

of suspension within 90 days of its receipt of such request.<sup>14</sup>

## II. Initiation of Debarment Proceedings

Your guilty plea to criminal conduct in connection with the E-Rate program, in addition to serving as a basis for immediate suspension from the program, also serves as a basis for the initiation of debarment proceedings against you. Your conviction falls within the categories of causes for debarment defined in section 54.8(c) of the Commission's rules.<sup>15</sup> Therefore, pursuant to section 54.8(a)(4) of the Commission's rules, your conviction requires the Bureau to commence debarment proceedings against you.

As with your suspension, you may contest debarment or the scope of the proposed debarment by filing arguments and any relevant documentation within 30 calendar days of the earlier of the receipt of this letter or of publication in the **Federal Register**.<sup>16</sup> Absent extraordinary circumstances, the Bureau will debar you.<sup>17</sup> Within 90 days of receipt of any opposition to your suspension and proposed debarment, the Bureau, in the absence of extraordinary circumstances, will provide you with notice of its decision to debar.<sup>18</sup> If the Bureau decides to debar you, its decision will become effective upon the earlier of your receipt of a debarment notice or publication of the decision in the **Federal Register**.<sup>19</sup>

If and when your debarment becomes effective, you will be prohibited from participating in activities associated with or related to the schools and libraries support mechanism for three years from the date of debarment.<sup>20</sup> The

<sup>14</sup> See *Second Report and Order*, 18 FCC Rcd at 9226, para. 70; 47 CFR 54.8(e)(5), 54.8(f).

<sup>15</sup> "Causes for suspension and debarment are the conviction of or civil judgment for attempt or commission of criminal fraud, theft, embezzlement, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice and other fraud or criminal offense arising out of activities associated with or related to the schools and libraries support mechanism." 47 CFR 54.8(c). Such activities "include the receipt of funds or discounted services through [the Federal universal service] support mechanisms, or consulting with, assisting, or advising applicants or service providers regarding [the Federal universal service] support mechanism." 47 CFR 54.8(a)(1).

<sup>16</sup> See *Second Report and Order*, 18 FCC Rcd at 9226, para. 70; 47 CFR 54.8(e)(3).

<sup>17</sup> *Second Report and Order*, 18 FCC Rcd at 9227, para. 74.

<sup>18</sup> See *id.*, 18 FCC Rcd at 9226, para. 70; 47 CFR 54.8(e)(5).

<sup>19</sup> *Id.* The Commission may reverse a debarment, or may limit the scope or period of debarment upon a finding of extraordinary circumstances, following the filing of a petition by you or an interested party or upon motion by the Commission. 47 CFR 54.8(f).

<sup>20</sup> *Second Report and Order*, 18 FCC Rcd at 9225, para. 67; 47 CFR 54.8(d), 54.8(g).

Bureau may, if necessary to protect the public interest, extend the debarment period.<sup>21</sup>

Please direct any response, if by messenger or hand delivery, to Marlene H. Dortch, Secretary, Federal Communications Commission, 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002, to the attention of Rebekah Bina, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, with a copy to Vickie Robinson, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, Federal Communications Commission. If sent by commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail), the response should be sent to the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, Maryland 20743. If sent by first-class, Express, or Priority mail, the response should be sent to Rebekah Bina, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, SW., Room 4-C330, Washington, DC 20554, with a copy to Vickie Robinson, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, SW., Room 4-C330, Washington, DC 20554. You shall also transmit a copy of the response via e-mail to [rebekah.bina@fcc.gov](mailto:rebekah.bina@fcc.gov) and to [vickie.robinson@fcc.gov](mailto:vickie.robinson@fcc.gov).

If you have any questions, please contact Ms. Bina via mail, by telephone at (202) 418-7931 or by e-mail at [rebekah.bina@fcc.gov](mailto:rebekah.bina@fcc.gov). If Ms. Bina is unavailable, you may contact Ms. Vickie Robinson, Assistant Chief, Investigations and Hearings Division, by telephone at (202) 418-1420 and by e-mail at [vickie.robinson@fcc.gov](mailto:vickie.robinson@fcc.gov).

Hillary S. DeNigro  
Chief Investigations and Hearings Division  
Enforcement Bureau

cc: Calvin B. Kurimay, Esq., Assistant United States Attorney; Kristy Carroll, Esq., Universal Service Administrative Company (via e-mail).

[FR Doc. E8-21723 Filed 9-16-08; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL MARITIME COMMISSION

### Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments

<sup>21</sup> *Id.*

on agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within ten days of the date this notice appears in the **Federal Register**. Copies of agreements are available through the Commission's Web site ([www.fmc.gov](http://www.fmc.gov)) or contacting the Office of Agreements at (202) 523-5793 or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov).

*Agreement No.:* 201194.

*Title:* Marine Terminal Services Agreement between Port of Houston Authority and CMA CGM.

*Parties:* Port of Houston Authority and CMA CGM S.A.

*Filing Party:* Erik A. Eriksson, Esq.; General Counsel; Port of Houston Authority; PO Box 2562; Houston, TX 77252-2562.

*Synopsis:* The agreement authorizes Port of Houston Authority to establish discounted rates and preferential berthing rights for CMA CGM vessels calling at the port.

*Agreement No.:* 201195.

*Title:* Marine Terminal Services Agreement between Port of Houston Authority and CIA. SudAmericana de Vapores S.A.

*Parties:* Port of Houston Authority and CIA. SudAmericana de Vapores S.A.

*Filing Party:* Erik A. Eriksson, Esq.; General Counsel; Port of Houston Authority; PO Box 2562; Houston, TX 77252-2562.

*Synopsis:* The agreement authorizes Port of Houston Authority to establish discounted rates and preferential berthing rights for CIA. SudAmericana de Vapores S.A. vessels calling at the port.

By Order of the Federal Maritime Commission.

Dated: September 12, 2008.

**Karen V. Gregory,**  
Assistant Secretary.

[FR Doc. E8-21757 Filed 9-16-08; 8:45 am]

**BILLING CODE 6730-01-P**

## FEDERAL MARITIME COMMISSION

### Ocean Transportation Intermediary License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission an application for license as a Non-Vessel Operating Common Carrier and Ocean Freight Forwarder—Ocean Transportation Intermediary pursuant to section 19 of the Shipping Act of 1984 as amended (46 U.S.C. Chapter 409 and 46 CFR 515).

Persons knowing of any reason why the following applicants should not receive a license are requested to