as those air carriers that operate fewer than five percent of the slots at DCA and LGA. Frontier urges the Department to allocate the divested slots into smaller bundles than what was proposed in the Notice of the revised Petition and prohibit an air carrier from acquiring all of the slots. Additionally, Frontier argues that divested LGA slots should not be transferable to EWR, and that exempting Frontier from the ''no subsidiaries'' requirement is fully justified and in the public interest.

Southwest submitted responsive comments supporting the Department's definition of ''limited incumbent'' in this proceeding, pointing out that any other definition would be inconsistent with the May 2010 Notice regarding the previous, similar transaction, and arguing that the proposed definition ensures that the divested slots are ''put to their best competitive use * * * to produce the maximum public benefits and partially offset the anticompetitive effects of the slot swap.'' Southwest further argues that this definition is justified in order to ensure that the transaction is in the public interest. It also claimed that smaller bundles of slots would provide only ''weak and diffuse'' competition by low-fare carriers. Southwest also supported a simple auction format in which the highest bidder won each bundle of slots.

Continental Airlines, Inc. and United Air Lines, Inc. submitted responsive comments opposing Virgin America's suggestion that divested LGA slots should be transferable to EWR.

In a September 13, 2011 submission, JetBlue reiterated its position that additional slot divestitures are required to ameliorate the anticompetitive effects of the proposed transaction. It also continued to argue that ''limited incumbent'' was defined in statute by the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR–21), and that implementation of AIR–21 is the core issue in this proceeding.

ACAA responded to these comments in a September 21, 2011 filing, and restated the benefits it believes accrue to the public from allowing carriers with more than five percent of the slots at either airport to participate in the auction.

[FR Doc. 2011–26465 Filed 10–11–11; 4:15 pm]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Technical Standard Order (TSO)–C129a, Airborne Supplemental Navigation Equipment Using the Global Positioning System (GPS)

AGENCY: Federal Aviation Administration (FAA), DOT

ACTION: Notice of cancellation of TSO–C129a, *Airborne Supplemental Navigation Equipment Using the Global Positioning System (GPS).*

SUMMARY: This notice announces the FAA's cancellation of TSO–C129a, Airborne Supplemental Navigation Equipment Using the Global Positioning System (GPS) effective October 21, 2011. TSO cancellation will not affect production according to an existing TSO authorization (TSOA). Articles produced under an existing TSOA can still be installed according to existing airworthiness approvals and applications for new airworthiness approvals will still be processed.

The effect of the cancelled TSO will result in no new TSO–C129a design or production approvals. However, we will accept applications for new TSO–C129a TSO Authorizations (TSOA) until October 21, 2012 if we know that you were working toward a TSO–C129a approval prior to October 21, 2011.

DATES: Comments must be received on or before October 20, 2011.

FOR FURTHER INFORMATION CONTACT: Mr. Kevin Bridges, AIR–130, Federal Aviation Administration, 470 L'Enfant Plaza, Suite 4102, Washington, DC 20024. Telephone (202) 385–4627, fax (202) 385–4651, e-mail to: *kevin.bridges@faa.gov.*

SUPPLEMENTARY INFORMATION: The FAA published a **Federal Register** notice on August 16, 2011 (76 FR 50808) describing our intent to cancel TSO–C129a to solicit feedback. We received a total of six comments from three parties with questions or concerns about the cancellation. For example, there was a comment to provide a transition period for applicants working toward a TSO–C129a approval prior to the cancellation date. The FAA agreed with this comment and has included a transition period in this notice. Another comment expressed concern regarding how an existing TSO–C129a technical standard order authorization (TSOA) would be addressed on an article with multiple TSOAs that has a change not affecting TSO–C129a. The FAA agrees to address this issue through a policy revision and/or policy memo. However, none of the parties providing comments expressed an objection to TSO–C129a being cancelled or provided reasons to not cancel the TSO.

Comments Invited

You are invited to comment on the cancellation of the TSO by submitting written data, views, or arguments to the above address on or before October 14, 2011. The Director, Aircraft Certification Service, will consider all comments post-marked or received before the TSO cancellation date.

Background

On September 21, 2009, the FAA published TSO–C196, Airborne Supplemental Navigation Sensors for Global Positioning System Equipment Using Aircraft-Based Augmentation; an updated minimum performance standard for GPS sensors not augmented by satellite-based or ground-based systems (*i.e.,* TSO–C129a Class B and Class C). The FAA has also published two TSOs for GPS augmented by the satellite-based augmentation system (TSO–C145c, Airborne Navigation Sensors Using the Global Positioning System Augmented by the Satellite-Based Augmentation System; and, TSO–C146c, Stand-Alone Navigation Equipment Using the Global Positioning System Augmented by the Satellite-Based Augmentation System).

TSO–C145c, TSO–C146c, and TSO–C196 incorporate more stringent standards and testing requirements that make the GPS equipment more accurate and robust than sensors built to the minimum requirements in TSO–C129a. Two examples of these improvements are: (1) A requirement for the receiver to properly account for satellite range error if it is reflected in the User Range Accuracy index (commonly referred to as being ''Selective Availability aware''); and, (2) requirements to ensure performance is not degraded due to an increasing radio frequency noise environment as other satellite systems become available.

Since 2005, there has only been one application for a TSO–C129a TSOA on a new article. Many manufacturers informally indicate they are transitioning, or planning to transition, their product lines to the new TSOs. Therefore, we believe cancelling TSO–C129a is an appropriate way to assist the natural phase-out/upgrade cycle given the eventual obsolescence of TSO–C129a equipment and industry's lack of interest in new TSO–C129a designs.

Issued in Washington, DC, on October 7, 2011.

Susan J.M. Cabler,

Assistant Manager, Aircraft Engineering Division, Aircraft Certification Service.

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35553]

Big Spring Rail System, Inc.;Operation Exemption;Transport Handling Specialists, Inc.

Big Spring Rail System, Inc. (BSRS), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to