

Regulations (*See* 14 CFR 301.201 *et seq.*).

The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* DOT-OST-2010-0190.

*Date Filed:* July 28, 2010.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* August 18, 2010.

*Description:* Application of Aviation Services, Ltd. (d/b/a Freedom Air (Guam)) ("Freedom Air") requesting a certificate of public convenience and necessity authorizing Freedom Air to engage in interstate scheduled air transportation of persons, property and mail.

**Renee V. Wright,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. 2010-19761 Filed 8-10-10; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket OST-2009-0249]

#### Application of Gulf Coast Airways, Inc. for Commuter Air Carrier Authority

**AGENCY:** Department of Transportation.

**ACTION:** Notice of Order to Show Cause (Order 2010-8-4), Docket OST-2009-0249.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Gulf Coast Airways, Inc., fit, willing, and able, and awarding it commuter air carrier authority to conduct scheduled commuter service.

**DATES:** Persons wishing to file objections should do so no later than August 19, 2010.

**ADDRESSES:** Objections and answers to objections should be filed in Docket DOT-OST-2009-0249 and addressed to Docket Operations, (M-30, Room W12-140), U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Catherine O'Toole, Air Carrier Fitness

Division (X-56, Room W86-489), U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590, (202) 366-9721.

Dated: August 5, 2010.

**Susan L. Kurland,**

*Assistant Secretary for Aviation and International Affairs.*

[FR Doc. 2010-19758 Filed 8-10-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary of Transportation

[DOT Docket No. DOT-OST-2010-0074]

#### The Future of Aviation Advisory Committee (FAAC) Subcommittee on Competitiveness and Viability; Notice of Meeting

**AGENCY:** U.S. Department of Transportation, Office of the Secretary of Transportation.

**ACTION:** Notice of Meeting.

**SUMMARY:** The Department of Transportation (DOT), Office of the Secretary of Transportation, announces the third meeting of the FAAC Subcommittee on Competitiveness and Viability, which will be held in Chicago, Illinois. This notice provides details on the date, time, and location of the meeting, which will be open to the public. The purpose of the FAAC is to provide advice and recommendations to the Secretary of Transportation to ensure the competitiveness of the U.S. aviation industry and its capability to manage effectively the evolving transportation needs, challenges, and opportunities of the global economy. The Subcommittee on Competitiveness and Viability is charged with examining changes in the operating and competitive structures of the U.S. airline industry; considering innovative strategies to open up new international markets and expand commercial opportunities in existing markets; investigating strategies to encourage the development of cost-effective, cutting-edge technologies and equipment that are critical for a competitive industry coping with increasing economic and environmental challenges; and examining the adequacy of current Federal programs to address the availability of intermodal transportation options and alternatives, small and rural community access to the aviation transportation system, the role of State and local governments in contributing to such access, and how the changing competitive structure of the U.S. airline

industry is likely to transform travel habits of small and rural communities.

**DATES:** The Subcommittee on Competitiveness and Viability meeting will be held on August 24, 2010, from 9 a.m. to noon Central Daylight time.

**ADDRESSES:** The meeting will be held at the corporate headquarters of United Airlines, 77 West Wacker Drive, Chicago, Illinois 60601.

**Public Access:** The meeting is open to the public. (See below for registration instructions.)

**Public Comments:** Persons wishing to offer written comments and suggestions concerning the activities of the advisory committee or subcommittee should file comments in the Public Docket (Docket Number DOT-OST-2010-0074 at <http://www.regulations.gov>) or alternatively through e-mail at [FAAC@dot.gov](mailto:FAAC@dot.gov). If comments and suggestions are intended specifically for the Subcommittee on Competitiveness and Viability, the term "Competition" should be listed in the subject line of the message. To ensure such comments can be considered by the subcommittee before its August 24th meeting, public comments must be filed by 5 p.m. Eastern Daylight time Wednesday, August 18, 2010.

#### SUPPLEMENTARY INFORMATION:

##### Agenda

Under section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. 2), we are giving notice of a meeting of the Subcommittee on Competitiveness and Viability of the Future of Aviation Advisory Committee taking place on August 24, 2010, at 9 a.m. Central Daylight Time, at 77 West Wacker Drive, Chicago, Illinois 60601. The agenda includes—

1. Reports from subcommittee members on assigned topics,
2. Further discussion of issues identified for possible referral to the full committee on the subject of competitiveness and viability of the aviation industry, and
3. Determination as to the issues that will be proposed for referral to the full committee.

##### Registration

The meeting room can accommodate up to 25 members of the public. Persons desiring to attend must pre-register by August 18, 2010, through e-mail to [FAAC@dot.gov](mailto:FAAC@dot.gov). The term "Registration: Competition" should be listed in the subject line of the message, and admission will be limited to the first 25 persons to pre-register and receive a confirmation of their pre-registration. No arrangements are being made for

audio or video transmission or for oral statements or questions from the public at the meeting. Minutes of the meeting will be taken and will be made available to the public.

#### Request for Special Accommodation

The DOT is committed to providing equal access to this meeting for all participants. If you need alternative formats or services because of a disability, please send a request to [FAAC@dot.gov](mailto:FAAC@dot.gov) with the term "Special Accommodations" listed in the subject line of the message by close of business Wednesday, August 18, 2010.

#### FOR FURTHER INFORMATION CONTACT:

Todd Homan, Director, Office of Aviation Analysis, U.S. Department of Transportation; Room 86W-312, 1200 New Jersey Avenue SE., Washington, DC 20590; (202) 366-5903.

Issued in Washington, DC, on August 6, 2010.

#### Pamela Hamilton-Powell,

*Designated Federal Official, Future of Aviation Advisory Committee.*

[FR Doc. 2010-19757 Filed 8-10-10; 8:45 am]

#### BILLING CODE P

### DEPARTMENT OF TRANSPORTATION

#### National Highway Traffic Safety Administration

[Docket No. NHTSA-2010-0095; Notice 1]

#### Volkswagen Group of America, Inc., Receipt of Petition for Decision of Inconsequential Noncompliance

Volkswagen Group of America, Inc., (Volkswagen),<sup>1</sup> has determined that certain 2009 Model Year (MY) Audi A6 and S6 model passenger cars, 2010 MY Audi A6, S6, A5, A5 Cabrio, S5, S5 Cabrio, A4 and S4 passenger cars, and 2010 MY Audi Q5 multipurpose passenger vehicles (MPV) equipped with indirect Tire Pressure Monitoring Systems (TPMS), do not fully comply with paragraph S4.4 of Federal Motor Vehicle Safety Standard (FMVSS) No. 138, *Tire Pressure Monitoring Systems*. Volkswagen has filed an appropriate report pursuant to 49 CFR Part 573, *Defect and Noncompliance Responsibility and Reports*.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), Volkswagen has petitioned for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that

this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of Volkswagen's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Affected are approximately 58,292 2009 MY Audi A6 and S6 model passenger cars, 2010 MY Audi A6, S6, A5, A5 Cabrio, S5, S5 Cabrio, A4 and S4 passenger cars, and 2010 MY Audi Q5 MPV with indirect TPMS manufactured between October 17, 2008 and April 27, 2010.

The National Highway Traffic Safety Administration (NHTSA) notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, these provisions only apply to the 58,292<sup>2</sup> vehicles that have already passed from the manufacturer to an owner, purchaser, or dealer.

Paragraph S4.4 of FMVSS No. 138 require in pertinent part:

#### S4.4 TPMS Malfunction

(a) The vehicle shall be equipped with a tire pressure monitoring system that includes a telltale that provides a warning to the driver not more than 20 minutes after the occurrence of a malfunction that affects the generation or transmission of control or response signals in the vehicle's tire pressure monitoring system. The vehicle's TPMS malfunction indicator shall meet the requirements of either S4.4(b) or S4.4(c)

(b) *Dedicated TPMS malfunction telltale.*  
The vehicle meets the requirements of S4.4(a) when equipped with a dedicated TPMS malfunction telltale that:

(1) Is mounted inside the occupant compartment in front of and in clear view of the driver;

(2) Is identified by the word "TPMS" as described under the "Tire Pressure Monitoring System Malfunction" Telltale in table 1 of standard No. 101 (49 CFR 571.101);

(3) Continues to illuminate the TPMS malfunction telltale under the conditions specified in S4.4(a) for as long as the malfunction exists, whenever the ignition

<sup>2</sup> Volkswagen's petition, which was filed under 49 CFR Part 556, requests an agency decision to exempt Volkswagen as a manufacturer from the notification and recall responsibilities of 49 CFR Part 573 for 58,292 of the affected vehicles. However, the agency cannot relieve Volkswagen distributors of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after Volkswagen recognized that the subject noncompliance existed.

locking system is in the "On" ("Run") position; and

(4) (i) Except as provided in paragraph (ii) each dedicated TPMS malfunction telltale must be activated as a check of lamp function either when the ignition locking system is activated to the "On" ("Run") position when the engine is not running, or when the ignition locking system is in a position between "On" ("Run") and "Start" that is designated by the manufacturer as a check position.

ii. The dedicated TPMS malfunction telltale need not be activated when a starter interlock is in operation.

(c) Combination low tire pressure/TPMS malfunction telltale. The vehicle meets the requirements of S4.4(a) when equipped with a combined Low Tire Pressure/TPMS malfunction telltale that:

(1) Meets the requirements of S4.2 and S4.3; and

(2) Flashes for a period of at least 60 seconds but no longer than 90 seconds upon detection of any condition specified in S4.4(a) after the ignition locking system is activated to the "On" ("Run") position. After each period of prescribed flashing, the telltale must remain continuously illuminated as long as a malfunction exists and the ignition locking system is in the "On" ("Run") position. This flashing and illumination sequence must be repeated each time the ignition locking system is placed in the "On" ("Run") position until the situation causing the malfunction has been corrected. Multiple malfunctions occurring during any ignition cycle may, but are not required to, reinitiate the prescribed flashing sequence.

Volkswagen reported that the noncompliance was brought to their attention on October 15, 2009 and June 8, 2010, by the National Highway Traffic Safety Administration's (NHTSA) Office of Vehicle Safety Compliance (OVSC) regarding the results of OVSC's compliance test on a 2009 MY Audi A6 model passenger car to FMVSS No. 138.

After reviewing OVSC's test results Volkswagen determined that a noncompliance with FMVSS No. 138 existed in the OVSC tested vehicle as well as the other subject 2009 and 2010 MY vehicles. Volkswagen explained that the noncompliance is that the combination low tire pressure/TPMS malfunction telltale lamp (TPMS telltale lamp) does not remain illuminated during all scenarios required by paragraph S4.4 of FMVSS No. 138.

Volkswagen explained that when NHTSA tested the Audi A6 by driving it with three of the originally installed 245/40 R18 tires and one incompatible 215/35 ZR18 tire (7% smaller in diameter), the Electronic Stability System (ESC) will initially detect a malfunction and illuminate the ESC malfunction indicator telltale lamp (ESC telltale lamp). That ESC malfunction detection will also cause the TPMS malfunction telltale lamp to illuminate.

<sup>1</sup> Volkswagen Group of America, Inc. (Volkswagen) is a vehicle manufacturer incorporated under the laws of the State of New Jersey.