

### Afternoon Session: Alternative Technologies To Reach the Consumer

Some observers have predicted that most telecommunications and entertainment services will at some point be delivered to all consumers over a single connection to their homes. Will consumers have a wide selection of alternative providers for that connection?

#### Panel III: Wireless Technologies

*Issues:* This panel will focus on the extent to which wireless broadband systems are current and future competitive alternatives to cable modems and DSL. What regulatory or other issues could delay rollout? What are the prospects for municipal broadband networks? How are these advanced wireless services likely to impact competition?

#### Panel IV: Other Technologies Including Satellite, Broadband Over Power Line

*Issues:* This panel will focus on whether other technologies such as satellite and broadband over power lines can compete for customers. What is the current and predicted subscriber base for these services, and what is necessary to attract more subscribers and providers? Will these services be competitive everywhere or only in limited geographic areas or for certain types of customers?

*Privacy Notice:* Those who preregister for the symposium must supply their name, affiliation and e-mail address to the Antitrust Division. The Department of Justice is permitted by law to collect this contact information to consider and use for the stated purpose. Under the Freedom of Information Act (FOIA) or other laws, we may be required to disclose the information you provide us to outside organizations. In addition, all timely and responsive submissions, whether filed in paper or electronic form, may be made publicly available at <http://www.usdoj.gov/atr/public/workshops/telecom2007/index.htm>. While DOJ makes certain efforts, in its discretion, to remove home contact and other personally identifying information for individuals from the public submissions it receives before placing those submissions on its Web site, persons making submissions are responsible for ensuring that these do not contain any information that they are unwilling to have disclosed to the public. For additional information, including routine uses permitted by the Privacy Act, see the DOJ Web site privacy policy at <http://www.usdoj.gov/privacy-file.htm>.

Dated: October 10, 2007.

**Thomas O. Barnett,**  
*Assistant Attorney General, Antitrust Division.*

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of the "AEP" Proposed Consent Decree Under the Clean Air Act

Pursuant to 28 CFR 50.7, notice is hereby given that on October 9, 2007 a proposed Consent Decree ("Consent Decree") in *United States, et al. v. American electric Power Service Corporation, et al.*, Civil Actions Nos. C2-99-1182, C2-99-1250, C2-04-1098, and C2-05-360, was lodged with the United States District Court for the Southern District of Ohio.

In these civil enforcement actions under the federal Clean Air Act ("Act"), the United States alleges that several American Electric Power subsidiaries (collectively ("AEP")) failed to comply with the New Source Review provisions of the Act and the State Implementation Plans of Indiana, Ohio, Virginia, and West Virginia. The complaints allege that AEP violated the Act by failing to (i) seek permits prior to making major modifications and (ii) install appropriate pollution control devices to reduce emissions of air pollutants from units at the following power plants: Tanners Creek in Indiana; Cardinal, Conesville, and Muskingum River in Ohio; Clinch River in Virginia; Amos, Kammer, Mitchell, and Sporn in West Virginia. The complaints seek both injunctive relief and civil penalty.

The Consent Decree lodged with the Court addresses all units at the nine power plants listed above as well as all units at the following seven AEP plants that were not part of the litigation: Rockport in Indiana; Big Sandy in Kentucky; Gavin and Picway in Ohio; Glen Lyn in Virginia; and Kanawha River and Mountaineer in West Virginia. The Consent Decree requires installation, upgrading, and continuous operation of pollution control devices on a number of the 46 units at the sixteen plants addressed in the settlement. The Consent Decree also imposes emissions caps that limit the total amount of nitrogen oxides and sulfur dioxide that can be collectively emitted by all 46 units at these plants, with a series of increasingly stringent limits beginning in 2009.

The Consent Decree also requires AEP to pay the United States a civil fine of \$15 million and to pay \$60 million for

environmental mitigation projects, including projects to acquire and restore ecologically sensitive land in eastern states downwind of AEP plants, restore or improve watersheds and forests in national parks affected by past emissions, reduce nitrogen loading in Chesapeake Bay, reduce emissions from sources in AEP's vehicle fleet, and other projects to be directed by settling states.

The States of Connecticut, Maryland, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and the Commonwealth of Massachusetts have signed the Consent Decree as co-plaintiffs, as have the following citizens groups: Citizens Action Coalition of Indiana, Clean Air Council, Hossier Environmental Council, Indiana Wildlife Federation, Izaak Walton League of America, League of Ohio Sportsmen, National Wildlife Federation, Natural Resources Defense Council, Inc., Ohio Citizen Action, Ohio Valley Environmental Coalition, Sierra Club, United States Public Interest Research Group, and West Virginia Environmental Council.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States, et al. v. American Electric Power Service Corporation, et al.*, D.J. Ref. 90-5-2-1-06893.

The Consent Decree may be examined at the Office of the United States Attorney for the Southern District of Ohio, located at 303 Marconi Boulevard, Suite 200, Columbus, Ohio 43215; at U.S. EPA Region 3, 1650 Arch Street, Philadelphia, Pennsylvania 19103-2029; at U.S. EPA Region 4, Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960; or at U.S. EPA Region 5, 77 W. Jackson Blvd., Chicago, Illinois 60604-4590. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In

requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$30.25 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Bruce S. Gelber,**

*Chief, Environmental Enforcement Section,  
Environment and Natural Resources Division.*  
[FR Doc. 07-5126 Filed 10-16-07; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Water Act

In accordance with Department of Justice policy, notice is hereby given that on October 10, 2007, a proposed consent decree ("Consent Decree") in *United States and the State of Illinois v. Board of Regents of the University of Illinois, et al.*, Civil Action No. 2:07-cv-02188, was lodged with the United States District Court for the Central District of Illinois.

The Consent Decree would resolve claims for natural resource damages under Section 311(f) of the Clean Water Act, 33 U.S.C. 1321(f), against the three defendants named in the complaint: the Board of Regents of the University of Illinois, the Urbana Champaign Sanitary District, and CEDA, Inc. (collectively the "Defendants"). The complaint alleges that the Defendants are liable for payment of natural resource damages for a fish kill incident that occurred in July 2002, when the Defendants discharged ammonia-containing wastewater to the Saline Branch Drainage ditch above its confluence with the Salt Fork of the Vermillion River in Urbana, Illinois. The Consent Decree would require the Defendants to pay a total of \$491,000 to resolve the natural resource damages claims asserted by the United States and the State of Illinois, including payment of: (i) \$450,000 for natural resource restoration projects to be performed by the Federal and State natural resource trustees; (ii) \$33,000 for reimbursement of natural resource damage assessment costs incurred by the Illinois Department of Natural Resources; and (iii) \$8,000 for reimbursement of natural resource damage assessment costs incurred by the U.S. Department of the Interior.

The Department of Justice will receive comments relating to the Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or

mailed to P.O. Box No. 7611, Washington, DC 20044-7611, and should refer to *United States and the State of Illinois v. Board of Regents of the University of Illinois, et al.*, Civil Action No. 2:07-cv-02188, D.J. Reference No. 90-11-3-08748.

The Consent Decree may be examined at the Office of the United States Attorney for the Central District of Illinois, One Technology Plaza, 211 Fulton Street, Suite 400, Peoria, Illinois 61602. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site: [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$8.50 (34 pages at 25 cents per page reproduction cost) payable to the U.S. Treasury.

**Maureen M. Katz,**

*Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 07-5124 Filed 10-16-07; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

### Notice of Public Comment Period for Proposed Environmental Settlement Agreement

Notice is hereby given that, for a period of 30 days, the United States will receive public comments on a proposed Settlement Agreement in *In the Matter of Evans Industries, Inc.* ("Debtor") (Case No. 06-10370), which was lodged with the United States Bankruptcy Court for the Eastern District of Louisiana on September 28, 2007.

This proposed Settlement Agreement resolves the Distribution Trustee's objection to the United States Proof of Claim filed on behalf of the Environmental Protection Agency ("EPA Claim") against the Debtor. The Proof of Claim asserts, *inter alia*, a claim, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. 9601 *et seq.*, that the Debtor arranged for the treatment or disposal of hazardous substances that it owned for possessed at the Malone Service Company Superfund Site ("Malone Site") located

in Texas City, Galveston County, Texas, and that the Debtor is liable for unreimbursed environmental response costs incurred by the United States and for response costs incurred in the future by the United States at the Malone Site ("EPA Claim").

Under the Settlement Agreement, the EPA Claim shall be deemed allowed as a general unsecured claim of the kind specified in 11 U.S.C. 726(a)(2) in the amount of \$1,238,763.80, and the EPA Claim shall be paid in the same manner and to the same extent as other general unsecured claims without discrimination, in accordance with the terms of the Debtor's Plan of Reorganization. Class 16 of the Plan provides for the treatment of general unsecured claims in accordance with Article XI (Distribution Trust).

Comments should be addressed to the Acting Assistant Attorney General, Environment and Natural Resources Division, and may be submitted to: P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or via e-mail to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov), and should refer to *In the Matter of Evans Industries, Inc.*, D.J. Ref. 90-11-3-08926.

The Settlement Agreement may be examined at the Office of the United States Attorney, Eastern District of Louisiana, Hale Boggs Federal Building, 500 Poydras St., Room B-210, New Orleans, Louisiana 70130. During the public comment period the Evans Settlement Agreement may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Evans Settlement Agreement, may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$1.75 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Thomas A. Mariani, Jr.,**

*Assistant Chief.*

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