

support of the PANYNJ's application to impose a PFC at JFK, LGA, and EWR and use the PFC revenue at JFK for the construction of an LRS. The supplemental material includes all correspondence and data provided to the FAA by the PANYNJ after July 21, 1997, which was the date of the PANYNJ's submission of its formal application for the LRS. In addition, the FAA invites comment on FAA and Federal Transit Administration memoranda pertaining to the supplemental material, and correspondence from the FAA to the PANYNJ concerning the supplemental material. The FAA will issue a new decision on the PANYNJ's application under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). This new decision will replace the FAA's prior decision dated February 9, 1998, which was vacated by the United States Court of Appeals for the District of Columbia on March 5, 1999.

Background

On February 9, 1998, the FAA issued a Record of Decision (ROD) on a PFC application submitted by the PANYNJ. This ROD approved collection of \$823,000,000 in PFC revenue and use of \$1,148,000,000 (includes previously approved PFC collections) to construct an LRS at JFK. The LRS consists of three segments: a central terminal area (CTA) loop component; a component to connect the CTA loop to the Howard Beach subway station; and a component to connect the CTA loop to the Jamaica Station Long Island Rail Road/Sutphin Boulevard subway station.

As a part of the decision making process for PFC applications, the FAA publishes a notice in the **Federal Register** informing the public of the FAA's intention to rule on the pending application and inviting public comment on that application. The FAA considers all comments during its deliberations on the application and responds to all substantive comments in the ROD. The PFC application for the LRS was submitted to the FAA by the PANYNJ on July 21, 1997. The FAA published the **Federal Register** notice on July 29, 1997. The **Federal Register** public comment period closed on August 28, 1997.

As a part of the FAA's responsibilities with regard to rendering decisions on PFC applications, the FAA must determine that each approved project is adequately justified. After reviewing the application submitted by the PANYNJ,

the FAA found that further documentation was required to support a finding of adequate justification. Accordingly, the FAA asked the PANYNJ for information which the agency deemed to be clarifying information. In its March 5, 1999, decision, *Air Transport Authority v. Federal Aviation Administration* (No. 98-1109), the United States Court of Appeals for the District of Columbia found that the clarifying information was a material supplement to the PANYNJ's application provided after the close of the Federal Register comment period. The Court vacated and remanded the FAA's ROD on the PANYNJ PFC application ordering that the public be given the opportunity to comment upon the information submitted by the PANYNJ subsequent to the close of the prior Federal Register comment period.

Any person may inspect the application and supplementary information described above in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**, and at the FAA's New York Airports District Office located at 600 Old Country Road, Suite 446, Garden City, NY, and at the FAA's Passenger Facility Charge Branch office located at FAA Headquarters, 800 Independence Avenue, SW, Washington, DC, in room 619 (call (202) 267-3845 to arrange for access).

In addition, any person may, upon request, inspect the application, notice and supplemental information germane to the application in person at the offices of the PANYNJ.

Issued in Washington, DC, on April 1, 1999.

Paul L. Galis,

Director, Office of Airport Planning and Programming.

[FR Doc. 99-9133 Filed 4-12-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Metropolitan Oakland International Airport, Oakland, CA

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 impose and use the revenue from a PFC at Metropolitan

Oakland International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before May 13, 1999.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261, or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Steven J. Grossman, Director of Aviation of the Port of Oakland, at the following address: 530 Water Street, Oakland, CA 94604. Air carriers and foreign air carriers may submit copies of written comments previously provided to the Port of Oakland under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Marlys Vandervelde, Airports Program Analyst, San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303, Telephone: (650) 876-2806. 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 impose and use the revenue from a PFC at Metropolitan Oakland International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). On February 4, 1999, the FAA determined that the application to impose and use the revenue from a PFC submitted by the Port of Oakland was not substantially completed within the requirements of section 158.25 of Part 158. The following items are required to complete the application: where applicable, all projects included in the application for authority to impose and use a PFC must be shown on the approved Airport Layout Plan, all environmental requirements must be completed, and all the FAA airspace determinations must be completed; the Airport Capital Improvement Plan (ACIP) submitted with the application must be consistent with the information provided in the Attachment B.

On February 18, 1999, the Port of Oakland submitted supplemental information for this application. The FAA will approve or disapprove the application, in whole or in part, no later than June 18, 1999. The following is a brief overview of the impose and use application No. 99-08-C-00-OAK:

Level of proposed PFC: \$3.00

Proposed charge effective date: July 1, 1999

Proposed charge expiration date: January 1, 2001

Total estimated PFC revenue: \$22,122,844

Brief description of the proposed projects: Year 2000 Compliance Program, Multi-User System Equipment/Common Use Terminal Equipment, Airport Comprehensive Management System, Upgrade Security Access System, Rehabilitate Apron at Building L820 and a Portion of Taxiway "D", Construct Concrete Apron South East of Building L812, Threshold Improvement of Runway 11/29, Overlay Taxiway "R", Airport Facilities Complex and Noise Insulation Program.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators filing FAA Form 1800-31 and Commuters or Small Certificated Air Carriers filing DOT Form 298-C T1 or E1.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Port of Oakland.

Issued in Hawthorne, California, on March 12, 1999.

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 99-9136 Filed 4-12-99; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 33733]

CSX Transportation, Inc.—Trackage Rights Exemption—Consolidated Rail Corporation

Consolidated Rail Corporation (Conrail), has agreed to grant overhead trackage rights to CSX Transportation, Inc. (CSXT), to operate its trains,

locomotives, cars and equipment with CSXT's own crews over Conrail's Porter Branch milepost 246.7± at Willow Creek, IN, and milepost 259.5± at Gibson, IN (CP Ivanhoe), a total distance of approximately 12.8 miles.¹

As noted in CSXT's notice of exemption, this trackage rights arrangement is only temporary. The Conrail trackage that is the subject of the trackage rights is to be allocated to Conrail's subsidiary, New York Central Lines LLC, and operated by CSXT, after what is referred to as the "Split Date," or the date of the division of Conrail's assets, as authorized by the Board in *CSX Corporation and CSX Transportation, Inc., Norfolk Southern Corporation and Norfolk Southern Railway Company—Control and Operating Leases/Agreements—Conrail Inc., and Consolidated Rail Corporation*, STB Finance Docket No. 33388 (STB served July 23, 1998). CSXT states that it expects the Split Date to occur on June 1, 1999. The parties intend for the trackage rights to terminate on the Split Date, but if the Split Date does not occur before June 30, 1999, the parties' agreement provides for termination of the trackage rights on June 30, 1999.

The transaction was scheduled to be consummated on or shortly after April 1, 1999. The purpose of the trackage rights is to allow CSXT to qualify its crew and engine personnel on the trackage that CSXT will operate following the Split Date of Conrail's rail properties. As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980). This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33733, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925

K Street, NW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Charles M. Rosenberger, Senior Counsel, CSX Transportation, Inc., 500 Water Street, J-150, Jacksonville, FL 32202.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: April 6, 1999.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 99-9034 Filed 4-12-99; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF THE TREASURY

Departmental Offices; Debt Management Advisory Committee Meeting

Notice is hereby given, pursuant to 5 U.S.C. App. § 10(a)(2), that a meeting will be held at the U.S. Treasury Department, 15th and Pennsylvania Avenue, NW, Washington, DC, on May 4, 1999, of the following debt management advisory committee:

The Bond Market Association
Treasury Borrowing Advisory Committee

The agenda for the meeting provides for a technical background briefing by Treasury staff, followed by a charge by the Secretary of the Treasury or his designate that the committee discuss particular issues, and a working session. Following the working session, the committee will present a written report of its recommendations.

The background briefing by Treasury staff will be held at 9:00 a.m. Eastern time and will be open to the public. The remaining sessions and the committee's reporting session will be closed to the public, pursuant to 5 U.S.C. App. section 10(d).

This notice shall constitute my determination, pursuant to the authority placed in heads of departments by 5 U.S.C. App. § 10(d) and vested in me by Treasury Department Order No. 101-05, that the closed portions of the meeting are concerned with information that is exempt from disclosure under 5 U.S.C. 552b(c)(9)(A). The public interest requires that such meetings be closed to the public because the Treasury Department requires frank and full advice from representatives of the financial community prior to making its final decision on major financing operations. Historically, this advice has been offered by debt management advisory committees established by the

¹ On March 25, 1999, CSXT filed a petition for exemption in STB Finance Docket No. 33733 (Sub-No. 1), *CSX Transportation, Inc.—Trackage Rights Exemption—Consolidated Rail Corporation*, wherein CSXT requests that the Board permit the proposed overhead trackage rights arrangement described in the present proceeding to expire on the Split Date (as described in this decision) or June 30, 1999, whichever occurs first. That petition will be addressed by the Board in a separate decision.