

burden estimate of 1,925,000 hours to reflect a decrease in the approximate number of dealers.

The Rule requires that used car dealers display a one-page, double-sided Buyers Guide in the window of each used car they offer for sale. The component tasks associated with this requirement include: (1) Ordering and stocking Buyers Guide forms; (2) entering applicable data on Buyers Guides; (3) posting the Buyers Guides on vehicles; and (4) making any necessary revisions in Buyers Guides.

Dealers should need no more than an average of one hour per year to obtain Buyers Guide forms, which are readily available from many commercial printers or can be produced by an office word-processing or desk-top publishing system.<sup>5</sup> Based on a universe of 76,000 dealers, the annual hours burden for producing or obtaining and stocking Buyers Guides is 76,000 hours.

For used cars sold “as is,” copying vehicle-specific data from dealer inventories to the Buyers Guide forms and checking off the “no warranty” box may take up to two minutes per vehicle if done by hand, and only seconds for those dealers who have automated the process. Staff conservatively assumes that this task, on average, will require 1.5 minutes. For used cars sold under warranty, checking off the warranty box and adding warranty information may take an additional one minute, *i.e.*, 2.5 minutes. Based on input from industry sources, staff estimates that approximately 60% of used cars sold by dealers are sold “as is,” with the remainder sold under warranty. Thus, staff estimates the time required to enter data for used cars sold without warranty is 450,000 hours [(30,000,000 × 60% × 1.5 minutes) ÷ 60 minutes/hour] and 500,000 hours for used cars sold under warrant [(30,000,000 × 40% × 2.5

minutes) ÷ 60 minutes/hour], for an overall total of 950,000 hours.

Although the time required to post the Buyers Guide on each used car may vary substantially, FTC staff estimates that, on average, dealers will spend 1.75 minutes per vehicle to match the correct Buyers Guide to the vehicle and place it on or on the vehicle. For the 30,000,000 vehicles sold the burden associated with this task is 875,000 hours. To the extent dealers are able to integrate this process into other activities performed in their ordinary course of business, this estimate likely overstates the actual burden.

If negotiations between buyer and seller over warranty coverage produce a sale on terms other than those originally entered on the Buyers Guide, the dealer must revise the Guide to reflect the actual terms of sale. According to the rulemaking record, bargaining over warranty coverage rarely occurs. Allowing for revision in 2% of sales, at two minutes per revision, staff estimates that dealers will spend 20,000 hours annually revising Buyers Guides.

*Estimated annual cost burden:* \$29,651,000, consisting of \$20,651,000 in labor costs and \$9,000,000 in non-labor costs.

*Labor costs:* Labor costs are derived by applying appropriate hourly cost figures to the burden hours described above. Staff has determined that all of the tasks associated with ordering forms, entering data on Buyers Guides, posting Buyers Guides on vehicles, and revising them as needed are typically done by clerical or low-level administrative personnel. Using a clerical cost rate of \$10.75 per hour and an estimate of 1,921,000 burden hours for disclosure requirements, the total labor cost burden would be approximately \$20,651,000

*Capital or other non-labor costs:* The cost of the Buyers Guide form itself is estimated to be 30 cents per form, so

that forms for 30 million vehicles would cost dealers \$9,000,000. In making this estimate, staff conservatively assumes that all dealers will purchase reprinted forms instead of producing them internally, although dealers may produce them at minimal expense using current office automation technology. Capital and start-up costs associated with the Rule are minimal.

**William E. Kovacic,**  
*General Counsel.*

[FR Doc. 04-17158 Filed 7-27-04; 8:45 am]

**BILLING CODE 6750-01-M**

**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 No.	Acquiring	Acquired	Entities
<b>Transactions Granted Early Termination—06/07/2004</b>			
20040883 .....	Hospital Partners of America, Inc .....	Tenet Healthcare Corporation .....	Redding Medical Center.
20040899 .....	MMI Investments, L.P .....	NDCHealth Corporation .....	NDCHealth Corporation.
20040919 .....	Rockwood Holdings, Inc .....	mg technologies ag .....	CeramTec North America Innovative Ceramic Engineering Corp. Chemetall Corporation, Sachtleben Corporation.
20040922 .....	Illinois Tool Works Inc .....	Andre Schwitter III .....	Truswal Systems Corporation.

Rule. Staff assumes that outside contractors would require about the same amount of time and incur similar cost as dealers to perform these tasks. Accordingly, the hour and cost burden totals

shown, while referring to “dealers,” incorporate the time and cost borne by outside companies in performing the tasks associated with the Rule.

<sup>5</sup> The Buyers Guide is also available online from the FTC’s Web site, [www.ftc.gov](http://www.ftc.gov), at [www.ftc.gov/bcp/online/edcams/automobiles/index.html](http://www.ftc.gov/bcp/online/edcams/automobiles/index.html).

Trans No.	Acquiring	Acquired	Entities
20040929 .....	President and Fellows of Harvard College.	Suez .....	c/o Trigen Corporation, Trenton Energy Corporation, Trigen Building Services Corporation, Trigen-Kansas City Energy Corporation, Trigen-Maryland Steam Corporation, Trigen-Missouri Energy Corporation, Trigen-Oklahoma Energy Corporation, Trigen-Schuylkill Cogeneration, Inc., United Thermal Corporation.
20040944 .....	Questor Partners Fund II, L.P .....	Deutsche Lufthansa AG .....	Chef Solutions, Inc.
20040966 .....	Sumitomo Corporation .....	J.W. Childs Equity Partners II, L.P .....	JWC Hartz Holdings, Inc.
20040977 .....	KKR Millennium Fund (Overseas), Limited Partnership.	KKR 1996 Fund L.P .....	Rockwood Specialties Group, Inc.
20040978 .....	KKR European Fund, Limited Partnership.	KKR 1996 Fund L.P .....	Rockwood Holdings, Inc.

**Transactions Granted Early Termination—06/08/2004**

20040021 .....	Harrah's Entertainment, Inc .....	Jack B. Binion .....	Horseshoe Gaming Holding Corp.
20040872 .....	Alcoa, Inc .....	Russian Aluminum Management .....	ZAO-Prime-alum.
20040887 .....	Citigroup Inc .....	Principal Financial Group, Inc .....	Principal Residential Mortgage, Inc.
20040925 .....	DLJ Merchant Banking Partners III, L.P	KKR 1996 Fund L.P .....	Rockwood Holdings, Inc.
20040932 .....	Madison Dearborn Capital Partners IV, L.P.	PF Management, Inc .....	Pierre Foods, Inc.
20040938 .....	The Genlyte Group Incorporated .....	The Genlyte Group Incorporated .....	Genlyte Thomas Group LLC, GTG Intangible Holdings LLP.
20040939 .....	HFCP IV (Bermuda), L.P .....	Lincoln National Corporation .....	Dial Holding Company, LLC.
20040941 .....	Welsh, Carson, Anderson & Stowe IX, L.P.	Hillcrest HealthCare System .....	Healthcrest, Inc., Hillcrest HealthCare System.
20040942 .....	Jon Grant Lincoln .....	Alliance Gaming Corporation .....	United Coin Machine Co.
20040943 .....	Goense Bounds & Partners A, L.P .....	Andrew M. Stein .....	Stein Wood, Inc.
20040946 .....	GTCR Fund VII, L.P .....	Honeywell International Inc .....	Honeywell International Inc.
20040947 .....	Suns Legacy Partners, L.L.C .....	Phoenix Suns Limited Partnership .....	Phoenix Suns Limited Partnership.
20040948 .....	Morgan Stanley .....	AMR Corporation .....	AMR Corporation.
20040949 .....	Alfred A. Slifka .....	Repsol YPF, S.A .....	Chelsea Sandwich LLC., Global Companies LLC., Global Montello Group LLC.
20040950 .....	Richard Slifka .....	Repsol YPF, S.A .....	Chelsea Sandwich LLC, Global Companies LLC, Global Montello Group LLC.
20040951 .....	Symantec Corporation .....	Brightmail Incorporated .....	Brightmail Incorporated.
20040954 .....	Ralph Lauren .....	Sylvia Company LLC .....	RL Childrensweat Company LLC.
20040956 .....	GTCR Fund VIII, L.P .....	Winward Capital Partners II, L.P .....	RPSI, Inc.
20040957 .....	Group 1 Automotive, Inc .....	Jardine Matheson Holdings Limited .....	Jardine California Motors Limited.
20040964 .....	Intelsat, Ltd .....	Lockheed Martin Corporation .....	Comsat General Corporation, Comsat New Services, Inc., Lockheed Martin Global Telecommunications, LLC.

**Transactions Granted Early Termination—06/09/2004**

20040980 .....	ED&F Man Holdings Limited .....	Unifina Holding AG .....	Volcafe Holding Ltd., Volcafe International Ltd.
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**Transactions Granted Early Termination—06/10/2004**

20040965 .....	Marsh & McLennan Companies, Inc .....	Kroll Inc .....	Kroll Inc.
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**Transactions Granted Early Termination—06/14/2004**

20040889 .....	Siemens Aktiengesellschaft .....	CVC European Equity Partners L.P .....	Trench Electric Holding B.V.
20040896 .....	Matlin Patterson Global Opportunities Partners II, L.P.	Duke Energy Corporation .....	Duke Energy Capitol of Texas, Inc., Duke Energy Enterprise, LLC, Duke Energy Hinds, LLC, Duke Energy Hot Spring, LLC, Duke Energy Marketing America, LLC, Duke Energy Marshall County, LLC, Duke Energy Murray, LLC, Duke Energy New Albany, LLC, Duke Energy Sandersville, LLC, Duke Energy Southaven, LLC, Duke Energy Trading and Marketing, LLC.
20040967 .....	Coinstar, Inc .....	Wellspring Capital Partners II, L.P .....	ACMI Holdings, Inc.
20040979 .....	Ronald O. Perelman .....	Charles Barton Rice, Sr .....	Barton Protective Services Incorporated.
20040981 .....	Bayerische Hypo-und Vereinsbank AG ..	Ramius Capital Group, LLC .....	RCG Tapestry, LLC.
20040985 .....	Charlesbank Equity Fund V. Limited Partnership.	Terry Collins .....	Papa Murphy's International, Inc.

Trans No.	Acquiring	Acquired	Entities
20040989 .....	CEP Batesville Acquisition, LLC .....	NRG Energy, Inc .....	LSP Batesville Funding Corporation, LSP Batesville Holding, LLC, LSP Energy Inc., LSP Energy Limited Partnership, NRG Batesville LLC.
20040993 .....	Entergy Corporation .....	Royal Dutch Petroleum Corporation .....	WindEnergy GP LLC. WindEnergy LP LLC.
20041000 .....	Continental AG .....	Phoenix AG .....	Phoenix AG.
<b>Transactions Granted Early Termination—06/16/2004</b>			
20040962 .....	K2 Inc .....	Marmot Mountain, Ltd .....	Marmot Mountain, Ltd.
20040974 .....	Apax Europe V-A, L.P .....	SSL International plc .....	LRC Hospital Products Sdn Bhd, LRC Products Limited, SSL Americas Inc., Tubifoam.
20040988 .....	Castle Harlan Partners IV, L.P .....	ATT Holding Co .....	ATT Holding Co.
20040995 .....	E.I. du Pont de Nemours and Company	Maxygen, Inc .....	Verdia, Inc.
<b>Transactions Granted Early Termination—06/17/2004</b>			
20040905 .....	Deluxe Corporation .....	New England Business Service, Inc .....	New England Business Service, Inc.
20040924 .....	Teleflex Incorporated .....	FS Equity Partners IV, L.P .....	Hudson Respiratory Care Inc.
20040994 .....	Harris Corporation .....	Donald S. Orkand .....	The Orkand Corporation.
20041004 .....	Honeywell International Inc .....	Genesis Cable Systems, L.L.C .....	Genesis Cable Systems, L.L.C.
<b>Transactions Granted Early Termination—06/18/2004</b>			
20040969 .....	Kuwait Petroleum Corporation .....	MEGlobal Canada Inc .....	MEGlobal Canada Inc.
20040970 .....	The Dow Chemical Company .....	MEGlobal Canada Inc .....	MEGlobal Canada Inc.
20040984 .....	Lucent Technologies Inc .....	Telica, Inc .....	Telica, Inc.
20040999 .....	TPG Partners IV, L.P .....	Grohe Aktiengesellschaft .....	Grohe Aktiengesellschaft.
20041001 .....	Octel Corp .....	Starreon Corporation .....	Octel Starreon LLC.
20041002 .....	KRG Capital Fund II, L.P .....	Matria Healthcare, Inc .....	Diabetes Management Solutions, Inc., Diabetes Self Care, Inc.
20041005 .....	Beverly Enterprises, Inc .....	M. Kyle Rice .....	Hospice USA, LLC.
20041006 .....	Beverly Enterprises, Inc .....	Richard K. Rice .....	Hospice USA, LLC.
20041008 .....	CapStreet II, L.P .....	E*TRADE Financial Corporation .....	E*TRADE Access, Inc.
20041010 .....	Radio One, Inc .....	M.S. Stude .....	KRTS, LP.
20041012 .....	Cebridge Connections Holdings, LLC .....	USA Media Holdings, LLC .....	USA Media Group, LLC.
<b>Transactions Granted Early Termination—06/21/2004</b>			
20040958 .....	Castle Harlan Partners IV, L.P .....	Carlyle-Horizon Partners, L.P .....	Horizon Lines Holding Corp.
<b>Transactions Granted Early Termination—06/22/2004</b>			
20040945 .....	Schneider Electric S.A .....	Balfour Beatty plc .....	Andover Controls Corporation.
20040986 .....	U.S. Bancorp .....	National City Corporation .....	National City Bank, National City Bank of Indiana, National City Bank of Kentucky, National City Bank of Michigan/Illinois, National City Bank of Pennsylvania.
20041014 .....	Bank of America Corporation .....	Thomas R. Wheeler .....	Electronic Product Integration Corporation.
20041025 .....	Verizon Communications Inc .....	Verizon Communications Inc .....	CyberTel Cellular Telephone Company.
<b>Transactions Granted Early Termination—06/23/2004</b>			
20040935 .....	Deutsche Post AG .....	Accretive Associates I, LLC .....	QuikPak, Inc.
20040959 .....	General Electric Company .....	Chevron Texaco Corporation .....	Chevron Texaco Corporation.
20040997 .....	Macrovision Corporation .....	InstallShield Software Corporation .....	InstallShield Software Corporation.
<b>Transactions Granted Early Termination—06/25/2004</b>			
20040972 .....	Reed Elsevier PLC .....	Saxon Publishers, Inc .....	Saxon Publishers, Inc.
20040973 .....	Reed Elsevier NV .....	Saxon Publishers, Inc .....	Saxon Publishers, Inc.
20041016 .....	Brockway Moran & Partners Fund II, L.P .....	Air Evac Leasing Corporation .....	Air Evac Leasing Corporation.
20041018 .....	Bain Capital Fund VII, L.P .....	Rhodia, S.A .....	Rhodia Inc.
20041027 .....	Nautic Partners V, L.P .....	Wat H. Tyler .....	D-Rep Plastics, Inc., IPS Corporation Studor, Incorporated Watertite Products, Inc. Weld-On Adhesives, Inc.
20041032 .....	Bob Evans Farms, Inc .....	SK Equity Fund, L.P .....	SWH Corporation.
20041034 .....	James Dondero .....	Leap Wireless International, Inc .....	Leap Wireless International, Inc.
20041035 .....	MHR Institutional Partners IIA LP .....	Leap Wireless International, Inc .....	Leap Wireless International, Inc.

Trans No.	Acquiring	Acquired	Entities
20041037 .....	Daniel Glassman .....	Pharma Services Holding, Inc .....	Bioglan Pharmaceuticals Company, Quintiles Bermuda Ltd. Quintiles Ireland Limited.
20041046 .....	Craig H. Neilsen .....	Windsor Woodmont Black Hawk Resort Corp.	Windsor Woodmont Black Hawk Resort Corp.
20041050 .....	MNBA Corporation .....	SouthTrust Corporation .....	SouthTrust Bank.
<b>Transactions Granted Early Termination—06/28/2004</b>			
20041020 .....	C&D Technologies, Inc .....	Nicholas G. Tagaris .....	Datel Holding Corporation.
20041023 .....	Oshkosh Truck Corporation .....	Littlejohn Partners IV, L.P .....	JerrDan Corporation.
<b>Transactions Granted Early Termination—06/29/2004</b>			
20041019 .....	Oscar Davis .....	Goldline Controls, Inc .....	Goldline Controls Inc.
20041038 .....	Ryerson Tull, Inc .....	Arcelor S.A .....	J&F Steel, LLC.
20041045 .....	SEB SA .....	Waterford Wedgwood plc .....	All-Clad USA, Inc.
20041056 .....	Platinum Equity Capital Partners, L.P ....	Safeguard Scientifics, Inc .....	CompuCom Systems, Inc.
20041059 .....	Thomas H. Lee Equity Fund IV, L.P .....	TA/Advent VIII, L.P .....	United Pet Group, Inc.
<b>Transactions Granted Early Termination—06/30/2004</b>			
20040692 .....	General Dynamics Corp .....	W. David Thompson .....	Spectrum Astro, Inc.
20040829 .....	Tele Atlas N.V .....	Stephen R. Polk .....	Geographic Data Technology, Inc.
20041055 .....	Tellabs, Inc .....	Advanced Fibre Communications, Inc ....	Advanced Fibre Communications, Inc.
<b>Transactions Granted Early Termination—07/01/2004</b>			
20040987 .....	Briggs & Stratton Corporation .....	KMS Acquisition Company, L.P .....	Simplicity Manufacturing, Inc.
20041072 .....	Amgen Inc .....	Roche Holding Ltd .....	F. Hoffmann-La Roche Ltd., Hoffmann-La Roche Inc.
<b>Transactions Granted Early Termination—07/02/2004</b>			
20040512 .....	Pentair, Inc .....	Wisconsin Energy Corporation .....	WICOR, Inc.
20041024 .....	Cardinal Health, Inc .....	Geodax Technology, Inc .....	Geodax Technology, Inc.
20041073 .....	Citigroup Inc .....	Arizant, Inc .....	Arizant, Inc.
20041082 .....	ABRY Partners IV, L.P .....	Monitronics International, Inc .....	Monitronics International, Inc.
20041083 .....	Blackstone NSS Communications Partners (Cayman) L.P.	New Skies Satellites N.V .....	New Skies Satellites N.V.
20041088 .....	Regus Group plc .....	HQ Global Holdings, Inc .....	HQ Global Holdings, Inc.
20041089 .....	TPG N.V .....	NC III Limited .....	Wilson Logistics Holding AB.

**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. 04-17159 Filed 7-27-04; 8:45 am]

**BILLING CODE 6750-01-M**

**FEDERAL TRADE COMMISSION**

[Docket No. 9310]

**Aspen Technology, Inc.; Analysis to Aid Public Comment**

**AGENCY:** Federal Trade Commission.

**ACTION:** Proposed consent agreement.

**SUMMARY:** The consent agreement in this matter settles alleged violations of federal law prohibiting unfair or

deceptive acts or practices or unfair methods of competition. The attached Analysis to Aid Public Comment describes both the allegations in the complaint and the terms of the consent order—embodied in the consent agreement—that would settle these allegations.

**DATES:** Comments must be received on or before August 13, 2004.

**ADDRESSES:** Comments should refer to “Aspen Technology, Inc., Docket No. 9310,” to facilitate the organization of comments. A comment filed in paper form should include this reference both in the text and on the envelope, and should be mailed or delivered to the following address: Federal Trade Commission/Office of the Secretary, Room H-159, 600 Pennsylvania Avenue, NW., Washington, DC 20580. Comments containing confidential material must be filed in paper form, as explained in the Supplementary Information section. The FTC is requesting that any comment filed in

paper form be sent by courier or overnight service, if possible, because U.S. postal mail in the Washington area and at the Commission is subject to delay due to heightened security precautions. Comments filed in electronic form (except comments containing any confidential material) should be sent to the following e-mail box: [consentagreement@ftc.gov](mailto:consentagreement@ftc.gov).

**FOR FURTHER INFORMATION CONTACT:**

Peter Richman, FTC, Bureau of Competition, 600 Pennsylvania Avenue, NW., Washington, DC 20580, (202) 326-2563.

**SUPPLEMENTARY INFORMATION:** Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46(f), and Section 3.25(f) of the Commission's Rules of Practice, 16 CFR 3.25(f), notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the