

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Lawrence L. Bailey of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this emergency.

I do hereby determine the following areas of the State of Illinois to have been affected adversely by this emergency:

The counties of Adams, Brown, Cass, Champaign, Cook, DeWitt, DuPage, Ford, Fulton, Grundy, Hancock, Henderson, Iroquois, Kane, Kankakee, Kendall, Knox, Lake, Livingston, Logan, Marshall, Mason, McDonough, McLean, Menard, Peoria, Piatt, Pike, Schuyler, Stark, Tazewell, Warren, Will, and Woodford for reimbursement for emergency protective measures, Category B, under the Public Assistance program for a period of 48 hours.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

James L. Witt,

Director.

[FR Doc. 99-2169 Filed 1-28-99; 8:45 am]

BILLING CODE 6718-02-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-3134-EM]

Illinois; Amendment to Notice of an Emergency

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of an emergency for the State of Illinois, (FEMA-3134-EM), dated January 8, 1999, and related determinations.

EFFECTIVE DATE: January 19, 1999.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3260.

SUPPLEMENTARY INFORMATION: The notice of an emergency for the State of Illinois,

is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared an emergency by the President in his declaration of January 8, 1999:

The counties of Bureau, Calhoun, Greene, Henry, La Salle, Mercer, Morgan, Putnam, Sangamon, Scott, and Vermilion for reimbursement for emergency protective measures, Category B, under the Public Assistance program for a period of 48 hours. (The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

Lacy E. Suiter,

Executive Associate Director, Response and Recovery Directorate.

[FR Doc. 99-2170 Filed 1-28-99; 8:45 am]

BILLING CODE 6718-02-P

FEDERAL RESERVE SYSTEM

Sunshine Act Meeting

TIME AND DATE: 2:00 p.m., Wednesday, February 3, 1999.

PLACE: Marriner S. Eccles Federal Reserve Board Building, 20th and C Streets, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Proposal relating to Federal Reserve System benefits.

2. Any items carried forward from a previously announced meeting.

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* The Committee on Employee Benefits considers matters relating to the Retirement, Thrift, Long-Term Disability Income, and Insurance Plans for employees of the Federal Reserve System.

CONTACT PERSON FOR MORE INFORMATION: Lynn S. Fox, Assistant to the Board; 202-452-3204.

SUPPLEMENTARY INFORMATION: You may contact the Board's Web site at <http://www.federalreserve.gov> for an electronic announcement of this meeting. (The Web site also includes procedural and other information about the meeting.)

Dated: January 27, 1999.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 99-2263 Filed 1-27-99; 10:27 am]

BILLING CODE 6210-01-P

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

Sunshine Act Meeting

TIME AND DATE: 10:00 a.m. (EST) February 8, 1999.

PLACE: 4th Floor, Conference Room 4506, 1250 H Street, N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Approval of the minutes of the January 11, 1999, Board member meeting.

2. Thrift Savings Plan activity report by the Executive Director.

3. Review of KPMG Peat Marwick report:

"Pension and Welfare Benefits Administration Review of Thrift Savings Plan C and F Fund Investment Management Operations at Barclays Global Investors, N.A."

4. Review of investment policy.

CONTACT PERSON FOR MORE INFORMATION: Thomas J. Trabucco, Director, Office of External Affairs, (202) 942-1640.

Dated: January 26, 1999.

John J. O'Meara,

Secretary to the Board, Federal Retirement Thrift Investment Board.

[FR Doc. 99-2242 Filed 1-26-99; 5:03 pm]

BILLING CODE 6760-01-M

FEDERAL TRADE COMMISSION

Submission for OMB Review; Comment Request

AGENCY: Federal Trade Commission.

ACTION: Notice.

SUMMARY: The Federal Trade Commission (FTC) has submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act information collection requirements associated with five rules issued and enforced by the Commission. OMB had provisionally extended the expiration for these clearances from September 30, 1998 to March 31, 1999. The FTC proposes that OMB extend its approval for the clearances an additional three years from the prior expiration date of September 30, 1998.

DATES: Comments must be submitted on or before March 1, 1999.

ADDRESSES: Send written comments to Gary M. Greenfield, Attorney, Office of the General Counsel, Federal Trade Commission, Washington, D.C. 20580. All comments should be identified as responding to this notice.

FOR FURTHER INFORMATION CONTACT: Requests for additional information

should be addressed to Gary M. Greenfield, Attorney, Office of the General Counsel, Federal Trade Commission, Washington, D.C. 20580, 202-326-2753.

SUPPLEMENTARY INFORMATION: The FTC has submitted a request to OMB to extend the existing clearance to collect information associated with the five rules described below. A **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on November 16, 1998 (63 FR 63731). No comments were received.

The relevant information collection requirements are as follows: 1. The Funeral Rule, 16 C.F.R. Part 453 (OMB Control Number: 3084-0025), ensures that consumers who are purchasing funeral goods and services have accurate information about the terms and conditions (especially prices) for such goods and services. The Rule requires that funeral providers disclose this information to consumers and maintain records to facilitate enforcement of the Rule.

Estimated annual hours burden: The estimated burden associated with the collection of information required by the Rule is 22,300 hours for recordkeeping and 57,900 hours for disclosures, for a total of 80,200 hours. This estimate is based on the number of funeral providers (approximately 22,300), the number of funerals annually (approximately 2.3 million), and the time needed to fulfill the information collection tasks required by the Rule.

Recordkeeping: The Rule requires that funeral providers retain copies of price lists and statements of funeral goods and services selected by consumers. Based on an average burden of one hour per provider per year for this task, the total burden for the 22,300 providers is 22,300 hours. This estimate is unchanged from 1995.

Disclosure: The Rule requires that funeral providers (1) maintain current price lists for funeral goods and services, (2) provide written documentation of the funeral goods and services selected by consumers making funeral arrangements, and (3) provide information about funeral prices in response to telephone inquiries.

Maintaining current price lists requires that funeral providers revise their price lists from time to time through the year to reflect price changes. Based on an average burden of two hours per provider per year for this task, the total burden for 22,300 providers is 44,600 hours. This estimate is unchanged from the FTC's previous estimate in 1995.

The original rulemaking record indicated that 87 percent of funeral providers provided written documentation of funeral arrangements, even in the absence of the Rule's requirements.¹ Accordingly, the Rule imposes a disclosure burden on 2,899 providers (13 percent of 22,300 providers). These providers are typically the smallest funeral homes. The disclosure requirement can be satisfied through the use of a standard form (an example of which is available to the industry in the Compliance Guide to the Funeral Rule). Based on an estimation that these smaller homes arrange, on average, approximately 20 funerals per year, and that it would take each of them about 3 minutes to record prices for each consumer on the standard form, FTC staff estimates that the total burden associated with this disclosure requirement is one hour per provider not already in compliance, for a total of 2,899 hours.

The Funeral Rule also requires funeral providers to answer telephone inquiries about the provider's offerings or prices. Industry data indicate that only about nine percent of funeral purchasers make telephone inquiries, with each call lasting an estimated three minutes. Only about half of that additional time is attributable to disclosures required solely by the Rule, since many providers would provide the requested information even without the Rule. Thus, assuming that the average purchaser makes two calls per funeral to compare prices, the estimated burden is 10,350 hours [$(\frac{1}{2} \times 3 \text{ minute call} \times 2 \text{ calls/funeral}) \times 207,000 \text{ funerals (nine percent of 2,300,000 funerals/year)}$]. This burden likely will decline over time as consumers increasingly rely on the Internet for funeral price information.

In sum, the disclosure total is 57,849 hours (44,600 + 2,899 + 10,350), rounded to 57,900 hours. The total estimated hours burden associated with the Rule for both recordkeeping and disclosure requirements is 80,200 (Recordkeeping: 22,300 hours + Disclosure: 57,900 hours).

Estimated annual cost burden: \$3,900,000, rounded (\$3,560,000 in labor costs and \$340,300 in non-labor costs).

¹The original version of the Funeral Rule required that funeral providers retain a copy of and give each customer a separate "Statement of Funeral Goods and Services Selected." The 1994 amendments to the Rule eliminated that requirement, allowing instead for such disclosures to be incorporated into a written contract, bill of sale, or other record of a transaction that providers use to memorialize sales agreements with customers.

Labor costs: Labor costs are derived by applying appropriate hourly cost figures to the burden hours described above. The hourly rates used below are averages.

Clerical personnel, at an hourly rate of \$10, can perform the recordkeeping tasks required under the Rule. Based on the estimated hour burden of 22,300 hours, the estimated cost burden for recordkeeping is \$223,000 ($\$10 \times 22,300 \text{ hours}$).

The two hours required of each provider, on average, to update price lists should consist of approximately 1.5 hours of managerial or professional time, at \$75 per hour, and .5 hours of clerical time, at \$10 per hour, for a total of \$117.50 per provider. Thus, the estimated total cost burden for maintaining price lists is \$2,620,250 ($\$117.50 \times 22,300 \text{ providers}$) (rounded to \$2,620,000). The cost of providing written documentation of the goods and services selected by the consumer is 2,899 hours of managerial or professional time at approximately \$75 per hour, or \$217,425 (rounded to \$217,000). The cost of responding to telephone inquiries about offerings or prices is 10,350 hours of managerial or professional time at \$75, or \$776,250 (rounded to \$776,000).

The total labor cost of the three disclosure requirements imposed by the Funeral Rule is \$3,613,000 ($\$2,620,000 + \$217,000 + \$776,000$). The total labor cost for recordkeeping and disclosures is \$3,836,000 ($\$223,000 \text{ for recordkeeping} + \$3,613,000 \text{ for disclosures}$).

Capital or other non-labor costs: The Rule imposes minimal capital costs and no current start-up costs. Most funeral homes already have access, for other business purposes, to the ordinary office equipment needed for compliance.

Compliance with the Rule however, does entail some expense to funeral providers for printing and duplication of price lists. Based on a rough estimate of 300 pages per year per provider for copies of the various price lists, at 5 cents per page, and 22,300 providers, the total cost burden associated with printing and copying is \$334,500. In addition, the estimated 2,899 providers not already providing written documentation of funeral arrangements apart from the Rule will incur additional printing and copying costs. Assuming that those providers use the standard two-page form shown in the Compliance Guide, at 5 cents per page, at an average of 20 funerals per year, the added cost burden would be \$5,798, rounded to \$5,800. Thus, estimated non-labor costs are \$340,300.

The cost of training associated with Rule compliance is generally included in continuing education requirements for licensing and voluntary certification programs. Moreover, the FTC has provided its Compliance Guide to all funeral providers at no cost, and additional copies are available on the FTC web site or by mail. Accordingly, the Rule imposes no additional training costs.

2. The Used Car Rule, 16 CFR Part 455 (OMB Control Number: 3084-0108), facilitates informed purchasing decisions by consumers by requiring used car dealers to disclose information about warranty coverage, if any, and the mechanical condition of used cars they offer for sale.

Estimated annual hours burden: The FTC is requesting approval for an estimated burden of 1,925,000 hours relating solely to disclosure requirements.² This estimate is based on the number of used car dealers (approximately 80,000, according to industry sources³), the number of used cars sold by dealers annually (approximately 30,000,000, according to industry data), and the time needed to fulfill the information collection tasks required by the Rule.⁴ The current estimated annual burden reflects a decrease from the prior estimate, attributable to a more accurate estimate of the number of used cars sold by dealers, and recent industry input to more accurately reflect the time it takes used car dealers to enter data on Buyers Guides.

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 could be produced by an office word-processing or desk-top publishing system. Based on a universe of 80,000 dealers, the annual hours burden for producing or obtaining and stocking Buyers Guides is 80,000 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 warranty (30,000,000 × 40% × 2.5 minutes ÷ 60 minutes/hour), for an overall total of 950,000 hours.

Although there will be substantial variance in the time required to post the Buyers Guides on each used car, 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 in 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: \$28,250,000, consisting of \$19,250,000 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 per hour and an estimate of 1,925,000 burden hours for disclosure requirements, the total labor cost burden would be approximately \$19,250,000.

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 preprinted forms instead of producing them internally, although dealers may produce them at minimal expense using currently office automation technology. Capital and start-up costs associated with the Rule are de minimis.

3. The Consumer Product Warranty Rule, 16 CFR Part 701 (OMB Control Number: 3084-0111), prevents deception by providing consumers with information to assess written warranty terms. The Rule requires that written warranties disclose certain material facts regarding their terms and conditions.

Estimated annual hours burden: In 1995, FTC staff estimated that the required disclosures imposed an average annual burden of 8 hours on each of approximately 4,241 warrantors of products. Because there have been no changes to the Rule's requirements, staff has no reason to believe that this estimate requires revision. Based on this assumption, the total compliance burden relating to disclosures is approximately 34,000 hours (rounded from 33,928).⁵ Nonetheless, this estimate likely overstates substantially the actual burden because most warrantors would disclose the terms and conditions of their warranties even in the absence of the Rule.

Estimated annual cost burden: \$340,000, consisting solely of labor costs.

Labor costs: The work required to comply with the Rule is predominantly clerical. Based on an average hourly rate of \$10 for clerical employees and the total hours burden of 34,000 hours, the annual labor cost is approximately \$340,000.

Capital or other non-labor costs: The Rule imposes no appreciable current capital or start-up costs. The vast majority of warrantors have already modified their warranties to include the information required by the Rule. Rule compliance does not require the use of any capital goods other than ordinary

⁵ The Consumer Product Warranty Rule imposes no recordkeeping requirement.

² The Used Car Rule does not impose any recordkeeping requirement.

³ Source: 1997 Used Car Market Report ("ADT Market Report"), published by ADT Automotive, 435 Metroplex Drive, Nashville, Tennessee 37211.

⁴ A relatively small number of dealers opt to contract with outside companies to perform the various tasks associated with complying with the 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 hours 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.

office equipment, which providers would already have available for general business use.

4. The Pre-Sale Availability Rule, 16 C.F.R. Part 702 (OMB Control Number: 3084-0112), ensures that consumers can make informed purchasing decisions by requiring that the terms of written warranties for consumer products be made available to consumers prior to purchase. The Rule requires retailers to make warranty information available to consumers and requires warrantors (i.e., manufacturers) to provide retailers with the materials necessary to do so. The Rule also requires catalog and door-to-door sellers to make warranty information available.

Estimated annual hours burden: The FTC is seeking approval for an estimated disclosure burden of 2,760,000 hours.⁶ This estimate is based on the number of large and small retailers and manufacturers, according to census data, and the estimated scope of the compliance burden for businesses by type. FTC staff first calculated burden estimates by type of business in the early 1980s. Staff believes that estimates remain valid for manufacturers, and that subsequent amendments to the Rule to allow more flexibility have reduced the burden on retailers by approximately 50 percent.⁷ Approximately 6,552 large retailers and 422,100 small retailers spend an annual average of 26 hours and 6 hours, respectively, to comply with the Rule, for a cumulative combined total of 2,702,952 hours for retailers. Approximately 146 large manufacturers and 4,095 small manufacturers spend an annual average of 52 hours and 12 hours, respectively, for a cumulative total of 56,732 hours for manufacturers. Thus, the combined cumulative total for retailers and manufacturers is 2,759,684 hours, rounded to 2,760,000 hours.

Estimated annual cost burden: \$27,600,000, consisting solely of labor costs.

Labor costs: Most of Rule 702's disclosure requirements involve simple clerical functions such as maintaining copies of the warranties at the retail level and, at the manufacturer level, ensuring that copies of warranties are

provided to retailers. Assuming a clerical labor cost rate of \$10/hour and an estimate of 2,760,000 burden hours for disclosures, the total annual labor cost burden is approximately \$27,600,000.

Capital or other non-labor costs: The capital or start-up costs imposed by the Rule are de minimis. The vast majority of retailers and warrantors already have developed systems to provide the information the Rule requires. Compliance by retailers typically entails simply filing warranties in binders and posting an inexpensive sign indicating warranty availability.⁸ Manufacturer compliance entails providing retailers with a copy of the warranties included with their products.

5. The Informal Dispute Settlement Procedure Rule, 16 C.F.R. Part 703 (OMB Control Number: 3084-0113), helps to ensure that consumers are fully informed regarding informal dispute settlement procedures in product warranties. The Rule imposes certain requirements when a warrantor requires, as part of a written warranty, that consumers first use an informal dispute settlement mechanism (IDSM) to seek resolution of a warranty dispute before pursuing remedies in court. The Rule requires that affected warrantors disclose certain information to consumers. It also requires that warrantors, through IDSMs, retain (1) individual records for each dispute, (2) indexes that categorize disputes by product model and show the extent to which the warrantor has abided by decisions of the resolution process, and (3) statistical summaries that classify disputes according to various status and final disposition categories. Affected entities must conduct an annual audit of their dispute resolution procedures and report to the FTC.

Estimated annual hours burden: The FTC is requesting approval for an estimated burden of 4,333 recordkeeping hours and 1,625 disclosure hours, for a total burden estimate of approximately 6,000 hours. This estimate is based on the number of warranty disputes handled by IDSMs and the average time needed to fulfill the information collection tasks required by the Rule.

Recordkeeping: Since maintenance of individual case records is necessary in the ordinary course of business, the Rule imposes little additional recordkeeping burden. FTC staff estimates that retaining additional information that would not otherwise be

kept adds a burden of 30 minutes per case. Staff also estimates that IDSMs require an additional 10 minutes per case for compilation of the indexes, statistical summaries, and the annual audit required by the Rule, resulting in a total recordkeeping requirement of 40 minutes per case. Finally, staff estimates that the two IDSMs affected by the Rule handle, combined, about 6,500 covered disputes annually. Thus, the total recordkeeping burden associated with the Rule is approximately 4,333 hours.

Disclosure: The Rule requires that affected warrantors disclose information about the dispute settlement mechanism in the written warranty, and that IDSMs disclose certain information upon request. The incremental cost of a warrantor's required disclosure is negligible. IDSMs must provide certain information, such as their annual audits, to anyone who requests it. In addition, on request, IDSMs must also provide consumers who have a dispute before them with a copy of records relating to their disputes. FTC staff estimates that the average hour burden of copying and producing this information is approximately 15 minutes for each dispute handled by an IDSM. Based on an estimate of 6,500 disputes annually, the hour burden associated with copying and providing these disclosures is 1,625 hours.

Estimated annual cost burden: \$281,000, consisting of \$81,000 in labor costs and \$200,000 in non-labor costs.

Labor costs: Assuming that IDSMs would use skilled clerical personnel or technical support staff, at an hourly rate of \$15, to compile and maintain the records required by the Rule the labor cost of the 4,333 recordkeeping burden hours is approximately \$64,995. Assuming that IDSMs would use less-skilled labor, at an hourly rate of \$10, to reproduce records, the labor costs of the 1,625 hours disclosure burden hours is approximately \$16,250. The combined total labor cost for recordkeeping and disclosures is \$81,245, rounded to \$81,000.

Capital or other non-labor costs: The Rule imposes no appreciable current capital or start-up costs. The vast majority of warrantors have already developed systems to retain the records and provide the disclosures required by the Rule. Rule compliance does not require the use of any capital goods other than ordinary office equipment, to which providers would already have access.

The only additional cost imposed on IDSMs operating under the Rule that would not be incurred for other IDSMs is the annual audit requirement. One of the two IDSMs currently operating

⁶ The Pre-Sale Availability Rule does not impose any recordkeeping requirement.

⁷ To comply with Rule 702, sellers need only maintain specimen copies of the warranties provided to them by manufacturers. The Rule allows sellers substantial flexibility in how to maintain those copies, since the Rule states only that the warranty must be made readily available upon request. If the warrantor prints the warranty on the product's package, for example, the retailer has no further obligation since consumers can readily review the warranty by looking at the package.

⁸ Although some retailers may choose to display a more elaborate or expensive sign, that is not required by the Rule.

under the Rule estimates the total annual costs of this requirement to be less than \$100,000. Since there are two IDSMs operating under the Rule, the total cost imposed by them is an estimated \$200,000.⁹ This total includes copying costs of roughly \$20,000, which is based on estimated copying costs of 5 cents per page and several conservative assumptions or estimates. Staff estimates that the "average" dispute-related file is about 25 pages long and that a typical annual audit file is about 200 pages in length. For purposes of estimating copying costs, staff conservatively assumes that every consumer complainant requests a copy of the file relating to his or her dispute. Staff also assumes that, for 1,000 of the estimated 6,500 disputes each year, consumers request copies of warrantors' annual audit reports (although, based on requests for audit reports made directly to the FTC, the indications are that considerably less requests are actually made). Thus, the estimated total annual copying costs for average-sized files would be approximately \$8,125 (25 pages/file \times .05 \times 6,500 requests) and \$10,000 for copies of annual audits (200 pages/audit report \times .05 \times 1,000 requests), rounded to a total of \$20,000.

Combined with estimated annual labor cost of \$81,000, total estimated annual cost burden is \$281,000 (\$200,000+\$81,000).

John D. Graubert,

Acting General Counsel.

[FR Doc. 99-2174 Filed 1-28-99; 8:45 am]

BILLING CODE 6750-01-M

FEDERAL TRADE COMMISSION

[File No. 981-0345]

The British Petroleum Co. p.l.c., et al.; Analysis to Aid Public Comment and Commissioner Statements

AGENCY: Federal Trade Commission.

ACTION: Proposed Consent Agreement; Publication of Commissioner Statements.

SUMMARY: The consent 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 draft complaint that accompanies the consent agreement and the terms of the consent order—

embodied in the consent agreement—that would settle these allegations. This document also contains the Statement of Chairman Pitofsky, Commissioner Anthony, and Commissioner Thompson; and the Statement of Commissioner Swindle, Concurring in Part and dissenting in Part.

DATES: Comments must be received on or before March 8, 1999.

ADDRESSES: Comments should be directed to: FTC/Office of the Secretary, Room 159, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: William Baer or Richard Liebeskind, FTC/H-374, 600 Pennsylvania Avenue, NW, Washington, DC 20580. (202) 326-2932 or 326-2441.

SUPPLEMENTARY INFORMATION: Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721 15 U.S.C. 46, and § 2.34 of the Commission Rules of Practice (16 CFR 2.34), 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 public record for public comment, until March 8, 1999. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the complaint. This document also contains (1) the Statement of Chairman Pitofsky, Commissioner Anthony, and Commissioner Thompson; and (2) the Statement of Commissioner Swindle, Concurring in Part and Dissenting in Part.¹ An electronic copy of the full text of the consent agreement package, including the Commissioner Statements, can be obtained from the FTC Home Page (for December 30, 1998), on the World Wide Web, at "http://www.ftc.gov/os/actions97.htm." A paper copy can be obtained from the FTC Public Reference Room, Room H-130, 600 Pennsylvania Avenue, NW, Washington, DC 20580, either in person or by calling (202) 326-3627. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with section 4.9(b)(6)(ii) of the Commission Rules of Practice (16 CFR 4.9(b)(6)(ii)).

Analysis of the Proposed Consent Order and Draft Complaint To Aid Public Comment

I. Introduction

The Federal Trade Commission ("Commission") has accepted for public comment from The British Petroleum Company p.l.c. ("BP") and Amoco Corporation ("Amoco") (collectively "the proposed Respondents") an Agreement Containing Consent Order ("the proposed consent order"). The proposed Respondents have also reviewed a draft complaint contemplated by the Commission. The proposed consent order is designed to remedy likely anticompetitive effects arising from the merger of BP and Amoco.

II. Description of the Parties and the Proposed Acquisition

BP, headquartered in London, England, is a diversified energy products company engaged in oil and gas exploration; the development, production and transportation of crude oil and natural gas; the refining, marketing, transportation, terminaling and sale of gasoline, diesel fuel, jet fuel and other petroleum products; and the production, marketing and sale of petrochemicals. BP is a major producer of gasoline and other petroleum products in the United States. BP distributes and markets its gasoline under the BP brand name through terminals and retail service stations in a variety of areas, including areas in the southeastern and midwestern United States.

Amoco, headquartered in Chicago, Illinois, is an integrated petroleum and chemical products company engaged in the exploration, development, and production of crude oil, natural gas, and natural gas liquids; the marketing of natural gas and natural gas liquids; the refining, marketing, and transportation of petroleum products, including crude oil, gasoline, jet fuel, diesel fuel, heating oil, asphalt, motor oil, lubricants, natural gas liquids, and petrochemical feedstocks; the terminaling and sale of gasoline, diesel fuel, and other petroleum products; and the manufacture and sale of various petroleum-based chemical products. Like BP, Amoco is a major producer of gasoline and other petroleum products in the United States. Amoco distributes and markets gasoline under the Amoco brand name through terminals and retail service stations in many of the same areas as does BP.

Pursuant to an agreement and plan of merger dated August 11, 1998, BP intends to acquire all of the outstanding

⁹The commenter did not break down this estimate by cost item. Staff conservatively included the entire \$100,000 in its estimate of capital and other non-labor costs, even though some of this burden is likely already accounted for as labor costs.

¹The Analysis alone was published in the **Federal Register** on January 6, 1999—before the Statements were made public—and the public comment period began at that point. See 64 Fed. Reg. 880 (January 6, 1999).