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List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

Part 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Sections 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under South Carolina, is amended by adding Cross Hill, Channel 231A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-23620 Filed 9-13-96; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

Radio Broadcasting Services; Various Locations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, on its own motion, editorially amends the Table of FM Allotments to specify the actual classes of channels allotted to various communities. The changes in channel classifications have been authorized in response to applications filed by licensees and permittees operating on these channels. This action is taken pursuant to *Revision of Section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989), and the *Amendment of the Commission's Rules to permit FM Channel and Class Modifications [Upgrades] by Applications*, 8 FCC Rcd 4735 (1993).

EFFECTIVE DATE: September 16, 1996.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order*, adopted August 30, 1996, and released September 6, 1996. The full text of this Commission decision is available for inspection and copying

during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by removing Channel 231A and adding Channel 231C3 at Wickenburg.

3. Section 73.202(b), the Table of FM Allotments under Arkansas, is amended by removing Channel 227A and adding Channel 226C2 at DeQueen.

4. Section 73.202(b), the Table of FM Allotments under California, is amended by removing Channel 262C3 and adding Channel 262A at Quincy.

5. Section 73.202(b), the Table of FM Allotments under Hawaii, is amended by removing Channel 226C1 and adding Channel 226C at Honolulu.

6. Section 73.202(b), the Table of FM Allotments under Kentucky, is amended by removing Channel 227A and adding Channel 227C3 at Bowling Green.

7. Section 73.202(b), the Table of FM Allotments under Montana, is amended by removing Channel 244C3 and adding Channel 244C2 at Belgrade.

8. Section 73.202(b), the Table of FM Allotments under North Carolina, is amended by removing Channel 225A and adding Channel 224C1 at Ocracoke.

9. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by removing Channel 272A and adding Channel 273C3 at Eufaula.

10. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 292A and adding Channel 292C2 at Gonzales and by removing Channel 297A and adding Channel 297C3 at Ingleside.

11. Section 73.202(b), the Table of FM Allotments under Vermont, is amended by removing Channel 252A and adding Channel 249C3 at Lyndon.

12. Section 73.202(b), the Table of FM Allotments under West Virginia, is amended by removing Channel 221A and adding Channel 224A at Clarksburg.

13. Section 73.202(b), the Table of FM Allotments under Wyoming, is amended

by removing Channel 276A and adding Channel 276C1 at Sundance.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-23617 Filed 9-13-96; 8:45 am]

BILLING CODE 6712-01-F

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

49 CFR Part 1002

[STB Ex Parte No. 542]

Regulations Governing Fees for Services Performed in Connection With Licensing and Related Services—1996 Update

AGENCY: Surface Transportation Board, DOT.

ACTION: Final rules; Delay of effectiveness.

SUMMARY: The Surface Transportation Board (Board) is delaying the effective date for Fee Item (60), Labor arbitration proceedings and Fee Item (61), Appeals to a Surface Transportation Board decision and petitions to revoke an exemption pursuant to 49 U.S.C. 10502(d), to allow sufficient time for the Board to consider the related petition to reopen that has been filed in this proceeding.

EFFECTIVE DATE: The effective date for 49 CFR 1002.2(f), fee items (60) and (61), published in the Federal Register at 61 FR 42190 (August 14, 1996) is delayed until the Board issues a decision on the merits of the related petition to reopen filed in this proceeding. The Board will announce further information in the Federal Register regarding the effective date of these two fee items when a decision on the merits of the related petition to reopen filed in this proceeding is issued.

FOR FURTHER INFORMATION CONTACT:

Kathleen M. King, (202) 927-5249 or David T. Groves, (202) 927-6395. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION: The Board issued final rules to implement its 1996 user fee update on August 14, 1996 at 61 FR 42190. Those rules are scheduled to go into effect on September 16, 1996.

On August 26, 1996, Joseph Szabo, the Illinois Legislative Director for the United Transportation Union (Mr. Szabo), filed a petition for stay

requesting that the Board stay the establishment of the new \$7,600 filing fee for Fee Item (60), Labor arbitration proceedings, and the new \$150 filing fee for Fee Item (61), Appeals to a Surface Transportation Board decision and petitions to revoke an exemption pursuant to 49 U.S.C. 10502(d), pending the disposition of his petition to reopen the August 14, 1996 decision. In letters filed August 26, 1996, the United Transportation Union and the Brotherhood of Locomotive Engineers also objected to the establishment of these two fees and supported Mr. Szabo's petition for stay. On September 3, 1996, Mr. Szabo filed his petition to reopen this proceeding.

Under the authority of 49 U.S.C. 721(a), I am granting a "housekeeping" delay of the effective date of Fee Items (60) and (61) so that the Board will have sufficient time to consider the issues raised in the related petition to reopen. The Board intends to act on that petition by October 1, 1996. All other fee items will go into effect as scheduled.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Decided: August 11, 1996.

By the Commission, Chairman Morgan.

Vernon A. Williams,
Secretary.

For the reasons set forth in the preamble, the effective date of 49 CFR 1002.2(f), fee items (60) and (61), published at 61 FR 42190 (August 14, 1996), is delayed until the Board issues a decision on the merits of the related petition to reopen filed in this proceeding. The Board will announce further information in the Federal Register regarding the effective date of these two fee items when a decision on the merits of the petition to reopen is issued.

[FR Doc. 96-23664 Filed 9-13-96; 8:45 am]

BILLING CODE 4915-00-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[I.D. 091096C]

Atlantic Tuna Fisheries; Recreational Fishery Adjustments

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Fishery reopening; catch limit adjustment.

SUMMARY: NMFS has adjusted the Atlantic bluefin tuna (ABT) Angling category quota by transferring 10 metric tons (mt) from the Inseason Reserve. Therefore, the Angling category fishery for school ABT will open for the northern area beginning Friday, September 13, at 1 a.m. local time and close on Sunday, September 15 at 11:30 p.m. local time. The daily catch limit for this reopening is set at one school ABT per vessel. This action is being taken to extend scientific data collection on school ABT while preventing overharvest of the adjusted subquota for the northern area.

EFFECTIVE DATES: The transfer of 10 mt from the Reserve to the Angling category, and the transfer of 10 mt from the Incidental longline south subcategory to the Reserve are effective September 11, 1996. The Angling category fishery for school ABT will open for the northern area beginning Friday, September 13, at 1 a.m. local time and close on Sunday, September 15 at 11:30 p.m. local time.

FOR FURTHER INFORMATION CONTACT: John Kelly, 301-713-2347, or Mark Murray-Brown, 508-281-9260.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285. Section 285.22 subdivides the U.S. quota recommended by the International Commission for the Conservation of Atlantic Tunas among the various domestic fishing categories.

NMFS is required, under § 285.20(b)(1), to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the catch of ABT will equal the quota and publish a Federal Register announcement to close the applicable fishery.

Angling Category Reopening

Implementing regulations for the Atlantic tuna fisheries at § 285.22 provide for a quota of 138 mt of school ABT and 100 mt of large school/small medium ABT to be harvested from the regulatory area by vessels fishing under the Angling category quota during calendar year 1996. The school ABT quota is further subdivided into 65 mt for states Delaware and south and 73 mt for states New Jersey and north.

Based on catch estimates obtained through angler interviews, NMFS closed

the southern school ABT fishery on July 25, 1996 (61 FR 38656, July 25, 1996) and the coastwide large school/small medium July 31 (61 FR 40352, August 2, 1996). Although catch estimates did not indicate that the quota was reached, NMFS closed the school ABT Angling category fishery for the northern area effective August 17, 1996 (61 FR 43027, August 20, 1996) due to estimated overharvests of the school ABT southern area subquota and the coastwide large school/small medium ABT quota.

Under the implementing regulations at 50 CFR 285.22(f), the Assistant Administrator for Fisheries, NOAA (AA), has the authority to make adjustments to quotas involving transfers from the Inseason Reserve after considering the following factors: (1) The usefulness of information obtained from catches of the particular category of the fishery for biological sampling and monitoring the status of the stock, (2) the catches of the particular gear segment to date and the likelihood of closure of that segment of the fishery if no allocation is made, (3) the projected ability of the particular gear segment to harvest the additional amount of Atlantic bluefin tuna before the anticipated end of the fishing season, and (4) the estimated amounts by which quotas established for other gear segments of the fishery might be exceeded.

Because scientific information from the northern school ABT fishery is needed to broaden the temporal and geographic range of data incorporated into the school ABT index of abundance, NMFS transfers 10 mt from the Inseason Reserve to allow the northern school ABT fishery to reopen. Such transfer responds to the four criteria listed above as follows: (1) Angling category landings are a major contributor to the collection of biological data on this fishery, (2) catch in the Angling category to date has precluded the northern area school ABT fishery as planned and this fishery cannot occur if no allocation is made, (3) the Angling category is projected to harvest the additional amount of Atlantic bluefin tuna before the anticipated end of the fishing season, and (4) the impact on other gear segments is minimal since sufficient quota remains for the incidental category, the purse seine fishery is managed under individual quotas and other gear segments of the fishery have previously been closed or are subject to predetermined set-asides.

Catch Limit Adjustment

Implementing regulations for the Atlantic tuna fisheries at § 285.24