

**Other Checklist Items.**

8. *Checklist Item 1—Interconnection.* Based on the evidence in the record, the Commission finds that Qwest demonstrates that it provides access and interconnection on terms and conditions that are just, reasonable and nondiscriminatory, in accordance with the requirements of section 251(c)(2), and as specified in section 271, and applied in the Commission's prior orders.

9. *Checklist Item 4—Unbundled Local Loops.* The Commission concludes that Qwest provides unbundled local loops in accordance with the requirements of section 271 and our rules. The Commission's conclusion is based on its review of Qwest's performance for all loop types—which include voice grade loops, xDSL-capable loops, and high capacity loops—as well as hot cut provisioning and our review of Qwest's processes for line sharing and line splitting. As of December 31, 2002, competitors have acquired from Qwest and placed into use approximately 106,827 stand-alone unbundled loops in Minnesota.

10. *Checklist Item 14—Resale.* Section 271(c)(2)(B)(xiv) of the Act requires that a BOC make "telecommunications services \* \* \* available for resale in accordance with the requirements of section 251(c)(4) and section 252(d)(3)." Based on the evidence in the record, we conclude that Qwest satisfies the requirements of this checklist item. Qwest has demonstrated that it has satisfied its legal obligation to make retail telecommunications services available for resale to competitive LECs at wholesale rates. Although the Minnesota Commission did not reach consensus on this checklist item, the Commission concludes that Qwest does provide nondiscriminatory access to this checklist item.

11. *Checklist Items 3, 5–13.* An applicant under section 271 must demonstrate that it complies with item 3 (poles, ducts, and conduits), item 5 (unbundled transport) item 6 (unbundled local switching), item 7 (E911/operator services/directory assistance), item 8 (white pages), item 9 (numbering administration), item 10 (data bases and signaling), item 11 (number portability), item 12 (local dialing parity), and item 13 (reciprocal compensation). Based on the evidence in the record, and in accordance with Commission rules and orders concerning compliance with section 271 of the Act, the Commission concludes that Qwest demonstrates that it is in compliance with checklist items 3, 5, 6, 7, 8, 9, 10, 11, 12, and 13 in Minnesota.

**Other Statutory Requirements**

12. *Section 272 Compliance.* Qwest provides evidence that it maintains the same structural separation and nondiscrimination safeguards in Minnesota as it does in the other twelve states where Qwest has already received section 271 authority. Based on the record before us, the Commission concludes that Qwest has demonstrated that it will comply with the requirements of section 272.

13. *Public Interest Analysis.* The Commission concludes that approval of this application is consistent with the public interest. From its extensive review of the competitive checklist, which embodies the critical elements of market entry under the Act, the Commission finds that barriers to competitive entry in the local exchange markets have been removed and the local exchange markets in Minnesota are open to competition.

14. *Section 271(d)(6) Enforcement Authority.* The Commission also finds that the performance monitoring and enforcement mechanisms developed in Minnesota along with other factors, provide meaningful assurance that Qwest will continue to satisfy the requirements of section 271 after entering the long distance market.

15. *Section 271(d)(6) Enforcement Authority.* The Commission concludes that, working with the State Commission, we will closely monitor Qwest's post-approval compliance to ensure that Qwest continues to meet the conditions required for section 271 approval. It stands ready to exercise its various statutory enforcement powers quickly and decisively if there is evidence that market-opening conditions have not been sustained.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 03-16707 Filed 7-1-03; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL MARITIME COMMISSION****Notice of Agreement(s) Filed**

The Commission hereby gives notice of the filing of the following agreement(s) under the Shipping Act of 1984. Interested parties can review or obtain copies of agreements at the Washington, DC offices of the Commission, 800 North Capitol Street, NW., Room 940. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573,

within 10 days of the date this notice appears in the **Federal Register**.

*Agreement No.:* 011803-002.

*Title:* Maersk Sealand/Evergreen Slot Exchange Agreement.

*Parties:* A.P. Moller-Maersk A/S, Evergreen Marine Corporation, Ltd.

*Synopsis:* The amendment re-allocates the parties' space commitments.

*Agreement No.:* 011854-001.

*Title:* GreenSea Joint Service Agreement.

*Parties:* Green Chartering AS, Seatrade Group N.V.

*Synopsis:* The subject agreement modification would expand the geographic scope to include the westbound trade from ports in Continental Europe to ports on the East and Gulf Coasts of the United States.

*Agreement No.:* 011857.

*Title:* Crowley Liner Services and Frontier Liner Services, Inc. Slot Charter and Sailing Agreement.

*Parties:* Crowley Liner Services, Frontier Liner Services, Inc.

*Synopsis:* The agreement establishes a slot charter and sailing arrangement in the trade between ports on the U.S. Atlantic Coast and ports in the Dominican Republic. Expedited Review is Requested.

*Agreement No.:* 200616-003.

*Title:* Port of Miami Terminal Operating Company Marine Terminal Agreement.

*Parties:* P&O Ports North America, Inc., P&O Ports Florida Inc., Florida Stevedoring, Inc., Continental Stevedoring & Terminals, Inc.

*Synopsis:* The agreement amendment reflects the addition and deletion of members.

By Order of the Federal Maritime Commission.

Dated: June 26, 2003.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 03-16630 Filed 7-1-03; 8:45 am]

**BILLING CODE 6730-01-P**

**FEDERAL MARITIME COMMISSION**

[Docket No. 03-07]

**FSL International, Inc., and Hiu-Leung Yeung, and Full Service Logistics, Inc., and Mei Fung Tsang—Possible Violations of Sections 10(a)(1), 10(b)(2), 10(b)(11) and Sections 19(a) and (b) of the Shipping Act of 1984 and 46 CFR Part 515; Order of Investigation and Hearing**

June 26, 2003.

Notice is given that on June 26, 2003, the Federal Maritime Commission served an Order of Investigation and Hearing on FSL International, Inc. ("FSL International"), Hiu-Leung Yeung, Full Service Logistics, Inc. ("Full Service Logistics"), and Mei Fung Tsang. From May 1, 1999 through February 18, 2003, FSL International, a California corporation, was a tariffed and bonded

ocean transportation intermediary ("OTI") licensed as a non-vessel-operating common carrier ("NVOCC"). The president of FSL International is Hiu-Leung "John" Yeung. Full Service Logistics, a California corporation, was granted an OTI (NVOCC) license on February 20, 2003. The CEO of Full Service Logistics is Mei Fung "Ten" Tsang.

It appears that, on and after July 4, 2001, FSL International knowingly and willfully obtained transportation of property at less than the applicable rates and charges set forth in service contracts published by Mitsui OSK Lines and Hyundai Merchant Marine Co. With respect to numerous shipments for which FSL International issued its own NVOCC bill of lading, it appears that FSL International provided service at rates and charges other than those set forth in its published tariff. After receiving a Notice and Demand Letter from the Commission for civil penalties stemming from its alleged violations, FSL International's principal John Yeung proposed, as an alternative, to discontinue business operation no later than February 9, 2003, and to surrender the OTI license for revocation. The license of FSL International was revoked on February 19, 2003. On or about April 23, 2003, the Commission's Los Angeles Area Representative determined that FSL International continued to conduct business. It appears that FSL International continued to serve as a shipper with respect to numerous export shipments while operating from the offices and utilizing the personnel and resources of Full Service Logistics. It appears that Full Service Logistics may have facilitated access by FSL International to its service contracts. It also appears that, Full Service Logistics may have known of or permitted John Yeung to hold himself out as an authorized employee or officer of Full Service Logistics and to perform NVOCC services under its name and license.

This proceeding therefore seeks to determine: (1) Whether FSL International and Full Service Logistics and their principals, John Yeung and Mei Fung Tsang, violated section 10(a)(1) of the Shipping Act of 1984 ("1984 Act") by directly or indirectly obtaining transportation at less than the service contract rates and charges otherwise applicable; (2) whether FSL International and Full Service Logistic, in their capacity as common carriers, violated section 10(b)(2) of the 1984 Act by charging, demanding, collecting or receiving different compensation than the rates and charges in their NVOCC tariffs; (3) whether FSL International

and John Yeung provided OTI services after revocation of its license, in violation of section 19(a) and (b) of the 1984 Act and 46 CFR part 515; (4) whether Full Service Logistics and Mei Fung Tsang provided OTI services to FSL International after revocation of the latter's OTI license, in violation of section 10(b)(11) of the 1984 Act and 46 CFR part 515; (5) whether, in the event violation of sections 10(a)(1), 10(b)(2), 10(b)(11) and 19(a), (b) of the 1984 Act and CFR part 515 are found, civil penalties should be assessed and, if so, the amount; (6) whether the tariff of Full Service Logistics should be suspended; (7) whether the OTI license of Full Service Logistics should be suspended or revoked, and (8) whether, in the event violations are found, an appropriate cease and desist order should be issued.

The full text of the Order may be viewed on the Commission's Home page at: <http://www.fmc.gov> or at the Office of the Secretary, Room 1046, 800 N. Capitol Street, NW., Washington, DC. Any person may file a petition for leave to intervene in accordance with 46 CFR 502.72.

**Bryant L. VanBrakle,**

Secretary.

[FR Doc. 03-16629 Filed 7-1-03; 8:45 am]

**BILLING CODE 6730-01-P**

## FEDERAL MARITIME COMMISSION

### Ocean Transportation Intermediary License; Revocations

The Federal Maritime Commission hereby gives notice that the following Ocean Transportation Intermediary licenses have been revoked pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718) and the regulations of the Commission pertaining to the licensing of Ocean Transportation Intermediaries, effective on the corresponding date shown below:

*License Number:* 1999F.  
*Name:* Air Van Lines, Inc.  
*Address:* PO. Box 3447, Bellevue, WA 98009.  
*Date Revoked:* April 7, 2003.  
*Reason:* Surrendered license voluntarily.  
*License Number:* 2492NF.  
*Name:* Deka Associates, Inc.  
*Address:* One Clarence Place, Unit 8, San Francisco, CA 94107.  
*Date Revoked:* February 14, 2003.  
*Reason:* Failed to maintain valid bonds.  
*License Number:* 4328N and 4328F.  
*Name:* Demar Freight Forwarding Services, Inc.  
*Address:* 888 North Central, Wood Dale, IL 60191.  
*Date Revoked:* June 4, 2003 and April 27, 2003.

*Reason:* Failed to maintain valid bonds.  
*License Number:* 4240F.  
*Name:* Elite Freight Forwarders Inc.  
*Address:* 9 Ridgewood Avenue, Glen Ridge, NJ 07208.  
*Date Revoked:* June 12, 2003.  
*Reason:* Failed to maintain a valid bond.  
*License Number:* 16844N.  
*Name:* Estes Express Lines, Inc.  
*Address:* 3901 West Broad Street, Richmond, VA 23230-3962.  
*Date Revoked:* January 7, 2003.  
*Reason:* Surrendered license voluntarily.  
*License Number:* 13692N.  
*Name:* Gallagher Transport International, Inc.  
*Address:* P.O. Box 39005, Denver, CO 80239.  
*Date Revoked:* May 30, 2003.  
*Reason:* Surrendered license voluntarily.  
*License Number:* 3817F.  
*Name:* Intracon Incorporated.  
*Address:* 811 Banyan Drive, Elk Grove Village, IL 60007.  
*Date Revoked:* June 17, 2003.  
*Reason:* Failed to maintain a valid bond.  
*License Number:* 17927N.  
*Name:* J C Freight, Inc. dba JC Trans Freight.  
*Address:* 1293 Johnson Drive, City of Industry, CA 91744.  
*Date Revoked:* June 7, 2003.  
*Reason:* Failed to maintain a valid bond.  
*License Number:* 2889F.  
*Name:* Jorge M. Hernandez dba Atlantic Cargo Services.  
*Address:* 4995 NW. 72nd Avenue, Suite 205, Miami, FL 33166  
*Date Revoked:* May 29, 2003.  
*Reason:* Surrendered license voluntarily.  
*License Number:* 1274F.  
*Name:* Marante Forwarding Co., Inc.  
*Address:* 4182 W 6th Avenue, Hialeah, FL 33012-3814.  
*Date Revoked:* June 4, 2003.  
*Reason:* Failed to maintain a valid bond.  
*License Number:* 3702F.  
*Name:* Midas Express, Inc.  
*Address:* 950 Linden Avenue, South San Francisco, CA 94080.  
*Date Revoked:* May 15, 2003.  
*Reason:* Failed to maintain a valid bond.  
*License Number:* 12295N.  
*Name:* Ocean Concord (U.S.A.), Inc.  
*Address:* 1111 Corporate Center Drive, Suite 204, Monterey Park, CA 91754.  
*Date Revoked:* June 4, 2003.  
*Reason:* Failed to maintain a valid bond.  
*License Number:* 16683F.  
*Name:* S & R Forwarding, Inc.  
*Address:* 1191 East 51st Street, Brooklyn, NY 11234.  
*Date Revoked:* June 7, 2003.  
*Reason:* Failed to maintain a valid bond.  
*License Number:* 17236N.  
*Name:* Simpson's Shipping Enterprise.  
*Address:* 166 West First Street, Mount Vernon, NY 10550.  
*Date Revoked:* June 14, 2003.