule.
4 .....	Office of Engineering and Technology.	<i>Title:</i> Amendment of Part 15 of the Commission's Rules Regarding Spread Spectrum Devices (ET Docket No. 99-231). <i>Summary:</i> The Commission will consider a Second Report and Order concerning regulations for spread spectrum systems.
5 .....	Wireless Tele-Communications .....	<i>Title:</i> Amendments to Parts 1, 2, 27 and 90 of the Commission's Rules to License Services in the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz Government Transfer Bands (WT Docket No. 02-8; RM-9267, RM-9692, RM-9797, RM-9854, RM-9882).

Item No.	Bureau	Subject
		Summary: The Commission will consider a Report and Order concerning service rules for the 216–220 MHz, 1390–1395 MHz, 1427–1432 MHz, 1670–1675 MHz, 2385–2390 MHz and the paired 1392–1395 MHz and 1432–1435 MHz Bands.

Additional information concerning this meeting may be obtained from Maureen Peratino or David Fiske, Office of Media Relations, telephone number (202) 418–0500; TTY 1–888–835–5322.

Copies of materials adopted at this meeting can be purchased from the FCC's duplicating contractor, Qualex International (202) 863–2893; Fax (202) 863–2898; TTY (202) 863–2897. These copies are available in paper format and alternative media, including large print/type; digital disk; and audio tape. Qualex International may be reached by e-mail at [Qualexint@apl.com](mailto:Qualexint@apl.com).

This meeting can be viewed over George Mason University's Capitol Connection. The Capitol Connection also will carry the meeting live via the Internet. For information on these services call (703) 834–1470 Ext. 10. The audio portion of the meeting will be broadcast live on the Internet via the FCC's Internet audio broadcast page at <http://www.fcc.gov/realaudio/>. Audio and video tapes of this meeting can be purchased from Infocus, 341 Victory Drive, Herndon, VA 20170, telephone (703) 834–1470, Ext. 10; fax number (703) 834–0111.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 02–12571 Filed 5–15–02; 2:24 pm]

**BILLING CODE 6712–01–P**

## FEDERAL MARITIME COMMISSION

### Notice of Agreement(s) Filed

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, NW., Room 962. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

*Agreement No.:* 201135.

*Title:* SSAT (Oakland) Agreement.

*Parties:* Yusen Terminals Inc., SSA Terminals, LLC, SSA Terminals (Oakland), LLC, SSA Pacific Terminals, Inc.

*Synopsis:* The agreement authorizes the parties to discuss, agree, organize, and operate as a marine terminal operator at a marine terminal facility in Alameda County, California.

Dated: May 13, 2002.

By Order of the Federal Maritime Commission.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 02–12320 Filed 5–16–02; 8:45 am]

**BILLING CODE 6730–01–P**

## FEDERAL MARITIME COMMISSION

[Petition No. P1–02]

### Petition of the National Customs Brokers and Forwarders Association of America, Inc. and the International Association of NVOCCs, Inc. for an Investigation of the Contracting Practices of the Transpacific Stabilization Agreement; Notice of Filing and Request for Comments

Notice is hereby given that the National Customs Brokers and Forwarders Association of America, Inc. and the International Association of NVOCCs, Inc. (collectively, “Petitioners”) have petitioned the Commission for an investigation under section 11(c) of the Shipping Act of 1984 (“Shipping Act”) of certain activities by the members of the Transpacific Stabilization Agreement (“TSA”).

In particular, Petitioners request that the Commission determine whether TSA's members have violated the Shipping Act through discriminatory service contracting practices with regard to traffic moving in the eastbound transpacific trades that intentionally discriminate against Ocean Transportation Intermediaries (“OTIs”) in violation of sections 10(c)(7) and 10(c)(8) of the Shipping Act.

In support of this contention, Petitioners claim that TSA's members have refused to negotiate with OTIs or shippers' associations representing OTIs until such time as they completed negotiations and signed contracts with proprietary shippers. Petitioners also claim that TSA's members have agreed to charge OTIs substantially higher rates than are being assessed against proprietary shippers for exactly the

same services, regardless of volume or other lawful transportation factors. Petitioners state that this is being done through a General Rate Increase (“GRI”) and Peak Season Surcharge (“PSS”) that are mandatory for OTI service contracts, but waived for contracts with beneficial cargo owners.

Petitioners further assert that TSA members' refusal to negotiate or enter into service contracts with OTIs at the same time as proprietary shippers constitutes an unreasonable refusal to deal in violation of section 10(c)(1) of the Shipping Act. Petitioners also request that the Commission determine whether these practices are causing unreasonable increases in transportation cost for OTIs, their customers and the shipping public within the meaning of section 6(g) of the Shipping Act.

Petitioners also contend that TSA and its members appear to be abusing the “voluntary guidelines” authorized by section 5(c) of the Shipping Act by failing to file their true agreements with the Commission, and are thus operating under an unfiled agreement in violation of section 10(a)(3) of the Shipping Act.

If the Commission's investigation concludes that Shipping Act violations have occurred, Petitioners urge the Commission to: (1) Issue sanctions against TSA and its members pursuant to section 13 of the Shipping Act for violations found; (2) require TSA member lines to pay reparations pursuant to section 11(g) of the Shipping Act to those OTIs who have been damaged; and (3) seek appropriate injunctive relief to enjoin further operation of TSA pursuant to sections 6(g) and (h) of the Shipping Act.

The Petition was filed under Rule 69 of the Commission's Rules of Practice and Procedure, 46 CFR 502.69, and states that it was served upon counsel for TSA. Replies to the petition, as provided by Rule 69 and Rule 74, 46 CFR 502.74, are due May 28, 2002. In order for the Commission to make a thorough evaluation of the petition, the Commission is also inviting interested persons to submit their comments on the petition no later than May 28, 2002. Comments shall consist of an original and 15 copies, or, if e-mailed, as an attachment in WordPerfect 8, Microsoft Word 97, or earlier versions of these applications; be directed to the Secretary, Federal Maritime