**SUPPLEMENTARY INFORMATION:** On July 28, 1998, the Commission published notice (63 FR 40314) of its institution of investigations pursuant to section 751(b) of the Tariff Act of 1930 (19 U.S.C. § 1675(b)) (the Act) to review its determinations in countervailing duty investigation No. 303–TA–23 (Final) concerning ferrosilicon from Venezuela, and antidumping investigations Nos. 731–TA–566–570 and 731–TA–641 (Final) concerning ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela. In that notice, the Commission waived rule 207.45(c), delaying issuance of a schedule for the conduct of investigations Nos. 751–TA–21–27. On September 30, 1998, the Commission published notice (63 FR 52288) of a schedule in the subject investigations.

The Commission's new schedule for these investigations is as follows: requests to appear at the hearing must be filed with the Secretary to the Commission not later than February 22, 1999; the prehearing staff report will be placed in the nonpublic record on March 31, 1999; the prehearing conference will be held at the U.S. International Trade Commission Building at 9:30 a.m. on April 1, 1999; the deadline for filing prehearing briefs is April 7, 1999; the hearing will be held at the U.S. International Trade Commission Building at 9:30 a.m. on April 13, 1999; the deadline for filing posthearing briefs is April 20, 1999; the Commission will make its final release of information on May 14, 1999; and final party comments are due on May 18, 1999.

For further information concerning these investigations see the Commission's notice cited above and the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: December 3, 1998.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 98–32677 Filed 12–8–98; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

**[Inv. No. 337–TA–406]**

### Certain Lens-fitted Film Packages; Notice of Commission Determination not to Review an Initial Determination Amending the Complaint and Notice of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (ALJ's) initial determination (ID), which amends the complaint and notice of investigation in the above-captioned investigation to withdraw allegations of infringement of claim 16 of U.S. Letters Patent 5,063,400 from the scope of the investigation.

**FOR FURTHER INFORMATION CONTACT:** Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202–205–3104. General information concerning the Commission may also be obtained by accessing its Internet server (http://www.usitc.gov). Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810.

**SUPPLEMENTARY INFORMATION:** This investigation was instituted on March 25, 1998, based on a complaint by Fuji Photo Film Co., Ltd. (Fuji) of Tokyo, Japan. 63 FR 14474. On November 7, 1998, the sixth day of the evidentiary hearing, complainant Fuji orally moved to amend the complaint and notice of investigation to withdraw claim 16 of U.S. Letters Patent 5,0063,400 from the scope of the investigation. Respondents Achiever Industries Limited (Achiever) and P.S.I. Industries Inc. (P.S.I.) and the Commission investigative attorney supported Fuji's motion. No other respondent present at the hearing objected to Fuji's motion.

In view of the nature of the motion, the support of the IA, Achiever, and PSI, and the lack of objection by the other respondents present at the hearing, the presiding ALJ Luckern issued an ID (Order No. 47) on November 9, 1998, granting Fuji's oral motion.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42.

Copies of the public version of the ALJ's ID, and all other nonconfidential documents filed in connection with this investigation, are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone 202–205–2000.

By order of the Commission.

Issued: September 4, 1998.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 98–32679 Filed 12–8–98; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

**[Investigations Nos. 701–TA–376–379 (Final) and 731–TA–788–793 (Final)]**

### Certain Stainless Steel Plate From Belgium, Canada, Italy, The Republic of Korea, South Africa, and Taiwan

**AGENCY:** United States International Trade Commission.

**ACTION:** Scheduling of the final phase of countervailing duty and antidumping investigations.

**SUMMARY:** The Commission hereby gives notice of the scheduling of the final phase of countervailing duty investigations Nos. 701–TA–376, 377, and 379 (Final) under section 705(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)) (the Act) and the final phase of antidumping investigations Nos. 731–TA–788–793 (Final) under section 735(b) of the Act (19 U.S.C. 1673d(b)) to determine whether an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of subsidized imports from Belgium, Italy, and South Africa and by reason of less-than-fair-value imports from Belgium, Canada, Italy, the Republic of Korea (Korea), South Africa, and Taiwan of certain stainless steel plate in coils, provided for in subheadings 7219.11.00, 7219.12.00, 7219.31.00, 7219.90.00, 7220.11.00, 7220.20.10, 7220.20.60, and 7220.90.00 of the Harmonized Tariff Schedule of the United States.[1] Section 207.21(b) of

[1] For purposes of these investigations, Commerce has defined the subject merchandise as certain stainless steel plate in coils. Stainless steel is an alloy steel containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. The subject plate products are flat-rolled products, 254 mm or over in width and 4.75 mm or more in thickness, in coils, and annealed or otherwise heat treated and pickled or otherwise descaled. The subject plate may also be further processed (e.g., cold-rolled, polished, etc.), provided that it maintains the specified dimensions of plate following such

the Commission's rules provides that, where the Department of Commerce has issued a negative preliminary determination, the Commission will not publish a notice of scheduling of the final phase of its investigation unless and until it receives an affirmative final determination from Commerce. Although the Department of Commerce has preliminarily determined that countervailable subsidies are not being provided to producers and exporters of certain stainless steel plate in coils from Korea, for purposes of efficiency the Commission hereby waives rule 207.21(b) and gives notice of the scheduling of the final phase of countervailing duty investigation No. 701–TA–378 (Final) under section 705(b) of the Act. The Commission is taking this action so that the final phases of the countervailing duty and antidumping investigations may proceed concurrently in the event that Commerce makes an affirmative final countervailing duty determination with respect to Korea. If Commerce makes a final negative countervailing duty determination with respect to Korea, the Commission will terminate its countervailing duty investigation under section 705(c)(2) of the Act (19 U.S.C. 1671d(c)(2)), and section 207.21(d) of the Commission's rules.

For further information concerning the conduct of this phase of the investigations, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

**EFFECTIVE DATE:** November 4, 1998.

**FOR FURTHER INFORMATION CONTACT:** Woodley Timberlake (202–205–3188), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (http://www.usitc.gov).

**SUPPLEMENTARY INFORMATION:**

## Background

The final phase of these investigations is being scheduled as a result of affirmative preliminary determinations by the Department of Commerce that certain benefits which constitute subsidies within the meaning of section 703 of the Act (19 U.S.C. 1671b) are being provided to manufacturers, producers, or exporters in Belgium, Italy, and South Africa of certain stainless steel plate in coils, and that such imports from Belgium, Canada, Italy, Korea, South Africa, and Taiwan are being sold in the United States at less than fair value within the meaning of section 733 of the Act (19 U.S.C. 1673b). The final phase of the countervailing duty investigation with respect to Korea is being scheduled, under waiver of section 207.21(b), discussed above, for purposes of efficiency. The investigations were requested in petitions filed on March 31, 1998, by Armco, Inc., Pittsburgh, PA; J&L Specialty Steel, Inc., Pittsburgh, PA; Lukens, Inc., Coatesville, PA; North American Stainless, Ghent, KY; and the United Steelworkers of America, AFL–CIO/CLC.

## Participation in the Investigations and Public Service List

Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the final phase of these investigations as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, no later than 21 days prior to the hearing date specified in this notice. A party that filed a notice of appearance during the preliminary phase of the investigations need not file an additional notice of appearance during this final phase. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations.

## Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and BPI Service List

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

## Staff Report

The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on March 9, 1999, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

## Hearing

The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on March 23, 1999, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before March 16, 1999. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on March 18, 1999, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 days prior to the date of the hearing.

## Written Submissions

Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is March 16, 1999. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is March 29, 1999; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the

processing. Excluded from the scope of these investigations are the following: (1) plate not in coils, (2) plate that is not annealed or otherwise heat treated and pickled or otherwise descaled, (3) sheet and strip, and (4) flat bars.

investigations on or before March 29, 1999. On April 16, 1999, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before April 20, 1999, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: December 1, 1998.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 98–32678 Filed 12–8–98; 8:45 am]

BILLING CODE 7020–02–P

## DEPARTMENT OF JUSTICE

## Antitrust Division

## United States v. General Electric Company and InnoServ Technologies, Inc., Civil Action No. 98–1744 (RCL)(D.D.C.); Response to Public Comments

Notice is hereby given pursuant to the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)-(h), that Public Comments and the Response of the United States have been filed with the United States District Court for the District of Columbia in *United States* v. *General Electric Company and InnoServ Technologies, Inc.*, Civil Action No. 98–1744 (RCL)(D.D.C., filed July 14, 1998). On July 14, 1998, the United States filed a Complaint alleging that the proposed acquisition of InnoServ Technologies by General Electric would violate Section 7 of the Clayton Act, 15 U.S.C. § 18. The proposed Final Judgment, filed at the same time as the Complaint, permits General Electric to acquire InnoServ but requires that General Electric divest InnoServ's PREVU diagnostic software used in the maintenance and repair of diagnostic imaging machines (*e.g.*, CT Scanners, MRIs, x-ray machines).

Public comment was invited within the statutory 60-day comment period. Such Comments, and the Responses thereto, are hereby published in the Federal Register and have been filed with the Court. Copies of the Complaint, Stipulation, proposed Final Judgment, Competitive Impact Statement, Public Comments and the Response of the United States are available for inspection in Room 215 of the Antitrust Division, Department of Justice, 325 7th Street, N.W., Washington, D.C. 20530 (telephone: 202–514–2481) and at the Office of the Clerk of the United States District Court for the District of Columbia, 333 Constitution Avenue, N.W., Washington, D.C.

Copies of any of these materials may be obtained upon request and payment of a copying fee.

**Constance K. Robinson,**

*director of Operations & Merger Enforcement, Antitrust Division.*

### Response To Public Comments

Pursuant to the requirements of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16(b)–(h) (''APPA'' or ''Tunney Act''), the United states hereby responds to the public comments received regarding the proposed Final Judgment in this case.

### I. Background

On July 14, 1998, the United States filed the Complaint in this matter, alleging that the acquisition by General Electric Company (''GE'') of InnoServ Technologies, Inc. (''InnoServ'') would violate Section 7 of the Clayton Act, 15 U.S.C. § 18. Simultaneously with the filing of the Complaint, the United States filed a proposed Final Judgment and Stipulation signed by all the parties allowing for entry of the Final Judgment following compliance with the Tunney Act. A Competitive Impact Statement (''CIS'') was also filed with the Court and published in the **Federal Register**, along with the proposed Final Judgment, on July 24, 1998 (see 63 FR 39894).

As explained more fully in the Complaint and CIS, GE, through its wholly owned subsidiary, General Electric Medical Systems (''GEMS''), is the largest manufacturer of medical imaging equipment, such as CT scanners and magnetic resonance imagers (''MRIs''), and is the leading service provider of GE imaging equipment. InnoServ, despite struggling financially for the last two years, was one of the nation's largest independent service organizations (''ISOs'') and had significant expertise and competed with GE in servicing certain GE imaging equipment. GE and InnoServ also competed in numerous local markets for comprehensive multi-vendor and asset-management services (''multi-vendor service''). GE's acquisition of InnoServ was therefore likely to reduce competition substantially in two markets: (i) the market for servicing certain models of GE imaging equipment on a discrete, machine-by-machine basis; and (ii) the multi-vendor service market.

The proposed Final Judgment permits GE to acquire InnoServ, which it did on September 16, but requires GE to divest promptly InnoServ's proprietary diagnostic software (called ''PREVU''). Diagnostic software is used by service engineers to calibrate, maintain, and service imaging equipment more quickly. InnoServ is one of the very few companies other than GE that developed its own proprietary diagnostic software for GE imaging equipment, and the United States concluded that it was primarily PREVU that had made InnoServ a good competitor to GE.

The 60-day period for public comments expired on September 22, 1998. As of today, the United States has received comments from two persons—Independent Service Network International (''ISNI''), which filed Comments and Supplemental Comments, and Star Technologies.[1] The United States has carefully considered the views expressed in these comments, but nothing in these comments has altered the United States' conclusion that the proposed Final Judgment is in the public interest. Once these comments and this Response are published in the Federal Register, the United States will have fully complied with the Tunney Act and will then file a motion for entry of the proposed Final Judgment.

### II. Response to Public Comments

#### *A. Initial Comment of Independent Service Network International*

ISNI, a trade association of 157 maintainers of high technology equipment, submitted two Comments. In its initial Comment, ISNI alleged that

[1] ISNI's initial Comments are attached as Appendix 1. The declaration of Claudia Betzner, ISNI's Executive Director, was submitted along with ISNI's initial Comments and is attached as Appendix 2. ISNI's Supplemental Comments are attached as Appendix 3. Star Technologies' Comment is attached as Appendix 4.