structure, a firm with one SDP ($1,500) and eight PDs (8 × $525 = $4,200) would be charged a monthly fee of $5,700, while a firm with one SDP ($1,500) and two PDs (2 × $525 = $1,050) would be charged a monthly fee of $2,550.

The proposed rule change also clarifies that the fees in NASD Rule 7010(h)(2) likewise apply to NWII service obtained via API. Specifically, if a subscriber chooses to access NWII through API, the subscriber would be assessed the service charge for each SDP, the display charge for each of the subscriber's linkages (*e.g.*, NWII substitute, quote-update facility), as well as the additional circuit charge.[14]

Although NASD Rule 7010(h)(2) generally applies to both members and non-member subscribers to NWII service, this filing will only effect a change to the fees charged to NASD members. The NASD has filed a separate but virtually identical proposed rule change to impose the proposed new fees on non-member subscribers. Lastly, the proposed rule filing reserves the fee schedule for ''Digital Interface Service,'' as Nasdaq no longer offers this service.

Nasdaq believes that the proposed rule change is consistent with Section 15A(b)(5) of the Act,[15] which requires that the rules of a registered securities association provide for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which the NASD operates or controls. Nasdaq notes that the proposed fees, which will only apply to those that utilize NWII service, are reasonable and proportionate to the projected costs of operating and maintaining EWN II.

Although the proposed fees are higher than those associated with EWN I, Nasdaq believes that these fees are both reasonable and necessary. Specifically, Nasdaq notes that EWN II will be faster, more secure, and provide greater capacity, all of which are essential to protecting the integrity of the Nasdaq market and maintaining the confidence of the investing public. In addition, the new fees will more fairly allocate system costs among Nasdaq market participants.[16]

B. Self-regulatory Organization's Statement on Burden on Competition

Nasdaq does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing rule change establishes or changes a due, fee or other charge on NASD members, it has become effective upon filing pursuant to Section 19(b)(3)(A)(ii) of the Act[17] and subparagraph (e)(2) of Rule 19b–4 thereunder.[18] At any time within 60 days of the filing of a rule change pursuant to Section 19(b)(3)(A) of the Act, the Commission may summarily abrogate the rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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.[19] Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 25049. 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 NASD. All submissions should refer to File No. SR–NASD–98–62 and should be submitted by October 9, 1998.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[20]

Maragret H. McFarland,

Deputy Secretary.

[FR Doc. 98–25013 Filed 9–17–98; 8:45 am]

BILLING CODE 8010–01–M

EWN II, each T1 will be a dual circuit, and that there will be a virtually seamless switch-over from one circuit to the next if one of the circuits fails. Thus, it is anticipated that, due to the new features of EWN II, subscribers will be less likely to order additional circuits without first optimizing capacity on existing circuits(s).

[14] Since July and August 1998, new subscribers to NWII service have placed work order for EWN II technology (instead of EWN I technology). During this period, Nasdaq charged new subscribers the required security deposit using the EWN I pricing structure, as the new EWN II pricing structure had not yet been filed (NASD Rule 7070 provides that new subscribers to Nasdaq Workstation service shall be subject to a deposit in the amount of: estimated telecommunications provider charges for network infrastructure, connection and testing; two months circuit charges; and estimated telecommunications provider disconnect charges.) Nasdaq processed new work orders for EWN II (instead of EWN I) to avoid these subscribers having to pay for the installation and subsequent deinstallation of soon-to-be obsolete EWN I technology, and the installation of EWN II technology in September 1998 (when the upgrade is set to begin).

With this filing, new subscribers that are members and that have placed work orders during July and August 1998, will be billed for the security deposit for an amount equal to the differential under the EWN I and the EWN II fee structures. Nasdaq believes that this is a fair approach in that all subscribers should be required to pay the same fees for the EWN II technology, regardless of the timing of their order.

[15] 15 U.S.C. 78o–3(b)(5).

[16] According to Nasdaq, the proposed fee schedule's Service Charge, like the prior fee schedule, does not pass on all of the SDP/server costs that MCI charges the NASD. The proposed fee schedule's Display Charge, like the prior fee schedule, in part helps the NASD recoup its subsidy of the SDP/server costs, and permits the NASD to recoup other expenses associated with the development and the maintenance of NWII. *See* Conversation between John Malitzis, Senior Attorney, Nasdaq, and Joshua Kans, Attorney, Division, Commission, September 10, 1998.

[17] 15 U.S.C. 78s(b)(3)(A).

[18] 17 CFR 240.19b–4(e)(2).

[19] In reviewing the proposed rule change, the Commission has considered its impact on efficiency, competition and capital formation. 15 U.S.C. 78c(f).

[20] *See* 17 CFR 200.30–3(a)(12).

DEPARTMENT OF TRANSPORTATION

Coast Guard

[USCG–1998–4399]

Public Meeting for Automatic Identification System Carriage Requirement; Vessel Traffic Service Lower Mississippi River

AGENCY: Coast Guard, DOT.

ACTION: Notice of meeting; request for comments.

SUMMARY: The Coast Guard is holding a public meeting to solicit comments on the establishment of a new Vessel Traffic Service (VTS) in the Lower Mississippi River area and a potential Automatic Identification System (AIS) carriage requirement for certain vessels operating in the new VTS area. The primary purpose of the meeting is to discuss which vessels should carry

Automatic Identification Systems and what performance, technical, testing, and certification standards the systems should meet. The Coast Guard will also share preliminary results of AIS tests conducted in the Lower Mississippi River area. In addition, the Coast Guard seeks written comments from any party who is unable to attend the meeting or who wishes to submit comments on this topic.

DATES: The meeting will be held on October 28, 1998, from 9 a.m. to 3 p.m. We will begin the meeting at the scheduled time; however, it may be concluded early if all business is finished. Comments must reach the Docket Management Facility on or before October 28, 1998.

ADDRESSES: The meeting will be held at the Port of New Orleans, Port of New Orleans Way, New Orleans, LA 70160. You may mail comments to the Docket Management Facility, [USCG–1998–4399], U.S. Department of Transportation (DOT), room PL–401, 400 Seventh Street SW., Washington, DC 20590–0001, or deliver them to room PL–401, located on the Plaza level of the Nassif Building at the same address between 10 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

The Docket Management Facility maintains the public docket for this notice. Comments, and documents as indicated in this preamble will become part of this docket and will be available for inspection or copying at room PL–401, located on the Plaza Level of the Nassif Building at the address in this section between 10 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also access this docket on the Internet at *http://dms.dot.gov*.

FOR FURTHER INFORMATION CONTACT: For questions on this notice or to make an oral presentation at the meeting, please contact Diane Schneider, Office of Vessel Traffic Management, telephone 202–267–0352, fax 202–267–4826, or e-mail *Dschneider@comdt.uscg.mil.* For questions on viewing or submitting material to the docket, contact Dorothy Walker, Chief, Dockets, Department of Transportation, telephone 202–366–9329.

Additional information on AIS can be obtained on the Internet at *http://www.uscg.mil/vtm*.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to respond to this request by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this notice [USCG–1998–4399] and the specific section of this document to which each comment or question apples, and give the reason for each comment. Please submit all comments and attachments in an unbound format, no large than 8½ by 11 inches, suitable for copying and electronic filing to the Docket Management Facility at the address under **ADDRESSES**. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes. The Coast Guard will consider all comments received during the comment period.

Information on Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meetings, contact Ms. Diane Schneider at the phone numbers listed under **FOR FURTHER INFORMATION CONTACT** as soon as possible.

Background Information

The Need for Vessel Traffic Services

Continuing trends in vessel transit statistics show that America's commercial waterways are becoming increasingly congested. Growing numbers of vessels, especially oil and chemical carriers and vessels with large passenger counts, create a growing threat of high consequence accidents. As a result, the public has demanded more effective safety measures and the maritime community wants improved safety and more efficient traffic movement through major ports. Vessel Traffic Services (VTS) have been specifically identified as one potential solution to the problems of vessel traffic safety and port efficiency. At the same time, Congress and the industry have serious concerns about the adequacy and cost-effectiveness of traditional VTS technology and operation procedures.

Congressional Direction and Stakeholder Involvement

Congress has directed the Coast Guard to re-examine the manner in which it performs the VTS mission and to work with VTS users and stakeholders in identifying the technologies to be used in performing the VTS mission. Congress has also specifically commented on the need to rapidly solve safety problems in the Port of New Orleans.

The Coast Guard complied with congressional direction through two public processes, as well as through numerous less formal public presentation and discussion sessions around the country. The first of the two public processes was a National Dialog conducted through the Marine Board of the National Academy of Sciences and its Committee on Maritime Advanced Information Systems. The National Dialog drew input from representatives of the maritime industry and stakeholders. The second public process was an ad hoc VTS committee formed under the auspices of the Lower Mississippi River Safety Advisory Committee (LMRSAC), a formally chartered advisory committee under the Federal Advisory Committee Act. The ad hoc VTS committee included representatives from 28 different stakeholder groups.

The National Dialog resulted in the identification of AIS technology as a basis for future VTS installations. The LMRSAC ad hoc group, in its ''Baseline VTS Recommendations from The Ports and Waterways Safety Systems Committee,'' also recommended AIS as the basis for future technology for any VTS in the Lower Mississippi River area. Copies of documents from both processes are available for inspection in the docket at the address listed under **ADDRESSES**. You may also obtain copies on the Internet at *http://dms.dot.gov*, or by calling the project manager at the number listed in **FOR FURTHER INFORMATION CONTACT**.

AIS Technology

The AIS integrates a number of different technologies including Differential Global Positioning Systems (DGPS), electronic chart systems, communications, and open information system architecture. The AIS transponders transmit and receive specific navigational information in real time (vessel's name, position, course, speed, dimensions, cargo, etc.) and operate in both ship-to-ship and ship-to-shore-to-ship modes. The ship-to-ship mode allows independent exchange between participating vessels without a shore-based component. The ship-to-shore-to-ship mode allows exchange of information between participating vessels and a shore-based component such as a vessel traffic service. In both modes, AIS will provide mariners with highly accurate information on the navigational situation of their own vessels as well as that of surrounding AIS equipped vessels.

There are systems similar to AIS already in use in ports around the world. These systems have proven that AIS transponder surveillance can be effective by providing mariners with improved access to pertinent navigation

and vessel traffic information. For example, since July 1994, certain tank vessels operating in the Prince William Sound VTS area are required to carry transponders. This transponder system works in a ship-to-shore mode only and does not support onboard information displays or voiceless delivery of information to the mariner. The Prince William Sound VTS remains heavily dependent on radar and VHF–FM voice radio communications. Despite the lesser capability of these more primitive transponders, the devices have proven extremely valuable.

The automatic ship identification system used in Prince William Sound does not have an onboard display capability. An onboard display, especially one providing an electronic navigation capability, significantly increases the benefits of AIS. For example, Portable Piloting Units (PPU), consisting of a DGPS receiver and a laptop computer running an electronic chart system, have been used in a number of places, including the Delaware and Chesapeake Bays, with very positive results. The PPUs lack vessel traffic information (there is no transponder), but they do provide a level of precision navigation not previously available.

Setting Standards for AIS

Standards for AIS must be set for the technology to operate as most mariners desire. Standards will ensure that AIS devices, offered by various manufacturers, will be interoperable. Many of the systems that are already in use are based on incompatible designs and are proprietary. These systems might be an acceptable way to implement the AIS concept, if the benefits of AIS were limited to piloted vessels navigating between the pilot station and the dock. However, AIS needs to be on board vessels that are not carrying pilots, whether at sea or in internal waters. There is also a need to avoid a proliferation of AIS-related devices to be carried on board a given vessel. Most mariners want one device that meets the requirements.

Setting standards for AIS is a high priority for the Coast Guard. The preferred approach is to have a single set of universal AIS performance, technical, testing, and certification standards adopted by the appropriate international standard setting bodies. To avoid royalty payments and unavailability of technology, a further requirement is that these standards be unencumbered by intellectual property rights. Following this approach and working with concerned governments and appropriate standards bodies, the Coast Guard has made significant progress in obtaining the necessary standards. The International Maritime Organization (IMO) has adopted a performance standard for a Universal Shipborne Automatic Identification System. Based on this performance standard, the International Telecommunications Union (ITU) has prepared a draft technical standard which is in the final stages of review and approval. Work has started on a test and certification standard to be promulgated by the International Electro-technical Commission (IEC).

Work on installing a new VTS in the Lower Mississippi River area has begun; the VTS is scheduled to be operational in January of the year 2000. The new VTS will cover an area 32 kilometers (20 miles) north of Baton Rouge (mile marker 255) to the seabuoy at Southwest Pass. Consistent with the results of the National Dialog and the LMRSAC ad hoc VTS committee, this VTS may be AIS-based, using transponder technology to perform the majority of both surveillance and information exchange. The Coast Guard is currently conducting comprehensive vessel testing of AIS transponders on a variety of platforms. These tests are addressing technical issues such as charting and transponder reliability, and will highlight any technical problems. The Coast Guard will provide preliminary test results during the public meeting.

Comment Issues

The Coast Guard seeks information that may be useful when it considers the feasibility of and alternatives in implementing a potential AIS carriage requirement for certain vessels operating in the Lower Mississippi River VTS area. The Coast Guard will review and consider all comments submitted, and input from the comments may be used in the development of a notice of proposed rulemaking.

The Coast Guard needs feedback from you on the following issues and recommendations:

1. AIS Carriage Requirement

An AIS carriage requirement must be in place if the new VTS is AIS-based. Many of the discussions regarding AIS to date have focused on using the Bridge-To-Bridge Radiotelephone Act applicability requirements in 33 CFR 26.03 as the basis for an AIS display and transponder carriage requirement. The following vessels must carry a radiotelephone under 33 CFR 26.03.

- Every power-driven vessel of 20 meters (66 feet) or more in length while navigating.
- Every vessel of 100 gross tons or more carrying one or more passengers for hire while navigating.
- Every towing vessel of 8 meters (26 feet) or more in length while navigating.
- Every dredge and floating plant engaged in or near a channel or fairway in operations likely to restrict or affect navigation of other vessels except for an unmanned or intermittently manned floating plant under control of a dredge.

Some stakeholders have recommended modifying these applicability requirements for AIS carriage to apply to power-driven vessels of 40 meters (131 feet) or more while navigating. In addition to the possible applications for AIS display and transponder requirements, stakeholders have also recommended that all vessels licensed or documented for commercial use, with the exception of fishing vessels, be required to carry an AIS transponder only (display capability not required). Stakeholders have also recommended that certain vessels be prohibited from carrying AIS transponders which operate in the transmit mode. The Coast Guard is interested in feedback on these issues and recommendations.

2. AIS Standards

As discussed earlier in this notice, setting standards for AIS is a high priority for the Coast Guard because standardization is an absolute requirement for AIS to operate as desired. We must consider the following issues:

- Which set of standards to use in implementing an AIS carriage requirement on the Lower Mississippi River.
- The effective date that should be established for implementing an AIS carriage requirement.

If a technical standard implementing the IMO Universal AIS performance standard is not approved in a timely manner, the Coast Guard may have to consider alternative courses of action. For example, an existing ITU AIS technical standard, called ITU–R825.3, is already in place, with a corresponding IEC test/certification standard. This standard, while not providing all of the capabilities of the IMO Universal AIS standard and not providing as robust a ship-to-ship capability as desired, could be used in implementing AIS on the Lower Mississippi River. Transition to the new international standard could be accomplished at a later date, and backwards compatibility from the new standard to the existing standard could eliminate or sharply reduce the cost of any retrofit.

• If standards fully implementing the IMO Universal AIS standard are still not in place by the beginning of the year 2000, should the Coast Guard implement a carriage requirement based on existing standards?

• Should the Coast Guard delay the opening of VTS Lower Mississippi River until a technical standard implementing the IMO Universal AIS performance standard is available? If so, how long can VTS Lower Mississippi River be delayed?

Public Meeting

The meeting is open to the public. It will include short presentations on the following topics, followed by open discussion:

• Introduction of Coast Guard personnel.

• Concept of AIS and VTS.

• AIS performance, technical, and test/certification standards.

• Automatic Identification Systems test results from the Lower Mississippi River.

• The size and type of vessels that should be required to carry Automatic Identification System transponders.

Members of the public can make oral presentations with advance notice, and as time permits. If you wish to make an oral presentation, you should notify Diane Schneider at the numbers listed under **FOR FURTHER INFORMATION CONTACT** no later than October 26, 1998. Please provide your name, your affiliation, and the issue you would like to discuss.

Dated: September 11, 1998.

Joseph J. Angelo,

Acting Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 98–25038 Filed 9–17–98; 8:45 am]

BILLING CODE 4910–15–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Noise Exposure Map Notice; Receipt of Noise Compatibility Program Revision and Request for Review Naples Municipal Airport Naples, Florida

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the revised current and future noise exposure maps submitted by the City of Naples, Florida for Naples Municipal Airport under the provisions of Title 1 of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96–193) and 14 CFR part 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program revision that was submitted for Naples Municipal Airport under Part 150 in conjunction with the noise exposure maps, and that this program revision will be approved or disapproved on or before March 2, 1999.

EFFECTIVE DATE: The effective date of the FAA's determination on the revised noise exposure maps and of the start of its review of the associated noise compatibility program revision is September 3, 1998. The public comment period ends November 2, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Tommy J. Pickering, P.E., Federal Aviation Administration, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, Florida 32822–5024, (407) 812–6331, Extension 29. Comments on the proposed noise compatibility program revision should also be submitted to the above office.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the revised noise exposure maps submitted for Naples Municipal Airport are in compliance with applicable requirements of part 150, effective September 3, 1998. Further, FAA is reviewing a proposed noise compatibility program revision for that airport which will be approved or disapproved on or before March 2, 1999. This notice also announces the availability of this program revision for public review and comment.

Under Section 103 of Title I of the Aviation Safety and Notice Abatement Act of 1979 (hereinafter referred to as ''the Act''), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict noncompatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties to the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) Part 150, promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The City of Naples, Florida, submitted to the FAA on March 6, 1998, revised noise exposure maps, descriptions and other documentation which were produced during the Naples Municipal Airport FAR Part 150 Update Amendment of Noise Exposure Maps and Noise Compatibility Program to Extend Nightime Stage 1 Use Restrictions to 24 Hours study conducted between October 23, 1997 and February 27, 1998. Subsequent supporting documentation was also provided by the City of Naples and their consultant. It was requested that the FAA review this material as the noise exposure maps, as described in Section 103(a)(1) of the Act, and that the noise mitigation measure revisions, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program revision under Section 104(a) of the Act. The proposed noise compatibility program revision would revise one of the noise abatement measures in the noise compatibility program previously approved on September 29, 1997.

The FAA has completed its review of the revised noise exposure maps and related descriptions submitted by the City of Naples, Florida. The specific maps under consideration are ''1998 Noise Exposure Map'' and ''2003 Noise Exposure Map'' in the noise compatibility program revision submission. The FAA has determined that these maps for Naples Municipal Airport are in compliance with applicable requirements. This determination is effective on September 3, 1998. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in Appendix A of FAR part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under Section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of Section 107 of the Act. These functions are inseparable from