

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ending April 14, 2000**

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

*Docket Number:* OST-2000-7231.

*Date Filed:* April 11, 2000.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* May 2, 2000.

*Description:* Application of Air-Serv, Inc. d/b/a AirServ ("AirServ") pursuant to 49 U.S.C. Section 41102, Parts 201, 204 and Subpart B, applies for a certificate of public convenience and necessity to authorize it to engage in foreign charter air transportation of persons, property and mail.

*Docket Number:* OST-2000-7232.

*Date Filed:* April 11, 2000.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* May 2, 2000.

*Description:* Application of Air-Serv, Inc. d/b/a AirServ ("AirServ") pursuant to 49 U.S.C. Section 41102, Parts 201, 204 and Subpart B, applies for a certificate of public convenience and necessity to engage in interstate charter air transportation of persons, property and mail.

*Docket Number:* OST-2000-7251.

*Date Filed:* April 13, 2000.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* May 4, 2000.

*Description:* Application of C.A.L. Cargo Air Lines Ltd. ("C.A.L.") pursuant to 49 U.S.C. Section 41302, Part 211.20 and Subpart B, applies for an initial foreign air carrier permit to provide foreign air transportation of property and mail between Tel Aviv and New York (JFK)/Chicago (O'Hare) via Luxembourg and Gander, Newfoundland and to provide all cargo foreign air transportation under charter

pursuant to the provisions of 14 CFR Part 212.

**Andrea M. Jenkins,**

*Federal Register Liaison.*

[FR Doc. 00-11692 Filed 5-9-00; 8:45 am]

BILLING CODE 4910-62-P

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Federal Railroad Administration****Federal Transit Administration****Office of the Secretary of Transportation****Applications for TIFIA Credit Assistance**

**AGENCIES:** Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), Federal Transit Administration (FTA), Office of the Secretary of Transportation (OST), DOT.

**ACTION:** Notice of availability of funds inviting applications for credit assistance for major surface transportation projects.

**SUMMARY:** The Transportation Equity Act for the 21st Century (TEA-21) created the Transportation Infrastructure Finance and Innovation Act of 1998 (TIFIA). The TIFIA authorizes the Department of Transportation (DOT) to provide credit assistance in the form of secured (direct) loans, lines of credit, and loan guarantees to public and private sponsors of eligible surface transportation projects. The TIFIA regulations (49 CFR part 80, as published in the **Federal Register**, Vol. 64, No. 105, on Wednesday, June 2, 1999) provide specific guidance on the program requirements.

Although the DOT is currently contemplating revisions to the regulations, the Final Rule as published in the **Federal Register** on June 2, 1999 remains applicable to this notice.

Funding for this program is limited, and projects requesting assistance will be evaluated and selected by the DOT on a competitive basis. Following selections, term sheets will be issued and credit agreements will be developed through negotiations between the project sponsors and the DOT. The DOT expects that approximately \$81 million in net budget authority will be available in fiscal year 2000 to fund the subsidy costs of up to approximately \$1.673 billion in Federal credit assistance.

**DATES:** For consideration in this application cycle, letters of interest must be submitted by 4:30 p.m. EDT on Wednesday, May 31, 2000. The deadline for receipt of the completed application and the non-refundable \$5,000 application fee is 4:30 p.m. EDT on Wednesday, July 5, 2000. Applications received in the offices of the DOT after that date and time will not be considered. Applications sent to the DOT electronically or by facsimile will not be accepted. Applicants should refer to the TIFIA Application for Federal Credit Assistance, which specifies the number of hard copies (plus original) required for each section of the application as well as those sections of the application requiring electronic versions.

**ADDRESSES:** Both the letters of interest and completed applications should be submitted to the attention of Ms. Stephanie Kaufman, Office of Budget and Program Performance, Department of Transportation, Room 10105, B-10, 400 Seventh Street, SW., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** FHWA: Mr. Max Inman, Office of Budget and Finance, Federal-Aid Financial Management Division, (202) 366-0673; FRA: Ms. JoAnne McGowan, Office of Passenger and Freight Services, Freight Program Division, (202) 493-6390; FTA: Mr. Paul Marx, Office of Policy Development, (202) 366-1734; OST: Ms. Stephanie Kaufman, Office of Budget and Program Performance, (202) 366-9649; Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Hearing- and speech-impaired persons may use TTY by calling the Federal Information Relay Service at 1-800-877-8339. Additional information, including the TIFIA program guide and application materials, can be obtained from the TIFIA web site at <http://tifa.fhwa.dot.gov>.

**SUPPLEMENTARY INFORMATION:****Types of Credit Assistance Available**

The DOT may provide credit assistance in the form of secured (direct) loans, loan guarantees, and lines of credit. These types of credit assistance are defined in 23 U.S.C. 181 and 49 CFR 80.3.

**Program Funding and Limitations on Assistance**

The TIFIA provides annual funding levels for both total credit amounts (*i.e.*, the total principal amounts that may be committed in the form of direct loans, loan guarantees, or lines of credit) and subsidy amounts (*i.e.*, the amounts of

budget authority available to cover the estimated present value of the Government's expected losses associated with the provision of credit instruments, net of any fee income). Funding for the subsidy amounts is provided in the form of budget authority funded from the Highway Trust Fund (other than the Mass Transit Account). Total Federal credit amounts authorized for the TIFIA program are \$1.8 billion in fiscal year (FY) 2000; \$2.2 billion in FY 2001; \$2.4 billion in FY 2002; and \$2.6 billion in FY 2003. These amounts lapse if not awarded by the end of the fiscal year for which they are provided.

To support these credit amounts, the TIFIA provides budget authority to fund the maximum subsidy amounts of \$90 million in FY 2000; \$110 million in FY 2001; \$120 million in FY 2002; and \$130 million in FY 2003. Of these amounts, the Secretary may use up to \$2 million for each of the fiscal years for administrative expenses. Any budget authority not obligated in the fiscal year for which it is authorized remains available for obligation in subsequent years.

The TIFIA budget authority is subject to an annual obligation limitation that may be established in appropriations law. Like the funding for certain other administrative or allocated programs (not apportioned to the States) that are subject to the annual Federal-aid highway obligation limitation, the amount of TIFIA budget authority that is available to fund credit instruments in a given year may be less than the amount originally authorized for that year. The extent of any budget authority reduction will depend on the ratio of the obligation limitation, which is determined annually in the appropriations process, to the contract authority for the Federal-aid highway program, which was established in TEA-21. For FY 2000, this reduction is 12.9 percent, or \$11.6 million. The credit amounts authorized in the TIFIA are not subject to this annual reduction.

The DOT expects that approximately \$81 million in net budget authority will be available in FY 2000 to fund the TIFIA credit assistance program. This approximation takes into account unused FY 1999 budget authority, the reduction in FY 2000 budget authority due to the annual obligation limitation, and administrative expenses authorized by the TIFIA statute. The amount of net budget authority available for new TIFIA commitments in FY 2000 also may be affected by credit subsidy adjustments to obligations for prior TIFIA commitments.

The total amount of Federal credit assistance available for new TIFIA

commitments in FY 2000 is approximately \$1.673 billion, which is less than the \$1.8 billion authorization level as a result of contingent TIFIA commitments made in FY 1999.

The amount of credit assistance that may be provided to a project under the TIFIA is limited to not more than 33 percent of eligible project costs.

#### Eligible Projects

Highway, rail, transit, and intermodal projects (including intelligent transportation systems) may receive credit assistance under the TIFIA. See the definition of "project" in 23 U.S.C. 181(9) and 49 CFR 80.3 for a description of eligible projects.

#### Threshold Criteria

Certain threshold criteria must be met by projects seeking TIFIA credit assistance. These eligibility criteria are detailed in 23 U.S.C. 182(a) and 49 CFR 80.13.

#### Rating Opinions

A project sponsor must submit with its application a preliminary rating opinion letter from one or more of the nationally recognized credit rating agencies, as detailed in 23 U.S.C. 182(b)(2)(B) and 49 CFR 80.11. The letter must indicate the reasonable potential for the senior obligations funding the project to receive an investment grade rating. This preliminary rating agency opinion will be based on the financing structure proposed by the project sponsor. A project that does not demonstrate the potential for its senior obligations to receive an investment grade rating will not be considered by the DOT.

The DOT will also use the preliminary rating opinion letter to assess the potential default risk on the requested TIFIA instrument. Therefore, the letter should also provide a preliminary assessment of the strength of either the overall project or the requested TIFIA credit instrument, whichever assessment best reflects the rating agency's preliminary evaluation of the default risk on the requested TIFIA instrument.

Each project selected for TIFIA credit assistance must obtain an investment grade rating on its senior debt obligations and a revised opinion on the default risk of its TIFIA credit instrument before the DOT will execute a credit agreement and disburse funds.

#### Application and Selection Process

Each applicant for TIFIA credit assistance will be required to submit a letter of interest and subsequently an application to the DOT to be considered

for approval. The following describes the application process:

1. *Letter of Interest.* Initially, any applicant seeking TIFIA credit assistance must submit a brief letter of interest to the DOT by Wednesday, May 31, 2000. The letter of interest should include a brief project description (including its purpose, basic design features, and estimated capital cost), basic information about the proposed financing for the project (including a preliminary summary of sources and uses of funds and the type and amount of credit assistance requested from the DOT), and a description of the proposed project participants. The letter also should summarize the status of the project's environmental review (*i.e.*, has the project received a Categorical Exclusion, Finding of No Significant Impact, or Record of Decision or, at a minimum, has a draft Environmental Impact Statement been circulated). The letter of interest should not exceed five pages. A multi-modal DOT Credit Program Working Group will review this preliminary submission to ensure that the project meets the most basic requirements for participation in the TIFIA program. The Working Group will then designate a lead modal agency (FHWA, FRA, or FTA) for the project.

2. *Application.* Once approved for further review, the applicant will be notified by a representative from the designated modal agency of its eligibility to submit a formal application. The applicant must submit all required materials (generally described in 49 CFR 80.7 and detailed in the TIFIA application) to the DOT by Wednesday, July 5, 2000. The TIFIA application and additional program information may be obtained from the TIFIA web site at <http://tifa.fhwa.dot.gov> or through one of the program contacts listed in this notice.

3. *Sponsor Presentation.* Each applicant that passes an initial screening of the application for completeness and satisfies the threshold criteria will be invited to make an oral presentation to the DOT on behalf of its project. The DOT plans to schedule presentations within two weeks of the application deadline, and will discuss the structure and content of the presentation with the applicant at the time of the invitation.

4. *Project Selection.* Based on the application and oral presentation, the DOT will evaluate each project's distinct public benefits and contribution to program goals according to each of the selection criteria described in 23 U.S.C. 182(b) and 49 CFR 80.15. The Secretary of Transportation intends to make final project selections within six

to eight weeks of the application deadline.

### Fees

For this application cycle, the DOT will require each TIFIA applicant to pay a non-refundable application fee of \$5,000. Checks should be made payable to the Federal Highway Administration. The project sponsor applying for TIFIA credit assistance must submit this payment by the application deadline of July 5, 2000. There will be no credit processing fee for this application cycle. Selected applicants will, however, be required to pay fees for loan servicing activities associated with their TIFIA credit instruments. For subsequent application cycles, the DOT may adjust the amount of the application fee and may establish a credit processing fee (to recover all or a portion of the costs to the DOT of evaluating applications, selecting projects to receive assistance, and negotiating term sheets and credit agreements) on the basis of its program implementation experience. The DOT will publish these amounts in each **Federal Register** solicitation for applications.

Applicants shall not include application or credit processing fees or any other expenses associated with the application process (such as charges associated with obtaining the required preliminary rating opinion letter) among eligible project costs for the purpose of calculating the maximum 33 percent credit amount.

If there is insufficient budget authority to fund the TIFIA credit instrument for a qualified project that has been selected to receive assistance, the DOT and the approved applicant may agree upon a supplemental fee to be paid by or on behalf of the approved applicant at the time of execution of a term sheet to reduce the subsidy cost of that project. No such fee may be included among eligible project costs for the purpose of calculating the maximum 33 percent credit amount.

Dated: May 4, 2000.

**Rodney E. Slater,**

*Secretary, Department of Transportation.*  
[FR Doc. 00-11693 Filed 5-9-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[USCG 2000-7330]

### Collection of Information Under Review by Office of Management and Budget (OMB): OMB Control Numbers 2115-0506, and 2115-0505

**AGENCY:** Coast Guard, DOT.

**ACTION:** Request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Coast Guard intends to request the approval of OMB for the renewal of two Information Collection Requests (ICRs). These ICRs comprise (1) Declaration of Inspection; and (2) Plan Approval and Records for Tank, Passenger, Cargo and Miscellaneous Vessels, Mobile Offshore Drilling Units, Nautical Schools, Oceanographic Vessels, and Electrical Engineering. Before submitting the ICRs to OMB, the Coast Guard is asking for comments on the collections described below.

**DATES:** Comments must reach the Coast Guard on or before July 10, 2000.

**ADDRESSES:** You may mail comments to the Docket Management System (DMS) [USCG 2000-7330], U.S. Department of Transportation (DOT), room PL-401, 400 Seventh Street SW., Washington, DC 20590-0001, or deliver them to room PL-401, located on the Plaza Level of the Nassif Building at the same address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

The DMS maintains the public docket for these requests. Comments will become part of this docket and will be available for inspection or copying in room PL-401, located on the Plaza Level of the Nassif Building at the above address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also access this docket on the Internet at <http://dms.dot.gov>.

Copies of the complete ICRs are available through this docket on the Internet at <http://dms.dot.gov> and also from Commandant (G-SII-2), U.S. Coast Guard Headquarters, room 6106 (Attn: Barbara Davis), 2100 Second Street SW., Washington, DC 20593-0001. The telephone number is 202-267-2326.

**FOR FURTHER INFORMATION CONTACT:** Barbara Davis, Office of Information Management, 202-267-2326, for questions on this document; Dorothy Walker, Chief, Documentary Services Division, U.S. Department of Transportation, 202-366-9330, for questions on the docket.

### Request for Comments

The Coast Guard encourages interested persons to submit written comments. Persons submitting comments should include their names and addresses, identify this document [USCG 2000-7330] and the specific ICR to which each comment applies, and give the reason(s) for each comment. Please submit all comments and attachments in an unbound format no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

### Information Collection Requests

1. *Title:* Declaration of Inspection.

*OMB Control Number:* 2115-0506.

*Summary:* The Coast Guard uses Declarations of Inspection (DOIs) to help prevent spills of oil and hazardous materials, and prevent damage to facilities or vessels. Persons-in-charge of transfers must review and certify compliance with procedures specified by the terms of the DOIs.

*Need:* 33 U.S.C. 1221 authorizes the Coast Guard to establish rules to prevent the discharge of oil and hazardous material from vessels and facilities. (The rules for DOIs appear at 33 CFR 156.150 and 46 CFR 35.35-30.) The Coast Guard uses the Declarations to ensure the integrity of facilities and vessels.

*Respondents:* Persons-in-charge of transfers.

*Frequency:* On occasion.

*Burden:* The estimated burden is 28,332 hours annually.

2. *Title:* Plan Approval and Records for Tank, Passenger, Cargo and Miscellaneous Vessels, Mobile Offshore Drilling Units, Nautical Schools, Oceanographic Vessels, and Electrical Engineering.

*OMB Control Number:* 2115-0505.

*Summary:* This collection of information requires the shipyard, designer, or manufacturer for the construction of a vessel to submit plans, technical information, and operating manuals to the Coast Guard.

*Need:* 46 U.S.C. 3301 and 3306 make the Coast Guard responsible for enforcing rules that promote the safety of life and property in marine transportation. The Coast Guard uses the information collected to ensure that a vessel meets the applicable standards of construction, arrangement, and equipment.

*Respondents:* Shipyards, designers, and manufacturers of certain vessels.

*Frequency:* On occasion.

*Burden:* The estimated burden is 5,286 hours annually.