

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket Nos. 93–193, 94–65; DA 05–2220]

Wireline Competition Bureau Approves Plan To Refund Interstate Access Customers of Bell Atlantic for 1994 Tariff Period

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document provides notice that the Wireline Competition Bureau has approved the plan to refund interstate access customers of the Bell Atlantic incumbent local exchange carriers (Bell Atlantic) for refunds associated with their 1994 annual interstate access tariff. It also provides information as to how refunds may be obtained by Bell Atlantic interstate access customers that are either no longer readily identifiable or that are due refunds of less than \$100.

DATES: Former interstate access customers may submit refund claims to Verizon Telephone Companies (Verizon) through October 24, 2005.

ADDRESSES: See **SUPPLEMENTARY INFORMATION** for address postings.

FOR FURTHER INFORMATION CONTACT: Margaret Dailey, Wireline Competition Bureau, Pricing Policy Division, (202) 418–1520, *margaret.dailey@fcc.gov*.

SUPPLEMENTARY INFORMATION: On July 30, 2004, the Commission released the *Add-Back Tariff Investigation Order*, FCC 04–151, in CC Docket Nos. 93–193 and 94–65. In that Order, the Commission concluded its investigation of the 1993 and 1994 interstate access tariffs of price cap local exchange carriers (LECs) that implemented a sharing or lower formula adjustment. The Commission found unjust and unreasonable the 1993 annual access tariffs of price cap LECs that implemented a sharing or lower formula adjustment in their 1992 Price Cap Indexes (PCIs) and that failed to apply add-back in computing their 1992 earnings and rates of return and

resulting 1993 PCIs. The Commission made the same findings for the 1994 interstate access tariffs of price cap LECs that implemented a sharing or lower formula adjustment in their 1993 PCIs. Finally, the Commission ordered affected price cap LECs to: (1) Recalculate their 1992 and 1993 earnings and rates of return, making an add-back adjustment; (2) determine the appropriate sharing or lower formula adjustment to their PCIs for the subsequent tariff year; (3) compute the amount of any resulting access rate decrease; and (4) submit a plan for refunding the amounts owed to customers plus interest as a result of any such rate decrease.

The Wireline Competition Bureau (Bureau) disapproved the original refund plan filed by Verizon on behalf of certain Bell Atlantic and GTE incumbent LECs. Verizon filed a Modified Refund Plan on April 18, 2005 and determined that refunds are due to Bell Atlantic interstate access customers for the 1994 tariff period. In 1994, the Bell Atlantic incumbent LECs consisted of Bell Atlantic—Delaware, Inc., Bell Atlantic—Maryland, Inc., Bell Atlantic—New Jersey, Inc., Bell Atlantic—Pennsylvania, Inc., Bell Atlantic—Virginia, Inc., Bell Atlantic—Washington, D.C., Inc., and Bell Atlantic—West Virginia, Inc. Bell Atlantic filed a single interstate access tariff for these LECs in 1994.

In the *Supplemental Add-Back Refund Order*, DA 05–2029, released July 15, 2005, the Bureau approved Verizon’s Modified Refund Plan and directed Verizon to make refunds as further specified in that Order and in the *Add-Back Refund Order*, DA 05–719, which was released on March 17, 2005. The Bureau recognized that, due to factors such as bankruptcy, changes in ownership, or simple passage of time, some Bell Atlantic customers may no longer be readily identifiable. Further, the Bureau did not require Verizon to identify and notify customers that may be due refunds of less than \$100. Customers that Verizon cannot identify and customers due refunds of less than

\$100 may, however, obtain refunds through the following procedure, as specified in paragraph 22 of the *Add-Back Refund Order*: For at least 60 days after this notice is published in the **Federal Register**, Verizon must post this notice on its company web sites that are most often consulted by its interstate access customers. Verizon must also provide an address to which former access customers may submit refund claims by a specified date that is at least 60 days after the refund notice is first posted.

Federal Communications Commission.

Thomas J. Navin,

Chief, Wireline Competition Bureau.

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BILLING CODE 6712–01–P

FEDERAL TRADE COMMISSION

Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register**.

The following transactions were granted early termination of the waiting period provided by law and the premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

Trans #	Acquiring	Acquired	Entities
Transactions Granted Early Termination—07/11/2005			
20051164	eBay Inc.	Shopping.com Ltd	Shopping.com Ltd.
20051166	Tenaska Power Fund, LP	Calpine Corporation	Caloube Construction Finance Company, Calpine Philadelphia, Inc.
20051197	Ultra Electronics Holdings, plc	Jonathan D. Adams	Audiopack Technologies, Inc.
20051200	James D. Dondero	Leap Wireless International, Inc	Leap Wireless International, Inc.
20051225	MidCountry Financial Corporation	Alfa Corporation	Alfa Financial Corporation.
20051228	Wind Hotels Holdings Inc	Wyndham International, Inc	Wyndham International, Inc.
20051229	Welsh, Carson, Anderson & Stowe IX, L.P.	Franck L. Gougeon	AGA Medical Corporation.
20051230	Triton Acquisition Holding Co.	Maytag Corporation	Maytag Corporation.

Trans #	Acquiring	Acquired	Entities
20051233	Network Appliance, Inc	Decru, Inc	Decru, Inc.
20051236	Ford Motor Company	Visteon Corporation	Newco.
20051237	Copano Energy, L.L.C	Precourt Interests, Ltd	ScissorTail Energy, LLC.
20051242	Mitsubishi Corporation	Calpine Corporation	Calpine Morris, LLC.
20051246	Parametric Technology Corporation	Arbortext, Inc	Arbortext, Inc.
20051247	MCNA Cable Holdings LLC	ML Media Companies, Inc	Century-ML Cable Venture, a debtor-in-possession.
20051249	MCNA Cable Holdings LLC	Adelphia Communications Corporation, a debtor-in-possession.	Century-ML Cable Venture, a debtor-in-possession.

Transactions Granted Early Termination—07/12/2005

20051252	New Century Financial Corporation ..	Royal Bank of Canada	RBC Mortgage Company.
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Transactions Granted Early Termination—07/13/2005

20051203	Danaher Corporation	John W. Spencer and Janelle Spencer.	Dental Equipment, LLC.
20051209	Computer Associates International, Inc.	Niku Corporation	Niku Corporation.
20051235	Mega Bloks Inc	Rose Art Industries, Inc.	Rose Art Industries, Inc.
20051251	Jupitermedia Corporation	Jeffrey Burke and Lorraine Triolo	PictureArts Corporation.
20051256	Shepherd Investments International, Ltd.	IEG Virtual Studios LLC	IEG Virtual Studios LLC.
20051285	Rudolph Technologies, Inc	August Technology Corporation	August Technology Corporation.

Transactions Granted Early Termination—07/14/2005

20051224	Aetna Inc	KRG Capital Fund II, L.P	HMS Healthcare, Inc.
20051244	Bushnell Performance Optics	Wells Fargo & Company	Mike's Holding Company.

Transactions Granted Early Termination—07/15/2005

20051248	V&S Vin Sprit AB	CL Financial, Ltd	Cruzan International, Inc.
20051265	KRG Capital Fund II, L.P	P. Scott Lowery	Collect America, Ltd.
20051273	Leucadia National Corporation	VarTec Telecom, Inc. (Debtor-in-Possession).	Excelcom, Inc., Excel Communications Marketing, Inc., Excel Management Service, Inc., Excel Products, Inc., Excel Telecommunications, Inc., Excel Telecommunications of Virginia, Inc., Excel Teleservices, Inc., Telco Communications Group, Inc., Telco Network Services, Inc., VarTec Business Trust, VarTec Properties, Inc., VarTec Resource Services, Inc., VarTec Solutions, Inc., VarTec Telecom Holding Company, VarTec Telecom International Holding Company, VarTec Telecom of Virginia, Inc.
20051276	GUS plc	Robert L. Brackett	Credit Data Services.
20051277	GUS plc	Robert B. Chaffiot	Credit Data Services.

Transactions Granted Early Termination—07/19/2005

20050702	Novartis AG	Santo Holding AG	Eon Labs, Inc.
20051068	Pearson plc	Ripplewood Partners, L.P	American Guidance Service Inc.

Trans #	Acquiring	Acquired	Entities
20051205	Weatherford International Ltd	Precision Drilling Corporation	Daqing Computalog Rainbow Geotechnical Development Corp., Global Employment Corporation, Global SanteFe Asset Holding, Inc., Global SanteFe Desert Rig Holdings Inc., PD Global Employment Corporation, PD International Services Inc., Precision Drilling Service (Netherlands) B.V., Precision Drilling Services (Oman) & Co. LLC, Precision Drilling Services (Singapore) Pte. Ltd., Precision Drilling Services (Thailand) Ltd., Precision Drilling Services (UK) Ltd., Precision Energy Services Colombia Ltd., Precision Energy Services Inc. (BVI) Ltd., Richdear Holdings Limited.
20051208	Precision Drilling Corporation	Weatherford International Ltd	Weatherford International Ltd.
20051259	Rufino Vigil Gonzalez	PAV Republic, Inc	PAV Republic, Inc.
20051272	Carl C. Icahn	WestPoint Stevens Inc. (Debtor-in-Possession).	J.P. Stevens Enterprises, Inc., WestPoint Stevens Stores Inc.
20051274	GUS plc	Luciano Rammairone	ClassesUSA.com.
20051275	Legg Mason, Inc	Giovanni Agnelli e C.S.a.p.as	Permal Group Ltd.

Transactions Granted Early Termination—07/21/2005

20051239	International Business Machines Corporation.	Robert Barritz	Isogon Corporation.
20051264	Quadrant AG	Menasha Corporation	Poly Hi Solidur.

Transactions Granted Early Termination—07/22/2005

20051271	ABN AMRO Holding N.V	UMP-Kymmene Corporation	Loparex B.V., Loparex Inc., Loparex Ltd., Loparex Oy.
20051288	Schneider Electric SA	Fremont Partners, L.P.,	Juno Lighting, Inc.
20051294	McKesson Corporation	D&K Healthcare Resources, Inc	D&K Healthcare Resources, Inc.
20051298	AMIS Holdings, Inc	Flextronics International Ltd	Flextronics Semiconductor, Inc.
20051302	NextMedia Investors LLC	Sumner M. Redstone	Infinity Radio Inc.

Transactions Granted Early Termination—07/25/2005

20051260	Rosen's Diversified, Inc	American Foods Group, LLC	American Foods Group, LLC
20051296	H.J. Heinz Company	KRSM Management, LLC	Nancy's Specialty Foods, Inc.
20051297	Pfleiderer AG	Kunz Holding GmbH & Co. KG	BHT Bau Holztechnik Thurigen GmbH saalburgEbersdorf, Kunz Faserplattenwerk Baruth GmbH, Kunz GmbH & Co. KG, Gschwend, Kunz Infomatik GmbH, Unterensingen, Unikunz Canada Inc., UTB Unitherm Baruth GmbH Baruth.
20051306	The British United Provident Association Limited.	Michael A. Carricarte	Amedex Insurance Company, Amedex Investment Corporation, Inc., Amedex Worldwide Corporation, Americas International Network Corp., Onup Group Corp., U.S.A. Medical Services Corp., Colgate-Palmolive Company.

Transactions Granted Early Termination—07/26/2005

20050658	United Technologies Corporation	The Boeing Company	Boeing Management Company.
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Transactions Granted Early Termination—07/27/2005

20051261	Navistar International Corporation	Carlyle Partners III, L.P	Grand Vehicle Works Holdings Corporation.
20051286	Dover Corporation	Michael D. Lyon	Colder Products Company.
20051289	Nightwatch Holdings S.A	E.ON AG	Ruhrgas Industries GmbH.
20051295	Friedman Fleischer & Lowe Capital Partners II, L.P.	Home Health Holdings, Inc	Home Health Holdings, Inc.

Trans #	Acquiring	Acquired	Entities
Transactions Granted Early Termination—07/28/2005			
20051181	Broadcom Corporation	Siliquent Technologies, Inc	Siliquent Technologies, Inc.
20051280	Fisher Scientific International, Inc	Marathon Fund Limited Partnership IV.	Lancaster Laboratories, Inc.
20051283	Danaher Corporation	LM Investments S.a.r.l	Leica Microsystems AG.
20051307	Salix Pharmaceuticals, Ltd	InKine Pharmaceutical Company, Inc	InKine Pharmaceutical Company, Inc.
20051314	Plantronics, Inc	Altec Lansing Technologies, Inc	Altec Lansing Technologies, Inc.
Transactions Granted Early Termination—07/29/2005			
20051254	Schneider National, Inc. Voting Trust	American Port Services, Inc	American Port Services, Inc.
Transactions Granted Early Termination—08/01/2005			
20051270	HSBC Bank plc	Pactiv Corporation	Wellenfoam N.V.
20051293	General Electric Company	Welch Allyn Holdings, Inc	Everest VIT, Inc.
20051313	General Electric Company	AIG Highstar Capital, L.P	Southern Star Central Corp.
20051319	Berkshire Hathaway Inc	Fleetwood Enterprises, Inc	Expression Homes Corporation, Fleetwood Home Centers of Nevada, Inc., Fleetwood Home Centers of Texas, Inc., Fleetwood Retail Corp., Fleetwood Retail Corp. of Alabama, Fleetwood Retail Corp. of Arizona, Fleetwood Retail Corp. of Arkansas, Fleetwood Retail Corp. of California, Fleetwood Retail Corp. of Colorado, Fleetwood Retail Corp. of Florida, Fleetwood Retail Corp. of Georgia, Fleetwood Retail Corp. of Idaho, Fleetwood Retail Corp. of Illinois, Fleetwood Retail Corp. of Kansas, Fleetwood Retail Corp. of Kentucky, Fleetwood Retail Corp. of Louisiana, Fleetwood Retail Corp. of Michigan, Fleetwood Retail Corp. of Mississippi, Fleetwood Retail Corp. of New Mexico, Fleetwood Retail Corp. of North Carolina, Fleetwood Retail Corp. of Ohio, Fleetwood Retail Corp. of Oklahoma, Fleetwood Retail Corp. of Oregon, Fleetwood Retail Corp. of South Carolina, Fleetwood Retail Corp. of Tennessee, Fleetwood Retail Corp. of Virginia, Fleetwood Retail Corp. of Washington, Fleetwood Retail Corp. of West Virginia, Fleetwood Retail Corporation of Missouri.
20051320	Sprint Corporation	US Unwired Inc	US Unwired Inc.
20051321	The Public Warehousing Company—K.S.C.	Questor Partners Fund II, L.P	GeoLogistics Corporation.
20051323	Flextronics International Ltd	Nortel Networks Limited	Nortel Networks Limited, Nortel Networks S.A., Nortel Networks UK Limited.
20051325	Inergy, L.P	AIG Highstar Capital, L.P	Central New York Oil And Gas Company, eCORP Marketing, LLC.
20051326	Zhone Technologies, Inc	Paradyne Networks, Inc	Paradyne Networks, Inc.
20051335	Investment Technology Group, Inc ...	The MacGregor Group, Inc	The MacGregor Group, Inc.
20051342	NCO Group, Inc	GTCR Fund V, L.P	Risk Management Alternatives, Inc.
Transactions Granted Early Termination—08/02/2005			
20051310	Ossur HF	Cortec Group Fund III, L.P	Royce Medical Holdings, Inc.
20051315	Koninklijke Philips Electronics N.V ...	Stentor, Inc	Stentor, Inc.
20051322	The Home Depot, Inc	National Waterworks Holdings, Inc/ ..	National Waterworks Holdings, Inc.
20051338	Carlyle Partners IV, L.P	Golder, Thoma, Cressey, Rauner Fund V, L.P.	LifeCare Holdings, Inc.

Trans #	Acquiring	Acquired	Entities
Transactions Granted Early Termination—08/03/2005			
20051341	Department 56, Inc	Brown-Forman Corporation	Lenox, Incorporated.
Transactions Granted Early Termination—08/04/2005			
20051253	Integrated Device Technology, Inc ...	Integrated Circuit Systems, Inc	Integrated Circuit Systems, Inc.
20051268	Entergy Corporation	Attala 2004 Trust	Central Mississippi Generating Company, LLC
20051303	Omnicare, Inc	excelleRx, Inc	excelleRx, Inc.
20051316	New Refco Group Ltd., LLC	Cargill Incorporated	Cargill Investor Services, Inc., Cargill Investor Services Limited, Cargill Investor Services (Singapore) Pte. Ltd., CIS Cash Management, Inc., CIS Financial Services, Inc., CIS Investments, Inc., CIS Securities, Inc.
Transactions Granted Early Termination—08/05/2005			
20051308	Greene Group, Inc	Cemex S.A. de C.V.	RMC Mid-Atlantic, LLC.
20051329	Polaris Industries Inc	Stefan Pierer	KTM Power Sports AG
20051330	Polaris Industries Inc	Rudolf Knunz	KTM Power Sports AG.
20051336	Welsch, Carson, Anderson & Stowe X, L.P.	Pharma Services Holding, Inc	Early Development and Packaging Services, USA, L.L.C.
20051337	WMB Holdings Inc	CityBank	Diligenz, Inc.
20051344	Perot Systems Corporation	Ronald J. Lockard	Technical Management, Inc.
20051346	Sagicor Financial Corporation	Vesta Insurance Group, Inc	American Founders Financial Corporation, Laurel Life Insurance Company.
20051349	Cisco Systems, Inc	Sheer Networks Inc	Sheer Networks Inc.
20051353	BNP Paribas S.A	FundQuest Incorporated	FundQuest Incorporated.
20051358	Fiserv, Inc	Great Hill Equity Partners II Limited Partnership.	BillMatrix Corporation.
20051364	Business Objects S.A	Trevor Lloyd	SRC Software, Inc.
20051368	Barry Diller	Barry Diller	Expedia, Inc.

For Further Information Contact:
 Sandra M. Peay, Contact Representative
 or Renee Hallman, Case Management
 Assistant. Federal Trade Commission,
 Premerger Notification Office, Bureau of
 Competition, Room H-303, Washington,
 DC 20580, (202) 326-3100.

By Direction of the Commission.
Donald S. Clark,
 Secretary.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Solicitation of the Nomination of Candidates To Serve as Members of the National Vaccine Advisory Committee

AGENCY: Department of Health and Human Services, Office of the Secretary, Office of Public Health and Science.

ACTION: Notice.

Authority: 42 U.S.C. 300aa-5, Section 2105 of the Public Health Service (PHS) Act, as amended. The Committee is governed by the provisions of Public Law 92-463, as amended (5 U.S.C. Appendix 2), which sets

forth standards for the formation and use of advisory committees.

SUMMARY: The National Vaccine Program Office (NVPO), a program office within the Office of Public Health and Science, DHHS, is soliciting nominations of qualified candidates to be considered for appointment as members and representatives to the National Vaccine Advisory Committee (NVAC). The activities of this Committee are governed by the Federal Advisory Committee Act (FACA).

Consistent with the National Vaccine Plan, the Committee advises and makes recommendations to the Assistant Secretary for Health in his/her capacity as the Director of the National Vaccine Program, on matters related to the Program's responsibilities. Specifically, the Committee studies and recommends ways to encourage the availability of an adequate supply of safe and effective vaccination products in the United States; recommends research priorities and other measures to enhance the safety and efficacy of vaccines. The Committee also advises the Assistant Secretary for Health in the implementation of Sections 2102 and 2103 of the PHS Act; and identifies annually the most important areas of

government and non-government cooperation that should be considered in implementing Sections 2102 and 2103 of the PHS Act.

DATES: Nominations for membership on the Committee must be received no later than 5 p.m. EST on October 3, 2005, at the address below.

ADDRESSES: All nominations should be mailed or delivered to Bruce G. Gellin, M.D., M.P.H., Executive Secretary, National Vaccine Advisory Committee, Office of Public Health and Science, Department of Health and Human Services, 200 Independence Avenue, SW., Room 443-H, Hubert H. Humphrey Building; Washington, DC 20201.

FOR FURTHER INFORMATION CONTACT: Ms. Emma English, Program Analyst, National Vaccine Program Office, Department of Health and Human Services, 200 Independence Avenue, SW., Room 443-H, Hubert H. Humphrey Building, Washington, DC 20201; (202) 690-5566; nvac@osophs.dhhs.gov.

A copy of the Committee charter and list of the current membership can be obtained by contacting Ms. English or by accessing the NVAC Web site at: <http://www.hhs.gov/nvpo/nvac>.

SUPPLEMENTARY INFORMATION: