

publishes its reasons for so finding, or (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.

#### 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609. 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. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR-Phlx-2001-114 and should be submitted by March 7, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>12</sup>

**Margaret H. McFarland,**

*Secretary.*

[FR Doc. 02-3630 Filed 2-13-02; 8:45 am]

**BILLING CODE 8010-01-U**

#### DEPARTMENT OF TRANSPORTATION

##### Office of the Secretary

##### **Sunrise Airlines, Inc. d/b/a Flair Airlines of its Intent To Resume Operations**

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

**ACTION:** Notice of Order to Show Cause (Order 2002-2-5) Docket OST-2001-8695.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Sunrise Airlines, Inc., fit, willing, and able to

resume scheduled passenger operations as a commuter air carrier, subject to conditions.

**DATES:** Persons wishing to file objections should do so no later than February 22, 2002.

**ADDRESSES:** Objections and answers to objections should be filed in Docket OST-2001-8695 and addressed to the Department of Transportation Dockets (SVC-124, Room PL-401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Ms. Delores King, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-2343.

Dated: February 8, 2002.

**Read C. Van De Water,**

*Assistant Secretary for Aviation, and International Affairs.*

[FR Doc. 02-3620 Filed 2-13-02; 8:45 am]

**BILLING CODE 4910-62-P**

#### DEPARTMENT OF TRANSPORTATION

##### Federal Aviation Administration

**[Summary Notice No. PE-2002-11]**

##### **Petitions for Exemption; Summary of Petition Received**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of certain petitions seeking relief from specified requirements of 14 CFR, dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before March 6, 2002.

**ADDRESSES:** Send comments on any petition to the Docket Management

System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590-0001. You must identify the docket number FAA-2001-11097 at the beginning of your comments. If you wish to receive confirmation that FAA received your comments, include a self-addressed, stamped postcard.

You may also submit comments through the Internet to <http://dms.dot.gov>. You may review the public docket containing the petition, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. The Dockets Office (telephone 1-800-647-5527) is on the plaza level of the NASSIF Building at the Department of Transportation at the above address. Also, you may review public dockets on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Sandy Buchanan-Sumter (202) 267-7271, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR §§ 11.85 and 11.91.

Issued in Washington, DC, on February 11, 2002.

**Donald P. Byrne,**

*Assistant Chief Counsel for Regulations.*

##### **Petitions for Exemption**

*Docket No.:* FAA-2001-11097.

*Petitioner:* Business Jet Services.

*Section of 14 CFR Affected:* 14 CFR § 135.145.

*Description of Relief Sought:* To permit Business Jet Services to place turbo-jet airplanes in service without conducting proving flights.

[FR Doc. 02-3637 Filed 2-13-02; 8:45 am]

**BILLING CODE 4910-13-M**

#### DEPARTMENT OF TRANSPORTATION

##### **Research and Special Programs Administration**

**[RSPA-2002-11270, Notice No. 02-4]**

##### **Advisory Notice; Enhancing the Security of Hazardous Materials in Transportation**

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Advisory notice.

**SUMMARY:** This notice advises shippers and carriers of voluntary measures to enhance the security of hazardous materials shipments during

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