

violation of the EC's WTO obligations, and the alleged U.S. failure to have recourse to WTO dispute settlement proceedings. In particular, the EC asserts that by failing to discontinue suspension of obligations to the EC, the United States has breached its obligations under Articles I and II of the General Agreement on Tariffs and Trade 1994 ("GATT 1994") and Articles 3.7, 21.5, 22.8 and 23.2(a) and (c) of the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU"). USTR invites written comments from the public concerning the issues raised in this dispute.

**DATES:** Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before April 1 to be assured of timely consideration by USTR.

**ADDRESSES:** Comments should be submitted (i) electronically, to [FR0519@ustr.eop.gov](mailto:FR0519@ustr.eop.gov), with "EC—Hormones (DS320)" in the subject line, or (ii) by fax, to Sandy McKinzy at (202) 395-3640, with a confirmation copy sent electronically to the address above, in accordance with the requirements for submission set out below.

**FOR FURTHER INFORMATION CONTACT:** Jay T. Taylor, Assistant General Counsel, Office of the United States Trade Representative, (202) 395-9583.

**SUPPLEMENTARY INFORMATION:** Section 127(b) of the Uruguay Round Agreements Act ("URAA") (19 U.S.C. 3537(b)) requires that notice and opportunity for comment be provided after the United States submits or receives a request for the establishment of a WTO dispute settlement panel. Consistent with this obligation, USTR is providing notice that the establishment of a WTO dispute settlement panel has been requested pursuant to the DSU. The EC's request for the establishment of a panel may be found at [www.wto.org](http://www.wto.org) contained in a document designated as WT/DS320/6. Once a panel is established, such panel, which would hold its meetings in Geneva, Switzerland, would be expected to issue a report on its findings and recommendations within six to nine months after it is established.

#### Major Issues Raised by the EC

With respect to the claims of WTO-inconsistency, the EC's panel request refers to the following:

- the U.S. continued suspension of obligations and imposition of import duties in excess of bound rates on imports from the EC;
- the alleged U.S. "unilateral determination" that new EC legislation

is in violation of obligations under the WTO Agreement; and

- the alleged failure of the United States to seek recourse to Article 21.5 of the DSU and to have recourse to, and abide by, the rules and procedures of the DSU.

#### Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in this dispute. Persons submitting comments may either send one copy by fax to Sandy McKinzy at (202) 395-3640, or transmit a copy electronically to [FR0519@ustr.eop.gov](mailto:FR0519@ustr.eop.gov), with "EC—Hormones (DS320)" in the subject line. For documents sent by fax, USTR requests that the submitter provide a confirmation copy electronically. USTR encourages the submission of documents in Adobe PDF format, as attachments to an electronic mail. Interested persons who make submissions by electronic mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similarly, to the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.

Comments must be in English. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter. Confidential business information must be clearly designated as such and the submission must be marked "BUSINESS CONFIDENTIAL" at the top and bottom of the cover page and each succeeding page of the submission.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitting person believes that information or advice may qualify as such, the submitting person—

- (1) Must clearly so designate the information or advice;
- (2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" at the top and bottom of each page of the cover page and each succeeding page; and
- (3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute

settlement proceeding, accessible to the public, in the USTR Reading Room, which is located at 1724 F Street, NW., Washington, DC 20508. The public file will include non-confidential comments received by USTR from the public with respect to the dispute; if a dispute settlement panel is convened, the U.S. submissions to that panel, the summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the panel; and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket No. WT/DS320, EC—Hormones), may be made by calling the USTR Reading Room at (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

**Daniel E. Brinza,**

*Assistant United States Trade Representative for Monitoring and Enforcement.*

[FR Doc. 05-3368 Filed 2-18-05; 8:45 am]

**BILLING CODE 3190-W5-P**

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Aviation Proceedings, Agreements Filed the Week Ending February 4, 2005

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. Sections 412 and 414. Answers may be filed within 21 days after the filing of the application.

*Docket Number:* OST-2005-20315.

*Date Filed:* February 3, 2005.

*Parties:* Members of the International Air Transport Association.

*Subject:* Mail Vote 436—PTC2 EUR 0597, PTC2 EUR—AFR 0217 dated 4 February 2005—Resolution 010k—Special Passenger Amending Resolution from Algeria Intended effective date: 15 February 2005.

*Docket Number:* OST-2005-20327.

*Date Filed:* February 4, 2005.

*Parties:* Members of the International Air Transport Association.

*Subject:* Memorandum PTC COMP 1211 dated 4 February 2005 Resolution 011a—Mileage Manual Non-TC Member/Non-IATA Carrier Sectors (Amending).

**Renee V. Wright,**

*Acting Program Manager, Alternate Federal Register Liaison.*

[FR Doc. 05-3372 Filed 2-18-05; 8:45 am]

**BILLING CODE 4910-62-M**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****[Summary Notice No. PE-2005-10]****Petitions for Exemption; Summary of Petitions Received****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of petition exemption received.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption, part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of a certain petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before March 14, 2005.

**ADDRESSES:** Send comments on the petition to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2004-19890 at the beginning of your comments. If you wish to receive confirmation that the FAA received your comments, include a self-addressed, stamped postcard.

You may also submit comments through the Internet to <http://dms.dot.gov>. You may review the public docket containing the petition, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Dockets Office (telephone 1-800-647-5527) is on the plaza level of the NASSIF Building at the Department of Transportation at the above address. Also, you may review public dockets on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Annette Kovite, 425-227-1262, Transport Airplane Directorate (ANM-113), Federal Aviation Administration, 1601 Lind Ave, SW., Renton, WA 98055-4056; or John Linsenmeyer (202-267-5174), Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW.,

Washington, DC 20591. This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on February 15, 2005.

**Anthony F. Fazio,**  
*Director, Office of Rulemaking.*

**Petitions For Exemption***Docket No.:* FAA-2004-19890.*Petitioner:* The Boeing Company.*Section of 14 CFR Affected:*

§§ 25.841(a)(2) and 25.841(a)(3).

*Description of Relief Sought:* To allow relief from the requirements pertaining to cabin decompression following certain extremely rare uncontained engine rotor failure for Boeing Model 7E7.

[FR Doc. 05-3377 Filed 2-18-05; 8:45 am]

**BILLING CODE 4910-13-P****DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****[Summary Notice No. PE-2005-12]****Petitions for Exemption; Summary of Petitions Received****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of petitions for exemption received.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption, part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of certain petitions seeking relief from specified requirements of 14 CFR, dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before March 14, 2005.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket Number FAA-200X-XXXXX] by any of the following methods:

- Web Site: <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- Fax: 1-202-493-2251.

- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

*Docket:* For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Tim Adams (202) 267-8033, Sandy Buchanan-Sumter (202) 267-7271, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on February 15, 2005.

**Anthony F. Fazio,**  
*Director, Office of Rulemaking.*

**Petitions for Exemption***Docket No.:* FAA-2000-8528.*Petitioner:* Popular Rotorcraft Association.*Section of 14 CFR Affected:* 14 CFR 91.319(a).

*Description of Relief Sought:* To allow the Popular Rotorcraft Association and its member flight instructors to conduct the following flight training in an experimental gyroplane:

1. For the sport pilot ratings;
2. By flight instructors who hold a sport pilot rating; and
3. For pilots to fly ultralight gyroplanes.

[FR Doc. 05-3378 Filed 2-18-05; 8:45 am]

**BILLING CODE 4910-13-P****DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****[Summary Notice No. PE-2005-13]****Petitions for Exemption; Summary of Petitions Received****AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petitions for exemption received and of dispositions of prior petitions.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption, part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of certain petitions seeking relief from specified requirements of 14 CFR, dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before March 4, 2005.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket Number FAA-200X-XXXXX] by any of the following methods:

- Web Site: <http://dms.dot.gov>.

Follow the instructions for submitting comments on the DOT electronic docket site.

- Fax: 1-202-493-2251.
- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001.
- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Docket: For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Tim Adams (202) 267-8033, Sandy Buchanan-Sumter (202) 267-7271, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on February 15, 2005.

**Anthony F. Fazio,**  
*Director, Office of Rulemaking.*

### Petitions for Exemption

*Docket No.:* FAA-2005-20249.  
*Petitioner:* Rhoades Aviation, Inc.  
*Section of 14 CFR Affected:* 14 CFR 135.154(b)(1).

*Description of Relief Sought:* To permit Rhoades Aviation, Inc., to operate one Douglas DC-3TP aircraft after March 29, 2005, without being equipped with an approved terrain awareness and warning system that meets the requirements for class A equipment in TSO-C151. It would also allow Rhoades Aviation, Inc., to operate this aircraft without an approved terrain situational awareness display.-

[FR Doc. 05-3379 Filed 2-18-05; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent To Rule on Application 05-06-U-00-LEX To Use the Revenue From a Passenger Facility Charge (PFC) at Blue Grass Airport, Lexington, KY

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Blue Grass Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

**DATES:** Comments must be received on or before March 24, 2005.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, Tennessee 38118-1555.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Michael A. Gobb, Executive Director of the Lexington-Fayette Urban County Airport Board at the following address: 4000 Versailles Road, Lexington, Kentucky 40510.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Lexington-Fayette Urban County Airport Board under § 158.23 of Part 158.

**FOR FURTHER INFORMATION CONTACT:** Tommy L. Dupree, Airports Program Manager, Memphis Airports District Office, 2862 Business Park Drive, Building G, Memphis, Tennessee 38118-1555, (901) 322-8185. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Blue Grass Airport under the provisions of the 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158).

On February 14, 2005, the FAA determined that the application to use the revenue from a PFC submitted by Lexington-Fayette Urban County Airport Board was substantially complete within the requirements of § 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than June 14, 2005.

The following is a brief overview of the application.

*Actual charge effective date:* December 1, 2003.

*Estimated charge expiration date:* August 1, 2022.

*Level of the PFC:* \$4.50.

*Total approved PFC revenue:* \$45,695,766.

*Brief description of proposed project(s):* Runway Safety Area Improvements, Terminal Interior Modifications, Concourse Gate Additions.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: The Board intends to request that those carriers operating under Part 135, non-scheduled, whole-plane charter-basis, i.e. Air Taxi/Commercial Operators ("ATCO") which files Form 1800-31, at the airport to be exempt from collecting the PFC.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Lexington-Fayette Urban County Airport Board.

Issued in Memphis, Tennessee, on February 14, 2005.

**Charles L. Harris,**  
*Acting Manager, Memphis Airports District Office, Southern Region.*

[FR Doc. 05-3382 Filed 2-18-05; 8:45 am]

**BILLING CODE 4910-13-M**