obtain affirmative votes from 81.8% of the shares that are voted (225,000,001 out of 275,000,000 votes), a difficult percentage to obtain in any public vote. If less than 225 million shares were voted, then Sprint's proposal would fail, even if a full 100% of the shares voted in favor.

Any difficulty in authorizing more PCS Stock could have substantial anticompetitive effects:

- Sprint might need to have more shares of PCS Stock authorized in order to issue more shares to raise capital for the buildout of its PCS network, or to raise substantial capital for events that are not foreseeable today, such as improvements or changes to technology that are necessitated by competitive developments in the PCS business.
- Sprint might desire to complete certain pro-competitive acquisitions using PCS Stock as consideration, which could require the authorization of additional shares.

Without the ability to fund the buildout of its network and other activities that become necessary in the future, and without the ability to acquire strategic business partners that may become critical to the survival of Sprint PCS, Sprint could be placed in a position of substantial competitive disadvantage.

There are numerous other examples of important Sprint corporate actions that require a majority of all shares entitled to vote and entitle the Series 2 PCS Stock that the trust will hold to a full vote per share including:

- Amendment to the Charter that would alter or change the powers, preferences or special rights of the shares of the PCS Stock so as to affect them adversely;
- ''Spin off'' of the PCS Group within 2 years of November 23, 1998; and
- Acquisition by the FON Group or another Group of more than 33% of the assets of the PCS Group.

For each of these actions, the trustee's inability to vote could constrain Sprint anticompetitively by preventing Sprint from structuring itself most effectively.

If the trustee does not vote TCI's PCS shares, the financial and operating flexibility of Sprint will be constrained. To be competitive in telecommunications, a company needs the ability to change its capital structure in order to provide new technologies and compete in new markets. In the past year alone, each of AT&T, MCI, and Sprint has undergone substantial structural changes in an effort to be more competitive. Exactly what will be demanded in the next five years is unknown, but it is certain that technology will progress and companies will need to organize themselves properly to efficiently deliver these developing technologies to their customers.

II. To Avoid Anticompeititive Effects, the Final Judgment Must Order Pro Rata Voting by the Trustee

In order to avoid the anticompetitive effects discussed above, the Final Judgment must require the trustee to vote the Sprint PCS Stock held in the trust pro rata in accordance with the proportion of the votes of the other Sprint PCS shareholders. Under this proposal, the trustee would exercise no discretion in voting the stock, but the views of the other Sprint PCS shareholders would not be frustrated in those situations requiring a majority of all shares entitled to vote.

For all votes in which the PCS shares held by the trust are eligible to vote, the trustee should be instructed to vote the shares in the same proportion as the other shares of PCS Stock are voted. Specifically, the proportion voted in favor and the proportion voting against (or, where shareholders are not provided the opportunity to vote against, the proportion of votes not voted in favor) should be equal to these respective proportions in light of all votes cast by the other holders of Series 2 PCS Stock, the holders of Series 1 PCS Stock, the holders of Series 3 PCS Stock, and the PCS Stock votes that are attributed to the shares of Class A Common Stock held by France Télécom S.A. and Deutsche telekom AG.

Because the Sprint PCS Stock held by TCI has low voting power in most situations, the Department concluded that any concerns that AT&T would influence or control Sprint's competitive behavior are minimal. See Competitive Impact Statement § II.C n.8, 64 FR 2506, 2511. Nevertheless, according to the Competitive Impact Statement filed by the Department, the voting prohibition embodied in § VI.D. is meant to further address the concern that AT&T might ''influence [] the competitive behavior of [Sprint] in ways that reduce competition.'' See Id. By ordering the trustee to vote the PCS Stock held by the trust pro rata, the Final Judgment will eliminate completely any influence or control AT&T or the trustee has over Sprint's competitive behavior and avoids the anticompetitive effect of constraining Sprint's strategic flexibility caused by the no vote approach.

Dated: March 11, 1999.

Respectfully submitted,

Sprint Corporation by its attorneys

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BILLING CODE 4410–11–M

DEPARTMENT OF LABOR

Employment and Training Administration

Proposed Information Collection Request, Submitted for Public Comment and Recommendations; Extension of the Unemployment Insurance (UI) Revenue Quality Control (RQC) Program

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment and Training Administration is soliciting comments concerning the proposed revision and extension of the UI RQC Program. Note that as part of an Unemployment Insurance Service (UIS) reorganization effort, the name was changed from RQC to the Tax Performance System (TPS). Discussions are still taking place as to the most appropriate name for the program and so, during the process of extending this program, the reference name shall remain as Revenue Quality Control on all papers, documents, handbooks, forms and software packages. A copy of the proposed information collection request can be obtained by contacting the employee listed below in the contact section of this notice.

DATES: Written comments must be submitted on or before July 6, 1999.

Written comments should:

• Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

• Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

• Evaluate the quality, utility, and clarity of the information to be collected; and

• Minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

ADDRESSES: Rett Hensley, Unemployment Insurance Service, Employment and Training Administration, Department of Labor, Room S4522, 200 Constitution Ave., NW, Washington, DC 20210; 202–219–5615 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

I. Background

Since 1987, all State Employment Security Agencies (SESAs) except the Virgin Islands have been required by regulation at 20 CFR 602 to operate a program to assess their Unemployment Insurance tax and benefit programs. RQC developed new measures for tax performance to replace those previously gathered under the Quality Appraisal (QA) system. RQC is designed to assess the major internal UI tax functions by utilizing several methodologies: Computed Measures which are indicators of timeliness and completeness based on data automatically generated via the existing ET 581 automated report; and Program Reviews which assess accuracy through a two-fold examination: (a) ''Systems Review'' examine tax systems for the existence of internal controls; (b) small samples of those systems' transactions are then examined to verify the effectiveness of controls.

II. Current Actions

This is a request for OMB approval under the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)) of an extension to an existing collection of information previously approved and assigned OMB Control No. 1205–0332.

Agency: Employment and Training Administration, Department of Labor.

Title: Unemployment Insurance Revenue Quality Control Program.

OMB Number: 1205–0332.

Affected Public: State governments (State Employment Security Agencies).

Total Respondents: Fifty two state governments.

Frequency: Annually.

Total Response: Fifty two.

Average time per response: 1,750 hours.

Estimated Total Burden Hours: 91,000 hours for 52 States.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the extension of the information collection request; they will also become a matter of public record.

Dated: April 27, 1999.

Grace A. Kilbane,

Director, Unemployment Insurance Service.

[FR Doc. 99–11133 Filed 5–3–99; 8:45 am]

BILLING CODE 4510–30–M

DEPARTMENT OF LABOR

Employment and Training Administration

Job Training Partnership Act; Native American Employment and Training Council

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of meeting.

SUMMARY: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), as amended, and section 401(k)(1) of the Job Training Partnership Act, as amended [29 U.S.C. 1671(k)(1)], notice is hereby given of a meeting of the Native American Employment and Training Council.

TIME AND DATE: The meeting will begin at 1:00 p.m. CDT on Thursday, May 27, 1999, and continue until 5:00 p.m. CDT that day. The meeting will reconvene at 9:00 a.m. CDT on Friday, May 28, 1999, and adjourn at 4:00 p.m. CDT on that day. The period from 3:00 p.m. to 5:00 p.m. CDT on May 27 will be reserved for participation and presentation by members of the public.

PLACE: The Lincoln and Jefferson Rooms of the Ramkota Inn, I–29 and Exit 81, Sioux Falls, South Dakota 57107.

STATUS: The meeting will be open to the public.

MATTERS TO BE CONSIDERED: The agenda will focus on the following topics: (1) status of the Program Year 1998 Partnership Plan; (2) results of the evaluation of the section 401 program; (3) progress of the performance measures/standards workgroup; (4) status of technical assistance and training provision for Program Year 1998 and 1999; (5) status of FY 1999 Indian and Native American Welfare-to-Work program implementation; and (6) status of pending implementation of the Workforce Investment Act, including a report on the progress and future actions of the Regulations Work Group.

FOR FURTHER INFORMATION CONTACT: Mr. James C. DeLuca, Chief, Division of Indian and Native American Programs, Office of National Programs, Employment and Training Administration, U.S. Department of Labor, Room N–4641, 200 Constitution Avenue, NW, Washington, DC 20210. Telephone: (202) 219–8502 ext 119(VOICE) or (202) 326–2577(TDD) (these are not toll-free numbers).

Signed at Washington, DC, this 27th day of April, 1999.

Anna W. Goddard,

Director, Office of National Programs.

[FR Doc. 99–11132 Filed 5–3–99; 8:45 am]

BILLING CODE 4510–30–U

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification

The following parties have filed petitions to modify the application of mandatory safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

1. Consolidation Coal Company

[Docket No. M–1999–016–C]

Consolidation Coal Company, Consol Plaza, 1800 Washington Road, Pittsburgh, Pennsylvania 15241–1421 has filed a petition to modify the application of 30 CFR 75.804(a) (underground high-voltage cables) to its Rend Lake Mine (I.D. No. 11–00601) located in Jefferson County, Illinois. The petitioner proposes to use a high-voltage cable with an internal ground check conductor smaller than No. 10 (A.W.G.) as part of its longwall mining system. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as would the mandatory standard.

2. Lone Mountain Processing, Inc.

[Docket No. M–1999–017–C]

Lone Mountain Processing, Inc., P.O. Box 40, Pennington Gap, Virginia 24277 has filed a petition to modify the application of 30 CFR 75.364(b)(2) (weekly examination) to its Darby Fork No. 1 Mine (I.D. No. 15–02263) located in Harlan County, Kentucky. Due to deteriorating roof conditions in certain