resources and technologies for meeting peak capacity needs, this EIS will not reevaluate those alternatives. This EIS will focus on the site-specific impacts of constructing and operating additional TVA combustion turbines at three candidate sites.

Proposed Issues To Be Addressed

The EIS will describe the existing environmental and socioeconomic resources at each of the three sites that may be potentially affected by construction and operation of natural gas-fired combustion turbines. TVA's evaluation of potential environmental impacts to these resources will include, but not necessarily be limited to the impacts on air quality, water quality, aquatic and terrestrial ecology, endangered and threatened species, wetlands, aesthetics and visual resources, noise, land use, historic and archaeological resources, and socioeconomic resources. Because the proposed projects would be located on previously disturbed property at operating TVA power plant sites, the on-site issues of terrestrial wildlife, habitat, and vegetation; aesthetics and visual resources; land use conversion; and historic and archaeological resources are not likely to be important. Also, the proposed units would have no process wastewater discharge and will require no new water supply source, thus impacts to aquatic ecology are unlikely.

Alternatives

The results of evaluating the potential environmental impacts related to these issues and other important issues identified in the scoping process together with engineering and economic considerations will be used in selecting a preferred alternative. At this time, TVA has identified the following alternatives for detailed evaluation: (1) a single site alternative, (2) alternatives employing two of the three sites, (3) an alternative employing all three sites, and (4) no action.

Scoping Process

Scoping, which is integral to the NEPA process, is a procedure that solicits public input to the EIS process to ensure that: (1) Issues are identified early and properly studied; (2) issues of little significance do not consume substantial time and effort; (3) the draft EIS is thorough and balanced; and (4) delays caused by an inadequate EIS are avoided. TVA's NEPA procedures require that the scoping process commence after a decision has been reached to prepare an EIS in order to provide an early and open process for determining the scope of issues to be addressed and for identifying the significant issues related to a proposed action. The scope of issues to be addressed in the draft EIS will be determined, in part, from written comments submitted by mail or e-mail, and comments presented orally or in writing at public meetings. The preliminary identification in this notice of reasonable alternatives and environmental issues is not meant to be exhaustive or final.

The scoping process will include both interagency and public scoping. The public is invited to submit written comments or e-mail comments on the scope of this EIS no later than the date given under the DATES section of this notice and/or attend the public scoping meetings. TVA will conduct three public scoping meetings using an open house format. At each meeting, TVA staff will be present to discuss the project proposals and the environmental issues, and to receive both oral and written comments. The meeting locations and schedule are as follows: Monday, August 31, Gallatin Civic Center, 210 Albert Gallatin Road, Gallatin, Tennessee; Tuesday, September 1, Humphreys County Board of Education Building, 2443 Highway 70 East, Waverly, Tennessee; Thursday, September 3, Lions Club Building, Corner of Church and First Streets, Cherokee, Alabama. The times for all three open house meetings are 4:00 p.m. to 9:00 p.m.

The agencies to be included in the interagency scoping are U.S. Fish and Wildlife Service, Tennessee Department of Conservation and Environment, the Tennessee State Historic Preservation Officer, and other agencies as appropriate.

Upon consideration of the scoping comments, TVA will develop alternatives and identify important environmental issues to be addressed in the EIS. Following analysis of the environmental consequences of each alternative, TVA will prepare a draft EIS for public review and comment. Notice of availability of the draft EIS will be published by the Environmental Protection Agency in the **Federal Register**. TVA will solicit written comments on the draft EIS, and information about possible public meetings to comment on the draft EIS will be announced. TVA expects to release a final EIS in May 1999.

Dated: August 6, 1998.

Kathryn J. Jackson,

Executive Vice President, Resource Group.

[FR Doc. 98–21580 Filed 8–11–98; 8:45 am]

BILLING CODE 8120–08–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. 301–117]

Extension of Section 301 Investigation: Intellectual Property Laws and Practices of the Government of Paraguay

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: The United States Trade Representative (USTR) has determined to extend the investigation of the acts, policies and practices of the Government of Paraguay that deny adequate and effective protection of intellectual property rights.

DATES: The USTR made this determination on Tuesday, August 4, 1998.

ADDRESSES: Office of the United States Trade Representative, 600 17th Street, N.W., Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT: Claude Burcky, Director for Intellectual Property, (202) 395–6864; Kellie Meiman, Director for Mercosur and the Southern Cone, (202) 395–5190; or Geralyn S. Ritter, Assistant General Counsel, (202) 395–6800.

SUPPLEMENTARY INFORMATION: On January 16, 1998, the USTR identified Paraguay as a Priority Foreign Country under the ''Special 301'' provisions of the Trade Act of 1974, as amended (19 U.S.C. 2242). In identifying Paraguay as a Priorty Foreign Country, the USTR noted deficiencies in Paraguay's acts, policies and practices regarding intellectual property, including a lack of effective action to enforce intellectual property rights. The USTR also observed that the Government of Paraguay has failed to enact adequate and effective intellectual property legislation covering patents, copyrights and trademarks. As required under Section 302(b)(2)(A) of the Trade Act (19 U.S.C. 2412(b)(2)(A)), an investigation of these acts, policies and practices was initiated on February 17, 1998.

Extension of Investigation

Numerous bilateral negotiations have been held on these issues since the initiation of this investigation. Although Paraguay has indicated that it will take a number of actions to improve protection for intellectual property and, in particular, to strengthen the enforcement of intellectual property rights, significant progress on a majority of U.S. concerns has not occurred. These issues are too complex and complicated to resolve before the end of

the six-month statutory deadline for concluding this investigation. USTR will look to the new government taking office in Paraguay in mid-August to move quickly to address the continuing serious deficiencies in Paraguay's intellectual property regime.

In light of the need for further time for negotiations to resolve these remaining issues, the USTR has determined pursuant to section 304(a)(3)(B)(i) of the Trade Act, that ''complex or complicated issues are involved in the investigation that require additional time.'' The USTR has therefore extended this investigation, and will make a final determination by November 17, 1998.

Irving A. Williamson,

Chairman, Section 301 Committee.

[FR Doc. 98–21641 Filed 8–11–98; 8:45 am]

BILLING CODE 3190–01–M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Federal Aviation Administration

[Docket No. 29303]

Policy Regarding Airport Rates and Charges

AGENCY: Departmen of Transportation, Office of the Secretary, and Federal Aviation Administration.

ACTION: Advance notice of proposed policy, request for comments.

SUMMARY: This document requests suggestions for replacement provisions for the portions of the Department of Transportation's Policy Regarding Airport Rates and Charges (Policy Statement) issued June 21, 1996 and vacated by the United States Court of Appeals for the District of Columbia Circuit. The Department is beginning this proceeding in order to carry out its responsibility to establish reasonableness guidelines for airport fees.

DATES: Comments must be submitted on or before October 13, 1998. Reply comments will be accepted and must be submitted on or before October 26, 1998. Late filed comments will be considered to the extent possible.

ADDRESSES: Comments on this notice must be delivered or mailed, in quadruplicate, to: Federal Aviation Administration, Office of Chief Counsel, Attention: Rules Docket (AGC–10), Docket No. 29303, 800 Independence Ave., SW, Room 915G, Washington, DC 20591. All comments must be marked ''Docket No. 29303.'' Commenters wishing the FAA to acknowledge receipt of their comments must include a preaddressed, stamped postcard on which the following statement is made: ''Comments to Docket No. . The postcard will be date stamped and mailed to the commenter.

Comments on this Notice may be delivered or examined in room 915G on weekdays, except on Federal holidays between 8:30 am and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Mr. Barry Molar, Manager (AAS–400), (202) 267–3187 or Mr. Wayne Heibeck (AAS–400), Compliance Specialist, (202) 267–8726, Airport Compliance Division, Office of Airport Safety and Standards, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591.

SUPPLEMENTARY INFORMATION:

Background

On June 21, 1996, Office of the Secretary and the Federal Aviation Administration (together, the ''Department'' of Transportation or ''Department'') issued a Policy Statement (61 FR 31994 *et seq.*) on the fees charged by airports to air carriers and other aeronautical users. This Policy Statement responded to 49 U.S.C. 47129(b), which requires the Secretary to publish standards or guidelines to be used in determining whether an airport fee is reasonable in disputes between airports and airlines. (Section 113 of the Federal Aviation Administration Authorization Act of 1994, Public Law No. 103–305).

The Policy Statement reflected industry practice at commercial service airports of establishing fees for the use of airfields (*e.g.*, runways and taxiways) and public-use roadways on the basis of the airport operator's costs, using historic cost valuation (HCA requirement). This cost-based approach allowed airports to recover out-of-pocket costs and permitted airfield fees to include as a cost imputed interest on airport operator funds invested in the airfield, except funds obtained from airfield fees.

Recognizing that fees for other aeronautical facilities (*e.g.*, hangars and terminals) were often established through direct negotiations with individual users, the Department adopted a more flexible approach to nonairfield fees. The Department permitted these fees to be set by any reasonable methodology, including, among others, appraised fair market value. Among the factors it considered to support the disparate treatment, the Department found that airports had not exercised monopoly power in pricing these facilities and that state and local governments operate airports to provide aeronautical services for their communities to benefit their residents and improve the local economic base, not to generate revenue surpluses.

The Policy Statement modified the approach taken in the February 3, 1995 Interim Policy on determining the reasonableness of fees for nonairfield facilities. (Under the Interim Policy, airfield and nonairfield fees were considered reasonable only when capped at historical cost). The Policy Statement also discussed: the Department's preference for direct local negotiation between airport proprietors and users; the prohibition on unjustly discriminatory fees; the obligation to maintain a fee and rental structure that makes the airport as self-sustaining as possible under the circumstances at the airport; and the prohibition against unlawful diversion of airport revenues.

Both the Air Transport Association (ATA) and the City of Los Angles sought judicial review of the policy Statement. The ATA challenged the Department's approach to determining reasonable nonairfield fees and the decision to permit airfield fees to include any imputed interest charge. The City of Los Angeles challenged the HCA requirement for airfield fees.

The United States Court of Appeals for the District of Columbia Circuit vacated and remanded portions of the Policy Statement setting forth guidance on fair and reasonable airfield and nonairfield fees. *Air Transport Association of America* v. *Department of Transportation (ATA v. DOT)*, 119 F.3d 38 (D.C. Cir. 1997), as modified on rehearing, Order of Oct. 15, 1997. Specifically, the court vacated:

> paragraphs 2.4, 2.4.1, 2.4.1(a), 2.5.1, 2.5.1(a), 2.5.1(b), 2.5.1(c), 2.5.1(d), 2.5.1(e), 2.5.3, 2.5.3(a), 2.6, the Secretary's supporting discussion in the preamble, and any other portions of the rule *necessarily* implicated by the holding of [the August 1, 1997 opinion].

The court's opinion found fault with the Department's distinction between the airfield, on the one hand, and nonairfield facilities, on the other hand, with respect to the reasonableness of fees. The court believed the Department should have explained its fees policy in light of the economics of airport behavior and had failed to justify the distinction between airfield and nonairfield fees. The court also questioned the Department's justification for the disparate treatment of imputed interest charges.

On November 25, 1997, the Airports Council International-North America (ACI) and the American Association of Airport Executives (AAAE) filed a