

**TENNESSEE VALLEY AUTHORITY****Meeting of the Regional Resource Stewardship Council**

**AGENCY:** Tennessee Valley Authority (TVA).

**ACTION:** Notice of Meeting.

**SUMMARY:** TVA will convene a meeting of the Regional Resource Stewardship Council (Regional Council) to obtain views and advice on the topic of planning for and use of TVA reservoir lands. Under the TVA Act, TVA is charged with the proper use and conservation of natural resources for the purpose of fostering the orderly and proper physical, economic and social development of the Tennessee Valley region. The Regional Council was established to advise TVA on its natural resource stewardship activities. Notice of this meeting is given under the Federal Advisory Committee Act, 5 U.S.C. App. 2, (FACA).

The meeting agenda includes the following:

(1) Orientation to the second-term of the Regional Council.

(2) TVA reservoir lands—planning, management, and use.

(a) Panel presentations and discussion on the public land policies and practices of other public land management agencies.

(b) Briefing on TVA's reservoir land planning process and land management practices.

(c) Regional Council deliberation.

(3) Close out of business for the First Term Regional Council.

4. Public comments on the topic of TVA reservoir lands.

The Regional Council will hear opinions and views of citizens by providing a public comment session. The Public comment session will be held from 11 a.m. to Noon EST on October 24, 2002. Citizens who wish to express views and opinions on the topic of TVA reservoir lands may do so during the Public Comment portion of the agenda. Up to one hour will be allotted for the Public Comments with participation available on a first-come, first-served basis. Speakers addressing the Regional Council are requested to limit their remarks to no more than 5 minutes. Persons wishing to speak register at the door and are then called on by the Regional Council Chair during the public comment period. Handout materials should be limited to one printed page. Written comments are also invited and may be mailed to the Regional Resource Stewardship Council, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 11A, Knoxville, Tennessee 37902.

**DATES:** The meeting will be held on Wednesday and Thursday, October 23 and 24, 2002, from 8:30 a.m. to 5 p.m. Eastern Standard Time each day.

**ADDRESSES:** The meeting will be held at the Downtown Radisson, 401 West Summit Hill Drive, Knoxville, Tennessee 37902, and will be open to the public. Anyone needing special access or accommodations should let the contact below know at least a week in advance.

**FOR FURTHER INFORMATION CONTACT:**

Sandra L. Hill, 400 West Summit Hill Drive, WT 11A, Knoxville, Tennessee 37902, (865) 632-2333.

Dated: October 1, 2002.

**Kathryn J. Jackson,**

*Executive Vice President, River System Operations & Environment, Tennessee Valley Authority.*

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**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****Review Under 49 U.S.C. 41720 of United/US Airways Agreements**

**AGENCY:** Office of the Secretary, Department of Transportation.

**ACTION:** Notice ending waiting period.

**SUMMARY:** United Air Lines and U.S. Airways have submitted agreements to the Department for review under 49 U.S.C. 41720. That statute requires certain types of agreements between major U.S. passenger airlines to be submitted to the Department at least thirty days before the agreements' proposed effective date and allows the Department to extend the waiting period for any such agreements. The Department has completed its review of the United/US Airways agreements and has determined to end the waiting period for the agreements. The Department has concluded that the competitive issues presented by the agreements do not presently require further investigation. In reaching this conclusion, the Department is relying on the terms of the agreements, the data provided in response to our requests, and the two airlines' acceptance of restrictions imposed by the Justice Department that are intended to limit the possibility of anti-competitive conduct.

**FOR FURTHER INFORMATION CONTACT:**

Thomas Ray, Office of the General Counsel, 400 Seventh St. SW., Washington, DC 20590, (202) 366-4731.

**SUPPLEMENTARY INFORMATION:** On July 25 United and U.S. Airways submitted code-share and frequent flyer program reciprocity agreements to us for review under 49 U.S.C. 41720. After informally reviewing the agreements, we find that no formal investigation of the agreements is warranted at this time, and we have determined that we should end the waiting period. The two airlines have agreed to restrictions proposed by the Justice Department that are intended to limit the possibility of anti-competitive behavior, and each airline has represented to us that it will continue to compete independently on fares and service levels. To ensure that they abide by those representations, we will monitor closely their conduct in implementing the agreements.

Under 49 U.S.C. 41720, certain kinds of joint venture agreements among major U.S. passenger airlines must be submitted to us at least thirty days before their proposed implementation date. We may extend the waiting period by 150 days with respect to a code-sharing agreement and by sixty days for the other types of agreements covered by the advance-filing requirement. At the end of the waiting period (either the thirty-day period or any extended period implemented by us), the parties may implement their agreement.

The statute does not require the parties to obtain our approval before they implement an agreement. Blocking them from implementing their agreement would normally require our issuance of an order under 49 U.S.C. 41712 (formerly section 411 of the Federal Aviation Act) in a formal enforcement proceeding that determined that the agreement's implementation would be an unfair method of competition and thus a violation of that section. Our review of all agreements submitted under 49 U.S.C. 41720 has been informal. It is analogous to the review of major mergers and acquisitions conducted by the Justice Department and the Federal Trade Commission under the Hart-Scott-Rodino Act, 15 U.S.C. 18a, since we consider whether we should institute a formal proceeding for determining whether an agreement would violate section 41712.

While our review of the United/US Airways agreements has been informal, we established an opportunity for other parties to review redacted copies of the United/US Airways agreements and to submit comments due to the public interest in the agreements. 67 FR 50745 (August 5, 2002). We have carefully considered the comments filed on the agreements as well as the agreements themselves and other information