

(ii) as to which the Exchange consents, the Commission will:

A. By order approve such proposed rule change, or

B. Institute proceedings to determine whether the proposed rule change should be disapproved.

The Exchange has requested accelerated approval of this proposed rule change prior to the 30th day after the date of publication of the notice of the filing thereof in the **Federal Register**. The Commission is considering the Exchange's request to grant accelerated approval of the proposed rule change following the conclusion of the 21-day comment period.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

##### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-Phlx-2008-31 on the subject line.

##### *Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Phlx-2008-31. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m.

Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2008-31 and should be submitted on or before May 20, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>76</sup>

**Florence E. Harmon,**  
Deputy Secretary.

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#### DEPARTMENT OF STATE

##### [Public Notice 6201]

#### Notice of Availability of the Draft Environmental Assessment for the Proposed Frontera Juarez Pipeline Project

**AGENCY:** Department of State.

**ACTION:** Notice of Availability of the Draft Environmental Assessment (EA) for the Proposed Frontera Juarez Pipeline Project.

A draft Environmental Assessment (EA) for the Proposed Frontera Juarez Pipeline Project has been prepared by P.M.I. Services North America ("PMI") in support of its application to the Department for a Presidential permit. On January 18, 2008, The Department of State received an application from PMI for a Presidential permit, pursuant to Executive Order 13337 of April 30, 2004, as amended, to construct, connect, operate, and maintain facilities at the border for a 10.75-inch diameter liquid hydrocarbon (gasoline and diesel) pipeline at the U.S.-Mexico border near San Elizario, Texas, for the purpose of transporting gasoline and diesel between the United States and Mexico. PMI has stated that it seeks this authorization in connection with its Frontera Juarez Pipeline Project ("Frontera"), which is designed to transport gasoline and diesel from the Lohhorn Partners Pipeline Terminal in El Paso County, Texas, to the U.S.-Mexico border near San Elizario, Texas.

The Secretary of State is designated and empowered to receive all applications for Presidential permits, as referred to in Executive Order 13337, as amended, for the construction,

connection, operation, or maintenance, at the borders of the United States, of facilities for the exportation or importation of petroleum, petroleum products, coal, or other fuels to or from a foreign country.

On March 26, 2008, the Department of State published in the **Federal Register** a Notice of Receipt of the PMI application and of intent to prepare an Environmental Assessment (EA), soliciting public comments on the application. In accordance with section 102(C) of the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4332(C)) and implementing regulations promulgated by the Council on Environmental Quality (40 CFR parts 1500-1508) and the Department of State (22 CFR part 161), including in particular 22 CFR 161.7(c)(1), a draft environmental assessment (EA) was prepared by PMI to determine if there are any potential significant impacts, to address alternatives to the proposed action, and to determine possible impacts to traditional or cultural properties under section 106 of the National Historic Preservation Act. In light of public comments submitted on the application, PMI has now revised its draft EA and made it available for further review.

The purpose of this Notice of Availability is to invite public comment on the draft EA prepared by PMI. Any person wishing to comment on the draft EA may do so. To ensure consideration of comments prior to a Department of State decision on the application, it is important that we receive your comments by no later than 30 days from publication of notice. Options for submitting comments on the draft EA are as follows:

- *By mail to:* Elizabeth Orlando, OES/ ENV Room 2657, U.S. Department of State, Washington, DC 20520. Please note that Department of State mail can be delayed due to security screening.
- *Fax to:* (202) 647-1052, attention Elizabeth Orlando.
- *E-mail to:* [orlandoea2@state.gov](mailto:orlandoea2@state.gov).

In addition to or in lieu of sending written comments, the Department of State invites you to attend a public meeting in the project area to submit comments on the draft EA. A court reporter will be present and will accept comments for the record. The date and location for the public meeting is: May 7, 2008; 7 p.m. to 10 p.m. (local time). At the Lower Valley Water District, 1557 FM Road 1110, Clint, Texas 79836. (Signs will be posted at address).

After comments are reviewed, significant new issues (if any) are investigated, and modifications (if any) are made to the draft EA, a final EA will

<sup>76</sup> 17 CFR 200.30-3(a)(12).

be made available by the Department of State, along with the Department's determination whether a Finding of No Significant Impact (FONSI) is appropriate in this case or whether an Environmental Impact Statement (EIS) must be prepared. The final EA will contain the Department's response to timely comments received on the draft EA.

**FOR FURTHER INFORMATION CONTACT:** For further information, to receive a CD-ROM copy of the draft EA, or to comment on the proposed project contact Elizabeth Orlando, OES/ENV Room 2657, U.S. Department of State, Washington, DC 20520, telephone 202-647-4284, facsimile 202-647-1052, e-mail [orlandoea2@state.gov](mailto:orlandoea2@state.gov).

Issued in Washington, DC on April 22, 2008.

**Stephen J. Gallogly,**

*Director, International Energy and Commodity Policy, Department of State.*

[FR Doc. E8-9366 Filed 4-28-08; 8:45 am]

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## 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 B (Formerly Subpart Q) During the Week Ending December 28, 2007**

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *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:* DOT-OST-2007-0127.

*Date Filed:* December 27, 2007.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* January 17, 2008.

*Description:* Application of KLM Royal Dutch Airlines, N.V. ("KLM") requesting an amended foreign air carrier permit to enable KLM to engage in: (1) Foreign scheduled and charter air

transportation of persons, property, and mail between any point or points behind any member state of the European Union via any point or point in any member state and via intermediate points to any point or points in the United States or beyond; (2) foreign scheduled and charter air transportation of persons, property and mail between any point or points in the United States and any point or points in any member of the European Common Aviation Area; (3) foreign scheduled and charter cargo air transportation between any point or points in the United States and any other point or points; (4) other charters pursuant to Part 212; and (5) transportation authorized by any additional route rights that may be made available to European Union carriers in the future. KLM also requests a corresponding exemption to enable it to provide the services described above pending issuance of an amendment to KLM's foreign air carrier permit.

**Renee V. Wright,**

*Program Manager, Docket Operations, Federal Register Liaison.*

[FR Doc. E8-9317 Filed 4-28-08; 8:45 am]

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## 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 B (Formerly Subpart Q) During the Week Ending December 21, 2007**

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *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:* DOT-OST-2007-0084.

*Date Filed:* December 18, 2007.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* January 2, 2008.

*Description:* Application of SkyWest Airlines, Inc. requesting a certificate of

public convenience and necessity authorizing SkyWest to engage in scheduled foreign air transportation of persons, property and mail, including authority to operate via the U.S. and intermediate points to a point or points within countries with which the U.S. has a bilateral or multilateral open skies agreement.

*Docket Number:* DOT-OST-2006-0123.

*Date Filed:* December 21, 2007.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* January 11, 2008.

*Description:* Application of TAG Aviation Espana S.L. ("TAG Espana") requesting a foreign air carrier permit to enable it to engage in: (i) Foreign charter air transportation of persons and property from any point or points behind any Member State of the European Union via any point or points in any Member State and via intermediate points to any point or points in the United States and beyond; (ii) foreign charter air transportation of persons and property between any point or points in the United States and any point or points in any member of the European Common Aviation Area; (iii) other charters pursuant to the prior approval requirements set forth in Part 212 of the Department's Economic Regulations; and (iv) transportation authorized by any additional route rights made available to the European Community carriers in the future. TAG Espana further requests an amendment to its existing exemption to enable it to provide the service described above pending issuance of a foreign air carrier permit and such additional or other relief as the Department may deem necessary or appropriate.

*Docket Number:* DOT-OST-2007-0124.

*Date Filed:* December 21, 2007.

*Due Date for Answers, Conforming Applications, or Motion to Modify Scope:* January 11, 2008.

*Description:* Application of Aerolineas Mesoamericanas, S.A. de C.V., ("ALMA") requesting a foreign air carrier permit to provide scheduled foreign air transportation of persons, property, and mail as provided for in the Air Transport Services Agreement between the U.S. and Mexico. ALMA also requests authority to engage in charter trips in foreign air transportation, as permitted by Annex II of the 2005 U.S.-Mexico Agreement, and other charters in accordance with Part 212.

*Docket Number:* DOT-OST-2007-0125.

*Date Filed:* December 21, 2007.