

*Type of Review:* New collection.

*Title:* Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service.

*Form Number:* N/A.

*Respondents:* Business or other for-profit entities.

*Number of Respondents:* 200.

*Estimated Time per Response:* 2 hours.

*Frequency of Response:* One-time reporting requirement.

*Total Annual Burden:* 400 hours.

*Total Annual Cost:* None.

*Needs and Uses:* On October 10, 2002, the FCC adopted a First Report and Order (Order), MM Docket No. 99–325, FCC 02–286, in which the Commission selects in-band, on-channel (IBOC) as the technology that will permit AM and FM radio broadcasters to introduce digital operations efficiently and rapidly. In addition, provisions of the Order require radio station licensees to provide information relative to implementation of interim hybrid digital operations. Implementation of hybrid digital operations is entirely voluntary. Commercial and noncommercial AM and FM radio stations that choose to begin hybrid digital transmissions must notify the FCC within 10 days of the commencement of digital operations. The notification letter shall certify that the digital operations conform to applicable rule and standards. Furthermore, implementation of the notification letter will eliminate both the need for the FCC staff to issue an STA to the broadcaster and for the broadcaster to file and pay the initial and any subsequent filing fees.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 03–5061 Filed 3–3–03; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

[CC Docket 98–67; DA 03–494]

### Notice of Telecommunications Relay Service (TRS) Applications for State Certification Accepted Pleading Cycle Established for Comment on TRS Certification Applications

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In this document, the Commission notifies the public, State Telecommunications Relay Service (TRS) programs, and TRS providers that

TRS applications for certification have been accepted and that the pleading cycle for comments and reply comments regarding these applications has been established.

**DATES:** Interested parties may file comments in this proceeding no later than April 1, 2003. Reply comments may be filed no later than April 21, 2003.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Erica Myers, (202) 418–2429 (voice), (202) 418–0464 (TTY), or e-mail [emyers@fcc.gov](mailto:emyers@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Public Notice, CC Docket 98–67, released February 24, 2003. This notice seeks public comment on the above-referenced applications for TRS certification. Copies of applications for certification are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. The applications for certification are also available on the Commission's Web site at [http://www.fcc.gov/cgb/dro/trs\\_by\\_state.html](http://www.fcc.gov/cgb/dro/trs_by_state.html). They may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone (202) 863–2893, facsimile (202) 863–2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

Interested parties may file comments in this proceeding no later than April 1, 2003. Reply comments may be filed no later than April 21, 2003. When filing comments, please reference CC Docket No. 98–67 and the relevant state file number of the state application that is being commented upon. 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 (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, 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 appears 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 Services mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistronix, 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, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Room TW–A325, Washington, DC 20554.

Parties who choose to file by paper should also submit their comments on diskette or via e-mail in Microsoft Word. These diskettes should be submitted to: Erica Myers, Federal Communications Commission, 445 12th Street, SW., Room 6–A432, Washington, DC 20554. The e-mail should be submitted to Erica Myers at [emyers@fcc.gov](mailto:emyers@fcc.gov). Such a submission should be on a 3.5 inch diskette formatted in an IBM compatible format using Word 97 or compatible software. The diskette should be accompanied by a cover letter and should be submitted in “read only” mode. The diskette should be clearly labeled with the commenter's name, proceeding (including the lead docket number in this case, CC Docket No. 98–67), type of pleading (comment or reply

comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase "Disk Copy—Not an Original." Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, commenters must send diskette copies to the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554.

This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 CFR 1.1200 and 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 CFR 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules, 47 CFR 1.1206(b).

Alternative formats (computer diskette, large print, audio recording and Braille) are available to persons with disabilities by contacting Brian Millin, of the Consumer & Governmental Affairs Bureau, at (202) 418-7426, TTY (202) 418-7365, or e-mail at [bmillin@fcc.gov](mailto:bmillin@fcc.gov). This *Public Notice* can also be downloaded in Text and ASCII formats at: <http://www.fcc.gov/cgb/dro>.

### Synopsis

Notice is hereby given that the states listed below have applied to the Commission for renewal of the certification of their State Telecommunications Relay Service (TRS) program pursuant to title IV of the Americans with Disabilities Act (ADA), 47 U.S.C. 225 and the Commission's rules, 47 CFR 64.601-605. Current state certifications expire July 25, 2003. Applications for certification, covering the five-year period of July 26, 2003 to July 25, 2008, must demonstrate that the State TRS program complies with the ADA and the Commission's rules for the provision of TRS.

File No: TRS-17-02

Public Utility Commission of Texas  
State of Texas

File No: TRS-61-02

U.S. Virgin Islands Public Utilities  
Commission  
U.S. Virgin Islands

Federal Communications Commission.

**Margaret M. Egler,**

*Deputy Chief, Consumer & Governmental  
Affairs Bureau.*

[FR Doc. 03-5057 Filed 3-3-03; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL MARITIME COMMISSION

[Docket No. 03-02]

### **XM International, Inc v. Brilliant Logistics Group, Inc.; Notice of Filing of Complaint and Assignment**

XM International, Inc. ("XM") has filed a complaint against Brilliant Logistics Group, Inc. ("BLG"). XM states that it imports various commodities from the Far East, and that BLG is a licensed Ocean Transportation Intermediary ("OTI") and importer.

XM states that it has a service contract with COSCO Container Lines Company Limited ("COSCO"). XM contends that BLG's representatives asked XM to ship BLG cargo under its contract by claiming that the cargo belonged to XM or an XM subsidiary authorized under the contract. XM claims that BLG offered to pay it for this arrangement. XM rejected this proposal. XM contends that, notwithstanding its rejection, BLG surreptitiously shipped under XM's contract rates by using XM's contract number, and misrepresenting that it was XM's cargo rather than its own (XM advises that this practice is referred to as "code-loading" in the industry). XM alleges that BLG violated section 10(a)(1) of the Shipping Act of 1984 ("Shipping Act") by knowingly and willfully obtaining ocean transportation through an unfair device or means. XM states that it has been damaged because when COSCO became aware of these shipments, it increased the contract's rates and limited the space made available to XM, forcing it to ship on other shipping lines at higher rates. Also, XM contends it lost two customers due to the higher prices attributable to the increased freight charges.

XM asks that BLG be required to answer its charges, and that after hearing, an order be made commanding BLG to: Cease and desist from the alleged Shipping Act violations; establish and put in force such practices as the Commission determines to be lawful and reasonable; pay XM \$1,490,000 in reparations for the unlawful conduct, with interest and attorney's fees or such other sum as the Commission determines to be proper as an award of reparations; and such further order or orders as the Commission determines to be proper.

This proceeding has been assigned to the office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution, such as those described in subpart U of the Commission's rules of practice and procedure, 46 CFR 502.401-502.411.

The hearing, if any, shall include oral testimony and cross-examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by February 24, 2004, and the final decision of the Commission shall be issued by June 23, 2004.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 03-4960 Filed 3-3-03; 8:45 am]

**BILLING CODE 6730-01-P**

## FEDERAL RESERVE SYSTEM

### **Formations of, Acquisitions by, and Mergers of Bank Holding Companies**

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the