

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel SERENITY.

**SUMMARY:** As authorized by Pub. L. 105-383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

**DATES:** Submit comments on or before August 12, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-12710. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-2307.

**SUPPLEMENTARY INFORMATION:** Title V of Pub. L. 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been

received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

#### Vessel Proposed for Waiver of the U.S.-Build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* SERENITY. *Owner:* Eric N. Lamb & Christina Tilly.

(2) Size, capacity and tonnage of vessel. *According to the applicant:* "50 ft LOA, 14.1 ft Breadth, 52,000 lbs weight (per 46 USC 14502.)"

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant:* Non-fishing 6-pack sightseeing sailing cruises around San Diego Harbor & the San Diego Coastline."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1987. *Place of construction:* Taipei, Taiwan.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant:* "Rapid growth in the San Diego area, it's rising population and the continuing increase of tourists coming to this city, has created a demand for the services we wish to offer. Our target market is growing at a faster pace than the existing six-pack charters now available for solely harbor & coastal 'sight seeing' cruises. Being a "NO FISHING" charter, we will have no impact on the majority of existing six-pack charters in the area."

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant:* "We feel this has no impact on U.S., Shipyards."

Dated: July 8, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02-17449 Filed 7-10-02; 8:45 am]

**BILLING CODE 4910-81-P**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

[Docket Number: MARAD-2002-12711]

### Requested Administrative Waiver of the Coastwise Trade Laws

**AGENCY:** Maritime Administration, Department of Transportation.

**ACTION:** Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel THE OBJECTIVE.

**SUMMARY:** As authorized by Pub. L. 105-383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105-383 and MARAD's regulations at 46 CFR part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

**DATES:** Submit comments on or before August 12, 2002.

**ADDRESSES:** Comments should refer to docket number MARAD-2002-12711. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL-401, Department of Transportation, 400 7th St., SW., Washington, DC 20590-0001. You may also send comments electronically via the Internet at <http://dmses.dot.gov/submit/>. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Dunn, U.S. Department of Transportation, Maritime Administration, MAR-832 Room 7201, 400 Seventh Street, SW., Washington, DC 20590. Telephone 202-366-2307.

**SUPPLEMENTARY INFORMATION:** Title V of Pub. L. 105-383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been

received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD's regulations at 46 CFR part 388.

#### **Vessel Proposed for Waiver of the U.S.-Build Requirement**

(1) Name of vessel and owner for which waiver is requested.

*Name of vessel:* THE OBJECTIVE.  
*Owner:* The Objective, Inc.

(2) Size, capacity and tonnage of vessel. According to the *applicant*: "46 ft. LOA pilot-house trawler-yacht, 27 net tons"

(3) Intended use for vessel, including geographic region of intended operation and trade. *According to the applicant*: "To provide recreational charters, both day and overnight, designed to enhance client appreciation of our country as experienced by water, and to create an appreciation of the role of wood in the design and history of recreational vessels." "Territorial waters of the contiguous United States as well as Alaska and Hawaii, but predominantly along the Eastern Seaboard."

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction*: 1968. *Place of construction*: Hong Kong.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. *According to the applicant*: "None, since there are no other commercial operators with this same intended commercial use, and since the proposed scope of business is very small and the area of operation is not concentrated in one specific region of U.S. waters."

(6) A statement on the impact this waiver will have on U.S. shipyards. *According to the applicant*: "None, except a FAVORABLE economic impact when the vessel is hauled every 18–36 months for routine maintenance, painting, and refurbishing. Recent haul-outs since 1997 have been in Florida and South Carolina."

Dated: July 8, 2002.

By Order of the Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. 02–17450 Filed 7–10–02; 8:45 am]

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## **DEPARTMENT OF TRANSPORTATION**

### **Surface Transportation Board**

**[STB Docket No. MC–F–20990]**

#### **Laidlaw Inc.—Acquisition of Control—Rockton Bus Company, Inc.**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice tentatively approving finance transaction.

**SUMMARY:** In an application filed under 49 U.S.C. 14303, Laidlaw, Inc. (Laidlaw), a noncarrier, through its indirectly controlled subsidiary, Laidlaw Transit, Inc. (Transit Inc.) (collectively referred to as Laidlaw), seeks to acquire indirect control of Rockton Bus Company, Inc. (Rockton), a motor passenger carrier. Persons wishing to oppose the application must follow the rules under 49 CFR 1182.5 and 1182.8. The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.

**DATES:** Comments must be filed by August 26, 2002. Applicant may file a reply by September 9, 2002. If no comments are filed by August 26, 2002, this notice is effective on that date.

**ADDRESSES:** Send an original and 10 copies of any comments referring to STB Docket No. MC–F–20990 to: (1) Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423–0001. In addition, send one copy of any comments to applicant's representative: Fritz R. Kahn, 1920 N Street (8th Floor), NW., Washington, DC 20036–1601.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 565–1600. [TDD for the hearing impaired: 1–800–877–8339.]

**SUPPLEMENTARY INFORMATION:** Rockton is a motor passenger carrier that is authorized to provide special and charter operations pursuant to federally issued authority in Docket No. MC–165295. Laidlaw submits that, pursuant to a voting trust agreement, dated November 1, 1999, Transit, Inc., acquired all of Rockton's outstanding shares of stock.

Laidlaw directly or indirectly controls a number of motor passenger carriers, including Transit, Inc. (MC–161299). Laidlaw's motor passenger carrier subsidiaries, with the exception of Greyhound Lines, Inc. (Greyhound), are largely limited to charter and special operations in the United States. Greyhound holds federally issued operating authority in Docket No. MC–1515 and provides mainly nationwide, scheduled regular-route operations. As a result of the proposed acquisition,

Laidlaw asserts that Rockton will be able to offer its Illinois and Iowa originated passengers tour and sightseeing services over an expanded area and that the addition of Rockton to the Laidlaw family will promote the efficient use of buses and ensure that Rockton and the other Laidlaw affiliates will have an adequate number of buses to serve the public.

Under 49 U.S.C. 14303(b), we must approve and authorize a transaction we find consistent with the public interest, taking into consideration at least: (1) The effect of the transaction on the adequacy of transportation to the public; (2) the total fixed charges that result; and (3) the interest of affected carrier employees.

Applicant has submitted the information required by 49 CFR 1182.2, including information to demonstrate that the proposed transaction is consistent with the public interest under 49 U.S.C. 14303(b). Specifically, applicant has shown that the proposed acquisition of control will have a positive effect on the adequacy of transportation to the public and will result in no increase in fixed charges and no changes in employment. See 49 CFR 1182.2(a)(7). Additional information may be obtained from applicant's representative.

On the basis of the application, we find that the proposed transaction is consistent with the public interest and should be authorized. If any opposing comments are timely filed, this finding will be deemed vacated and, unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. See 49 CFR 1182.6(c). If no opposing comments are filed by the expiration of the comment period, this decision will take effect automatically and will be the final Board action.

Board decisions and notices are available on our website at: "<http://WWW.STB.DOT.GOV>."

This decision will not significantly affect the quality of the human environment or the conservation of energy resources.

*It is ordered:*

1. The proposed acquisition of control is approved and authorized, subject to the filing of opposing comments.

2. If timely opposing comments are filed, the findings made in this decision will be deemed as having been vacated.

3. This decision will be effective on August 26, 2002, unless timely opposing comments are filed.

4. A copy of this notice will be served on: (1) The U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 400 7th Street,