

available for inspection and copying in the Commission's Public Reference Section, 100 F Street, NE., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of OCC and on OCC's Web site at <http://www.optionsclearing.com>.

All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-OCC-2005-08 and should be submitted on or before August 11, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁶

J. Lynn Taylor,
Assistant Secretary.

[FR Doc. E5-3901 Filed 7-20-05; 8:45 am]
BILLING CODE 8010-01-P

SMALL BUSINESS ADMINISTRATION

[License No. 09/79-0456]

Horizon Ventures Fund II, L.P.; Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest

Notice is hereby given that Horizon Ventures Fund II, L.P., 4 Main Street, Suite 50, Los Altos, CA 94022, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under Section 312 of the Act and Section 107.730, Financings which Constitute Conflicts of Interest of the Small Business Administration ("SBA") Rules and Regulations (13 CFR 107.730). Horizon Ventures Fund II, L.P. proposes to provide equity/debt security financing to Invivodata, Inc., 5615 Scott's Valley Drive, Suite #150, Scotts Valley, CA 95056. The financing is contemplated for operating expenses and for general corporate purposes.

The financing is brought within the purview of § 107.730(a)(1) of the Regulations because Horizon Ventures Fund I, L.P. and Horizon Ventures Advisors Fund I, L.P., both Associates of Horizon Ventures Fund II, L.P., own more than ten percent of Invivodata, Inc. Therefore, Invivodata, Inc., is considered an Associate of Horizon Ventures Fund II, L.P., as defined at 13 CFR 107.50 of the SBIC Regulations.

Notice is hereby given that any interested person may submit written comments on the transaction to the Associate Administrator for Investment, U.S. Small Business Administration, 409 Third Street, SW., Washington, DC 20416.

Dated: June 28, 2005.

Jaime Guzman-Fournier,

Associate Administrator for Investment.
[FR Doc. 05-14339 Filed 7-20-05; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Notice of Order to Show Cause (Order 2005-7-14); Docket OST-2004-19877]

Application of GoJet Airlines, LLC for Certificate Authority

AGENCY: Department of Transportation.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding that GoJet Airlines, LLC is fit, willing, and able, and awarding it a certificate of public convenience and necessity to engage in interstate scheduled air transportation of persons, property and mail.

DATES: Persons wishing to file objections should do so no later than August 29, 2005.

ADDRESSES: Objections and answers to objections should be filed in Docket OST-2004-19877 and addressed to Department of Transportation Dockets, (M-30, Room PL-401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Ms. Lauralyn Remo, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-9721.

Dated: July 15, 2005.

Karan K. Bhatia,

Assistant Secretary for Aviation and International Affairs.

[FR Doc. 05-14378 Filed 7-20-05; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Notice of Order to Show Cause (Order 2005-7-15); Docket OST-2005-20492]

Application of Executive Jet Management, Inc. for Commuter Authority

AGENCY: Department of Transportation.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding that Executive Jet Management, Inc. is fit, willing, and able under 49 U.S.C. 41738 to provide scheduled passenger service as a commuter air carrier and issue to it a Commuter Air Carrier Authorization

DATES: Persons wishing to file objections should do so no later than August 29, 2005.

ADDRESSES: Objections and answers to objections should be filed in Docket OST-2005-20492 and addressed to the Department of Transportation Dockets (M-30, Room PL-401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Mr. Trace Atkinson, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-3176.

Dated: July 15, 2005.

Karan K. Bhatia,

Assistant Secretary for Aviation and International Affairs.

[FR Doc. 05-14379 Filed 7-20-05; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. FAA-2004-16944]

Operating Limitations at Chicago O'Hare International Airport

ACTION: Notice of order to show cause and request for information.

SUMMARY: The FAA has issued an order to show cause, which solicits the views of interested persons on the FAA's tentative determination to extend through April 1, 2006, an August 18, 2004, order limiting the number of scheduled aircraft arrivals at O'Hare International Airport during peak operating hours. The text of the order to show cause is set forth in this notice.

⁶ 17 CFR 200.30-3(a)(12).

DATES: Any written information that responds to the FAA's order to show cause must be submitted by August 1, 2005.

ADDRESSES: You may submit written information, identified by docket number FAA-2004-16944, by any of the following methods:

- Web site: <http://dms.dot.gov>. Follow the instructions for submitting information on the DOT electronic docket site.
- Fax: 1-202-493-2251.
- Mail: Docket Management System, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-0001. If sent by mail, information is to be submitted in two copies. Persons wishing to receive confirmation of receipt of their written submission should include a self-addressed stamped postcard.
- Hand Delivery: Docket Management System, 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.

Instructions: You must include the agency name and docket number FAA-2004-16944 for this notice at the beginning of the information that you submit. Note that the information received will be posted without change to <http://dms.dot.gov>, including any personal information provided.

Submissions to the docket that include trade secrets, confidential, commercial, or financial information, or sensitive security information will not be posted in the public docket. Such information will be placed in a separate file to which the public does not have access, and a note will be placed in the public docket to state that the agency has received such materials from the submitter.

FOR FURTHER INFORMATION CONTACT: Gerry Shakley, System Operations, Air Traffic Organization; telephone (202) 267-9424; facsimile (202) 267-7277; e-mail gerry.shakley@faa.gov.

SUPPLEMENTARY INFORMATION:

Order To Show Cause

The Federal Aviation Administration (FAA) has tentatively determined that it will extend through April 1, 2006, the FAA's August 18, 2004, order limiting scheduled operations at O'Hare International Airport (O'Hare). In the absence of an extension, the August 2004 order would expire on October 29, 2005. This order to show cause invites air carriers and other interested persons to submit comments in Docket No. FAA-2004-16944 on this proposal to extend the duration of the August 2004 order.

If the FAA were to allow the August 2004 order to expire as presently scheduled, the FAA anticipates a return of the congestion-related delays that precipitated the voluntary schedule reductions and adjustments reflected in the August 2004 order. The FAA has adopted a rule limiting unscheduled flights at O'Hare,¹ but it has applied no limits on scheduled flights at O'Hare, other than the August 2004 order. In a separate docket, the FAA solicited public comment on a proposed rule that would limit the number of scheduled operations at O'Hare.² The comment period for the proposed rule ended on May 24, and the FAA and the Office of the Secretary of Transportation are evaluating the comments filed in that proceeding. Given the currently scheduled expiration of the August 2004 order, however, it is not possible for the FAA to complete its evaluation of the comments and to publish a final rule, if the FAA elects to do so, in time to afford air carriers their customary 90- to 120-day lead time to establish their operating schedules. The FAA expects that the extension of the August 2004 order will permit the order's expiration to coincide with the effective date of any final rule, if a rule is adopted.

The FAA's authority to extend the August 2004 order is the same as the authority cited in that order. The FAA proposes to extend the August 2004 order under the agency's broad authority in 49 U.S.C. 40103(b) to regulate the use of the navigable airspace of the United States. This provision authorizes the FAA to develop plans and policy for the use of navigable airspace and, by order or rule, to regulate the use of the airspace as necessary to ensure its efficient use.

Background: On August 18, 2004, the FAA issued an order limiting the number of scheduled arrivals that air carriers conduct at O'Hare during peak hours. The August 2004 order followed a period during which O'Hare operated without any regulatory constraint on the number of aircraft operations, and O'Hare experienced significant congestion-related delay. According to the Bureau of Transportation Statistics, in November 2003, O'Hare ranked last among the nation's thirty-one major airports for on-time arrival performance, with on-time arrivals 57.26% of the time. O'Hare also ranked last in on-time departures in November 2003, yielding on-time departures 66.94% of the time. The data for December 2003 reflected a similar performance by O'Hare—ranking last with 60.06% of arrivals on time and

67.23% of departures on time. Despite the high proportion of delayed flights, when the air carriers published their January and February 2004 schedules in the Official Airline Guide, the schedules revealed that the air carriers intended to add still more flight operations to O'Hare's schedule.

In January 2004, the two air carriers conducting most of the scheduled operations at O'Hare—together accounting for about 88% of O'Hare's scheduled flights—agreed to a temporary 5% reduction of their proposed peak-hour schedules at the airport. When the voluntarily reduced schedules failed to reduce sufficiently O'Hare's congestion-related flight delays, the two air carriers agreed to a further 2.5% reduction of their scheduled peak-hour operations at O'Hare. The FAA captured the voluntary schedule reductions in FAA orders, and the orders were effective through October 30, 2004.

By the summer of 2004, it was apparent that the schedule reductions agreed to in the first half of the year, which were made by only two of the many air carriers conducting scheduled operations at O'Hare, were unlikely to be renewed after the orders expired on October 30, 2004. In the absence of a voluntary constraint, the industry's proposed schedules for November, as reported in the preliminary Official Airline Guide in July 2004, indicated that the number of scheduled arrivals during several hours would approach or exceed O'Hare highest possible arrival capacity. During one hour, the number of scheduled arrivals would have exceeded by 32% O'Hare's capacity under ideal conditions.

Therefore, the FAA invited all scheduled air carriers to an August 2004 scheduling reduction meeting to discuss overscheduling at O'Hare, voluntary schedule reductions, and retiming flights to less congested periods. The August 2004 meeting and subsequent negotiations led the FAA to issue the August 2004 order, which limited the number of scheduled arrivals conducted at U.S. and Canadian air carriers at O'Hare during peak operating hours. The order also defined opportunities for new entry and for growth by limited incumbent air carriers at O'Hare. The order took effect November 1, 2004, was previously extended on March 21, 2005, and in the absence of a further extension, it will expire on October 29, 2005.

The flight limits implemented by the August 2004 order have been effective. Delays have decreased, and customers have seen improved on-time arrival performance as a result of the depeaked

¹ 70 FR 39,610 (July 8, 2005).

² 70 FR 15,520 (Mar. 25, 2005).

flight schedules. For the period from November 2004 through June 2005, the average minutes of arrival delay decreased by approximately 27% when compared to the same period last year. This level of delay reduction is somewhat better than the 20% reduction in delays that the FAA's computer modeling anticipated. We attribute this primarily to weather conditions that were more favorable than average and to certain peak hours in which the arrivals actually scheduled have been below the hourly limit adopted in the August 2004 order.

Additionally, the longest arrival delays—those lasting more than one hour—have decreased by approximately 31%. Preliminary on-time arrival performance while the August 2004 order has been in effect indicates improvement of over eight percentage points. As a result, O'Hare is now performing near the average for the rest of the National Airspace System, which is a dramatic improvement over the airport's bottom-tier performance during much of 2004.

Order to Show Cause: The FAA has issued a notice of proposed rulemaking to address appropriate limitations on scheduled operations at O'Hare. The comment period for the proposed rule closed on May 24, and the FAA and the Office of the Secretary of Transportation are evaluating the comments filed in the rulemaking docket and intend to make a final decision as soon as reasonably possible. The FAA cannot complete the rulemaking process sufficiently in advance of the August 2004 order's current expiration date, however, given the 90- to 120-day lead time the air carriers need to finalize plans for their winter scheduling season, as well as the complexity of the issues presented in the rulemaking.

To prevent a recurrence of overscheduling at O'Hare during the interim between the expiration of the August 2004 order on October 29, 2005, and the effective date of a rule, if a rule is adopted, the FAA tentatively intends to extend the August 2004 order. The limits on arrivals and the allocation of arrival authority embodied in the August 2004 order reflect the FAA's agreements with U.S. and Canadian air carriers. As a result, maintaining the order through the winter scheduling season constitutes a reasonable approach to preventing unacceptable congestion and delays at O'Hare. The August 2004 order, as extended, would expire on April 1, 2006.

Accordingly, the FAA directs all interested persons to show cause why the FAA should not make final its tentative findings and tentative decision

to extend the August 2004 order through April 2, 2006, by filing their written views in Docket No. FAA-2004-16944 on or before August 1, 2005. The FAA is not soliciting views on the issues separately under consideration in the proposed rulemaking. Therefore, any submissions to the current docket should be limited to the issue of extending the August 2004 order.

Dated: Issued in Washington, DC, on July 18, 2005.

Rebecca MacPherson,

Assistant Chief Counsel for Regulation.

[FR Doc. 05-14461 Filed 7-18-05; 4:35 pm]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review for Albany International Airport

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by Albany County Airport Authority for Albany International Airport under provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR part 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Albany International Airport under Part 150 in conjunction with the noise exposure maps, and that this program will be approved or disapproved on or before January 4, 2006.

DATES: The effective date of the FAA's determination on the noise exposure maps and of the start of its review of the associated noise compatibility program is July 8, 2005. The public comment period ends September 6, 2005.

FOR FURTHER INFORMATION CONTACT: Maria Stanco, New York Airports District Office, 600 Old Country Road, Suite 440, Garden City, New York 11530. Comments on the proposed noise compatibility programs should also be submitted to the above office.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for the Albany International Airport are in compliance with applicable

requirements of part 150, effective July 8, 2005. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before January 4, 2006. This notice also announces the availability of this program for public review and comment.

Under section 103 of the Title I of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict non-compatible land uses of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies and persons using the airport.

As an airport operator who has submitted noise exposure maps that are found by the FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing non-compatible uses and for the prevention of the introduction of additional non-compatible uses.

The Albany County Airport Authority submitted to the FAA on April 9, 2003, and supplemented with additional information, dated November 18, 2004, noise exposure maps, descriptions and other documentation. It was requested that the FAA review this material as the noise exposure maps, as described in section 103(a)(1) of the Act, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 10(b) of the Act.

The FAA has completed its review of the noise exposure maps and related description submitted by the Albany County Airport Authority. The specific maps under consideration are the 2003 Noise Exposure Map (NEM-1) and the 2008 Noise Exposure Map (NEM-2), Flight Tracks (Exhibits D-3, 3a, 4, 4a), Monitoring sites (Exhibit C-1), and Noise Sensitive Sites (Exhibit 2-2). Additional description is contained in Chapter 3 (numbers of residents within noise contours) and Appendices C and D, including Fleet Mix (Table D-2), and Runway Use (Table D-3). The FAA has determined that these maps, tables and accompanying narrative for Albany International Airport are in compliance