

**FEDERAL COMMUNICATIONS COMMISSION**

[CC Docket Nos. 93–193, 94–65; DA 05–2220]

**Wireline Competition Bureau Approves Plan To Refund Interstate Access Customers of Bell Atlantic for 1994 Tariff Period**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document provides notice that the Wireline Competition Bureau has approved the plan to refund interstate access customers of the Bell Atlantic incumbent local exchange carriers (Bell Atlantic) for refunds associated with their 1994 annual interstate access tariff. It also provides information as to how refunds may be obtained by Bell Atlantic interstate access customers that are either no longer readily identifiable or that are due refunds of less than \$100.

**DATES:** Former interstate access customers may submit refund claims to Verizon Telephone Companies (Verizon) through October 24, 2005.

**ADDRESSES:** See **SUPPLEMENTARY INFORMATION** for address postings.

**FOR FURTHER INFORMATION CONTACT:** Margaret Dailey, Wireline Competition Bureau, Pricing Policy Division, (202) 418–1520, *margaret.dailey@fcc.gov*.

**SUPPLEMENTARY INFORMATION:** On July 30, 2004, the Commission released the *Add-Back Tariff Investigation Order*, FCC 04–151, in CC Docket Nos. 93–193 and 94–65. In that Order, the Commission concluded its investigation of the 1993 and 1994 interstate access tariffs of price cap local exchange carriers (LECs) that implemented a sharing or lower formula adjustment. The Commission found unjust and unreasonable the 1993 annual access tariffs of price cap LECs that implemented a sharing or lower formula adjustment in their 1992 Price Cap Indexes (PCIs) and that failed to apply add-back in computing their 1992 earnings and rates of return and

resulting 1993 PCIs. The Commission made the same findings for the 1994 interstate access tariffs of price cap LECs that implemented a sharing or lower formula adjustment in their 1993 PCIs. Finally, the Commission ordered affected price cap LECs to: (1) Recalculate their 1992 and 1993 earnings and rates of return, making an add-back adjustment; (2) determine the appropriate sharing or lower formula adjustment to their PCIs for the subsequent tariff year; (3) compute the amount of any resulting access rate decrease; and (4) submit a plan for refunding the amounts owed to customers plus interest as a result of any such rate decrease.

The Wireline Competition Bureau (Bureau) disapproved the original refund plan filed by Verizon on behalf of certain Bell Atlantic and GTE incumbent LECs. Verizon filed a Modified Refund Plan on April 18, 2005 and determined that refunds are due to Bell Atlantic interstate access customers for the 1994 tariff period. In 1994, the Bell Atlantic incumbent LECs consisted of Bell Atlantic—Delaware, Inc., Bell Atlantic—Maryland, Inc., Bell Atlantic—New Jersey, Inc., Bell Atlantic—Pennsylvania, Inc., Bell Atlantic—Virginia, Inc., Bell Atlantic—Washington, D.C., Inc., and Bell Atlantic—West Virginia, Inc. Bell Atlantic filed a single interstate access tariff for these LECs in 1994.

In the *Supplemental Add-Back Refund Order*, DA 05–2029, released July 15, 2005, the Bureau approved Verizon’s Modified Refund Plan and directed Verizon to make refunds as further specified in that Order and in the *Add-Back Refund Order*, DA 05–719, which was released on March 17, 2005. The Bureau recognized that, due to factors such as bankruptcy, changes in ownership, or simple passage of time, some Bell Atlantic customers may no longer be readily identifiable. Further, the Bureau did not require Verizon to identify and notify customers that may be due refunds of less than \$100. Customers that Verizon cannot identify and customers due refunds of less than

\$100 may, however, obtain refunds through the following procedure, as specified in paragraph 22 of the *Add-Back Refund Order*: For at least 60 days after this notice is published in the **Federal Register**, Verizon must post this notice on its company web sites that are most often consulted by its interstate access customers. Verizon must also provide an address to which former access customers may submit refund claims by a specified date that is at least 60 days after the refund notice is first posted.

Federal Communications Commission.

**Thomas J. Navin,**

*Chief, Wireline Competition Bureau.*

[FR Doc. 05–16618 Filed 8–23–05; 8:45 am]

BILLING CODE 6712–01–P

**FEDERAL TRADE COMMISSION**

**Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules**

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register**.

The following transactions were granted early termination of the waiting period provided by law and the premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

Trans #	Acquiring	Acquired	Entities
<b>Transactions Granted Early Termination—07/11/2005</b>			
20051164 .....	eBay Inc. ....	Shopping.com Ltd .....	Shopping.com Ltd.
20051166 .....	Tenaska Power Fund, LP .....	Calpine Corporation .....	Caloube Construction Finance Company, Calpine Philadelphia, Inc.
20051197 .....	Ultra Electronics Holdings, plc .....	Jonathan D. Adams .....	Audiopack Technologies, Inc.
20051200 .....	James D. Dondero .....	Leap Wireless International, Inc .....	Leap Wireless International, Inc.
20051225 .....	MidCountry Financial Corporation .....	Alfa Corporation .....	Alfa Financial Corporation.
20051228 .....	Wind Hotels Holdings Inc .....	Wyndham International, Inc .....	Wyndham International, Inc.
20051229 .....	Welsh, Carson, Anderson & Stowe IX, L.P. ....	Franck L. Gougeon .....	AGA Medical Corporation.
20051230 .....	Triton Acquisition Holding Co.	Maytag Corporation .....	Maytag Corporation.

Trans #	Acquiring	Acquired	Entities
20051233 .....	Network Appliance, Inc .....	Decru, Inc .....	Decru, Inc.
20051236 .....	Ford Motor Company .....	Visteon Corporation .....	Newco.
20051237 .....	Copano Energy, L.L.C .....	Precourt Interests, Ltd .....	ScissorTail Energy, LLC.
20051242 .....	Mitsubishi Corporation .....	Calpine Corporation .....	Calpine Morris, LLC.
20051246 .....	Parametric Technology Corporation .....	Arbortext, Inc .....	Arbortext, Inc.
20051247 .....	MCNA Cable Holdings LLC .....	ML Media Companies, Inc .....	Century-ML Cable Venture, a debtor-in-possession.
20051249 .....	MCNA Cable Holdings LLC .....	Adelphia Communications Corporation, a debtor-in-possession.	Century-ML Cable Venture, a debtor-in-possession.

**Transactions Granted Early Termination—07/12/2005**

20051252 .....	New Century Financial Corporation ..	Royal Bank of Canada .....	RBC Mortgage Company.
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**Transactions Granted Early Termination—07/13/2005**

20051203 .....	Danaher Corporation .....	John W. Spencer and Janelle Spencer.	Dental Equipment, LLC.
20051209 .....	Computer Associates International, Inc.	Niku Corporation .....	Niku Corporation.
20051235 .....	Mega Bloks Inc .....	Rose Art Industries, Inc. ....	Rose Art Industries, Inc.
20051251 .....	Jupitermedia Corporation .....	Jeffrey Burke and Lorraine Triolo .....	PictureArts Corporation.
20051256 .....	Shepherd Investments International, Ltd.	IEG Virtual Studios LLC .....	IEG Virtual Studios LLC.
20051285 .....	Rudolph Technologies, Inc .....	August Technology Corporation .....	August Technology Corporation.

**Transactions Granted Early Termination—07/14/2005**

20051224 .....	Aetna Inc .....	KRG Capital Fund II, L.P .....	HMS Healthcare, Inc.
20051244 .....	Bushnell Performance Optics .....	Wells Fargo & Company .....	Mike's Holding Company.

**Transactions Granted Early Termination—07/15/2005**

20051248 .....	V&S Vin Sprit AB .....	CL Financial, Ltd .....	Cruzan International, Inc.
20051265 .....	KRG Capital Fund II, L.P .....	P. Scott Lowery .....	Collect America, Ltd.
20051273 .....	Leucadia National Corporation .....	VarTec Telecom, Inc. (Debtor-in-Possession).	Excelcom, Inc., Excel Communications Marketing, Inc., Excel Management Service, Inc., Excel Products, Inc., Excel Telecommunications, Inc., Excel Telecommunications of Virginia, Inc., Excel Teleservices, Inc., Telco Communications Group, Inc., Telco Network Services, Inc., VarTec Business Trust, VarTec Properties, Inc., VarTec Resource Services, Inc., VarTec Solutions, Inc., VarTec Telecom Holding Company, VarTec Telecom International Holding Company, VarTec Telecom of Virginia, Inc.
20051276 .....	GUS plc .....	Robert L. Brackett .....	Credit Data Services.
20051277 .....	GUS plc .....	Robert B. Chaffiot .....	Credit Data Services.

**Transactions Granted Early Termination—07/19/2005**

20050702 .....	Novartis AG .....	Santo Holding AG .....	Eon Labs, Inc.
20051068 .....	Pearson plc .....	Ripplewood Partners, L.P .....	American Guidance Service Inc.

Trans #	Acquiring	Acquired	Entities
20051205 .....	Weatherford International Ltd .....	Precision Drilling Corporation .....	Daqing Computalog Rainbow Geotechnical Development Corp., Global Employment Corporation, Global SanteFe Asset Holding, Inc., Global SanteFe Desert Rig Holdings Inc., PD Global Employment Corporation, PD International Services Inc., Precision Drilling Service (Netherlands) B.V., Precision Drilling Services (Oman) & Co. LLC, Precision Drilling Services (Singapore) Pte. Ltd., Precision Drilling Services (Thailand) Ltd., Precision Drilling Services (UK) Ltd., Precision Energy Services Colombia Ltd., Precision Energy Services Inc. (BVI) Ltd., Richdear Holdings Limited.
20051208 .....	Precision Drilling Corporation .....	Weatherford International Ltd .....	Weatherford International Ltd.
20051259 .....	Rufino Vigil Gonzalez .....	PAV Republic, Inc .....	PAV Republic, Inc.
20051272 .....	Carl C. Icahn .....	WestPoint Stevens Inc. (Debtor-in-Possession).	J.P. Stevens Enterprises, Inc., WestPoint Stevens Stores Inc.
20051274 .....	GUS plc .....	Luciano Rammairone .....	ClassesUSA.com.
20051275 .....	Legg Mason, Inc .....	Giovanni Agnelli e C.S.a.p.as .....	Permal Group Ltd.

**Transactions Granted Early Termination—07/21/2005**

20051239 .....	International Business Machines Corporation.	Robert Barritz .....	Isogon Corporation.
20051264 .....	Quadrant AG .....	Menasha Corporation .....	Poly Hi Solidur.

**Transactions Granted Early Termination—07/22/2005**

20051271 .....	ABN AMRO Holding N.V .....	UMP—Kymmene Corporation .....	Loparex B.V., Loparex Inc., Loparex Ltd., Loparex Oy.
20051288 .....	Schneider Electric SA .....	Fremont Partners, L.P., .....	Juno Lighting, Inc.
20051294 .....	McKesson Corporation .....	D&K Healthcare Resources, Inc .....	D&K Healthcare Resources, Inc.
20051298 .....	AMIS Holdings, Inc .....	Flextronics International Ltd .....	Flextronics Semiconductor, Inc.
20051302 .....	NextMedia Investors LLC .....	Sumner M. Redstone .....	Infinity Radio Inc.

**Transactions Granted Early Termination—07/25/2005**

20051260 .....	Rosen's Diversified, Inc .....	American Foods Group, LLC .....	American Foods Group, LLC
20051296 .....	H.J. Heinz Company .....	KRSM Management, LLC .....	Nancy's Specialty Foods, Inc.
20051297 .....	Pfleiderer AG .....	Kunz Holding GmbH & Co. KG .....	BHT Bau Holztechnik Thurigen GmbH saalburgEbersdorf, Kunz Faserplattenwerk Baruth GmbH, Kunz GmbH & Co. KG, Gschwend, Kunz Infomatik GmbH, Unterensingen, Unikunz Canada Inc., UTB Unitherm Baruth GmbH Baruth.
20051306 .....	The British United Provident Association Limited.	Michael A. Carricarte .....	Amedex Insurance Company, Amedex Investment Corporation, Inc., Amedex Worldwide Corporation, Americas International Network Corp., Onup Group Corp., U.S.A. Medical Services Corp., Colgate-Palmolive Company.

**Transactions Granted Early Termination—07/26/2005**

20050658 .....	United Technologies Corporation .....	The Boeing Company .....	Boeing Management Company.
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**Transactions Granted Early Termination—07/27/2005**

20051261 .....	Navistar International Corporation .....	Carlyle Partners III, L.P .....	Grand Vehicle Works Holdings Corporation.
20051286 .....	Dover Corporation .....	Michael D. Lyon .....	Colder Products Company.
20051289 .....	Nightwatch Holdings S.A .....	E.ON AG .....	Ruhrgas Industries GmbH.
20051295 .....	Friedman Fleischer & Lowe Capital Partners II, L.P.	Home Health Holdings, Inc .....	Home Health Holdings, Inc.

Trans #	Acquiring	Acquired	Entities
<b>Transactions Granted Early Termination—07/28/2005</b>			
20051181 .....	Broadcom Corporation .....	Siliquent Technologies, Inc .....	Siliquent Technologies, Inc.
20051280 .....	Fisher Scientific International, Inc .....	Marathon Fund Limited Partnership IV.	Lancaster Laboratories, Inc.
20051283 .....	Danaher Corporation .....	LM Investments S.a.r.l .....	Leica Microsystems AG.
20051307 .....	Salix Pharmaceuticals, Ltd .....	InKine Pharmaceutical Company, Inc	InKine Pharmaceutical Company, Inc.
20051314 .....	Plantronics, Inc .....	Altec Lansing Technologies, Inc .....	Altec Lansing Technologies, Inc.
<b>Transactions Granted Early Termination—07/29/2005</b>			
20051254 .....	Schneider National, Inc. Voting Trust	American Port Services, Inc .....	American Port Services, Inc.
<b>Transactions Granted Early Termination—08/01/2005</b>			
20051270 .....	HSBC Bank plc .....	Pactiv Corporation .....	Wellenfoam N.V.
20051293 .....	General Electric Company .....	Welch Allyn Holdings, Inc .....	Everest VIT, Inc.
20051313 .....	General Electric Company .....	AIG Highstar Capital, L.P .....	Southern Star Central Corp.
20051319 .....	Berkshire Hathaway Inc .....	Fleetwood Enterprises, Inc .....	Expression Homes Corporation, Fleetwood Home Centers of Nevada, Inc., Fleetwood Home Centers of Texas, Inc., Fleetwood Retail Corp., Fleetwood Retail Corp. of Alabama, Fleetwood Retail Corp. of Arizona, Fleetwood Retail Corp. of Arkansas, Fleetwood Retail Corp. of California, Fleetwood Retail Corp. of Colorado, Fleetwood Retail Corp. of Florida, Fleetwood Retail Corp. of Georgia, Fleetwood Retail Corp. of Idaho, Fleetwood Retail Corp. of Illinois, Fleetwood Retail Corp. of Kansas, Fleetwood Retail Corp. of Kentucky, Fleetwood Retail Corp. of Louisiana, Fleetwood Retail Corp. of Michigan, Fleetwood Retail Corp. of Mississippi, Fleetwood Retail Corp. of New Mexico, Fleetwood Retail Corp. of North Carolina, Fleetwood Retail Corp. of Ohio, Fleetwood Retail Corp. of Oklahoma, Fleetwood Retail Corp. of Oregon, Fleetwood Retail Corp. of South Carolina, Fleetwood Retail Corp. of Tennessee, Fleetwood Retail Corp. of Virginia, Fleetwood Retail Corp. of Washington, Fleetwood Retail Corp. of West Virginia, Fleetwood Retail Corporation of Missouri.
20051320 .....	Sprint Corporation .....	US Unwired Inc .....	US Unwired Inc.
20051321 .....	The Public Warehousing Company—K.S.C.	Questor Partners Fund II, L.P .....	GeoLogistics Corporation.
20051323 .....	Flextronics International Ltd .....	Nortel Networks Limited .....	Nortel Networks Limited, Nortel Networks S.A., Nortel Networks UK Limited.
20051325 .....	Inergy, L.P .....	AIG Highstar Capital, L.P .....	Central New York Oil And Gas Company, eCORP Marketing, LLC.
20051326 .....	Zhone Technologies, Inc .....	Paradyne Networks, Inc .....	Paradyne Networks, Inc.
20051335 .....	Investment Technology Group, Inc ...	The MacGregor Group, Inc .....	The MacGregor Group, Inc.
20051342 .....	NCO Group, Inc .....	GTCR Fund V, L.P .....	Risk Management Alternatives, Inc.
<b>Transactions Granted Early Termination—08/02/2005</b>			
20051310 .....	Ossur HF .....	Cortec Group Fund III, L.P .....	Royce Medical Holdings, Inc.
20051315 .....	Koninklijke Philips Electronics N.V ...	Stentor, Inc .....	Stentor, Inc.
20051322 .....	The Home Depot, Inc .....	National Waterworks Holdings, Inc/ ..	National Waterworks Holdings, Inc.
20051338 .....	Carlyle Partners IV, L.P .....	Golder, Thoma, Cressey, Rauner Fund V, L.P.	LifeCare Holdings, Inc.

Trans #	Acquiring	Acquired	Entities
<b>Transactions Granted Early Termination—08/03/2005</b>			
20051341 .....	Department 56, Inc .....	Brown-Forman Corporation .....	Lenox, Incorporated.
<b>Transactions Granted Early Termination—08/04/2005</b>			
20051253 .....	Integrated Device Technology, Inc ...	Integrated Circuit Systems, Inc .....	Integrated Circuit Systems, Inc.
20051268 .....	Entergy Corporation .....	Attala 2004 Trust .....	Central Mississippi Generating Company, LLC
20051303 .....	Omnicare, Inc .....	excelleRx, Inc .....	excelleRx, Inc.
20051316 .....	New Refco Group Ltd., LLC .....	Cargill Incorporated .....	Cargill Investor Services, Inc., Cargill Investor Services Limited, Cargill Investor Services (Singapore) Pte. Ltd., CIS Cash Management, Inc., CIS Financial Services, Inc., CIS Investments, Inc., CIS Securities, Inc.
<b>Transactions Granted Early Termination—08/05/2005</b>			
20051308 .....	Greene Group, Inc .....	Cemex S.A. de C.V. ....	RMC Mid-Atlantic, LLC.
20051329 .....	Polaris Industries Inc .....	Stefan Pierer .....	KTM Power Sports AG
20051330 .....	Polaris Industries Inc .....	Rudolf Knunz .....	KTM Power Sports AG.
20051336 .....	Welsch, Carson, Anderson & Stowe X, L.P.	Pharma Services Holding, Inc .....	Early Development and Packaging Services, USA, L.L.C.
20051337 .....	WMB Holdings Inc .....	CityBank .....	Diligenz, Inc.
20051344 .....	Perot Systems Corporation .....	Ronald J. Lockard .....	Technical Management, Inc.
20051346 .....	Sagicor Financial Corporation .....	Vesta Insurance Group, Inc .....	American Founders Financial Corporation, Laurel Life Insurance Company.
20051349 .....	Cisco Systems, Inc .....	Sheer Networks Inc .....	Sheer Networks Inc.
20051353 .....	BNP Paribas S.A .....	FundQuest Incorporated .....	FundQuest Incorporated.
20051358 .....	Fiserv, Inc .....	Great Hill Equity Partners II Limited Partnership.	BillMatrix Corporation.
20051364 .....	Business Objects S.A .....	Trevor Lloyd .....	SRC Software, Inc.
20051368 .....	Barry Diller .....	Barry Diller .....	Expedia, Inc.

**For Further Information Contact:**  
 Sandra M. Peay, Contact Representative  
 or Renee Hallman, Case Management  
 Assistant. Federal Trade Commission,  
 Premerger Notification Office, Bureau of  
 Competition, Room H-303, Washington,  
 DC 20580, (202) 326-3100.

By Direction of the Commission.  
**Donald S. Clark,**  
 Secretary.  
 [FR Doc. 05-16778 Filed 8-23-05; 8:45 am]  
 BILLING CODE 6750-01-M

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Solicitation of the Nomination of Candidates To Serve as Members of the National Vaccine Advisory Committee**

**AGENCY:** Department of Health and Human Services, Office of the Secretary, Office of Public Health and Science.  
**ACTION:** Notice.

**Authority:** 42 U.S.C. 300aa-5, Section 2105 of the Public Health Service (PHS) Act, as amended. The Committee is governed by the provisions of Public Law 92-463, as amended (5 U.S.C. Appendix 2), which sets

forth standards for the formation and use of advisory committees.

**SUMMARY:** The National Vaccine Program Office (NVPO), a program office within the Office of Public Health and Science, DHHS, is soliciting nominations of qualified candidates to be considered for appointment as members and representatives to the National Vaccine Advisory Committee (NVAC). The activities of this Committee are governed by the Federal Advisory Committee Act (FACA).

Consistent with the National Vaccine Plan, the Committee advises and makes recommendations to the Assistant Secretary for Health in his/her capacity as the Director of the National Vaccine Program, on matters related to the Program's responsibilities. Specifically, the Committee studies and recommends ways to encourage the availability of an adequate supply of safe and effective vaccination products in the United States; recommends research priorities and other measures to enhance the safety and efficacy of vaccines. The Committee also advises the Assistant Secretary for Health in the implementation of Sections 2102 and 2103 of the PHS Act; and identifies annually the most important areas of

government and non-government cooperation that should be considered in implementing Sections 2102 and 2103 of the PHS Act.

**DATES:** Nominations for membership on the Committee must be received no later than 5 p.m. EST on October 3, 2005, at the address below.

**ADDRESSES:** All nominations should be mailed or delivered to Bruce G. Gellin, M.D., M.P.H., Executive Secretary, National Vaccine Advisory Committee, Office of Public Health and Science, Department of Health and Human Services, 200 Independence Avenue, SW., Room 443-H, Hubert H. Humphrey Building; Washington, DC 20201.

**FOR FURTHER INFORMATION CONTACT:** Ms. Emma English, Program Analyst, National Vaccine Program Office, Department of Health and Human Services, 200 Independence Avenue, SW., Room 443-H, Hubert H. Humphrey Building, Washington, DC 20201; (202) 690-5566; [nvac@osophs.dhhs.gov](mailto:nvac@osophs.dhhs.gov).

A copy of the Committee charter and list of the current membership can be obtained by contacting Ms. English or by accessing the NVAC Web site at: <http://www.hhs.gov/nvpo/nvac>.

**SUPPLEMENTARY INFORMATION:**