

**SUPPLEMENTARY INFORMATION:** The Commission opened this docket with the release of a Notice of Proposed Rulemaking: Amendment to Part 61 of the Commission's Rules Requiring Metric Conversion of Tariff Materials and Supporting Information, CC Docket No. 93-55, 10 FCC Rcd 6483 (1993) (1993 NPRM), 58 FR 26087, April 30, 1993. The 1993 NPRM was one of several actions that the Commission took in response to the Metric Conversion Act of 1975, Public Law 94-168, 89 Stat. 1007 (1975), as amended by Public Law 100-418, 102 Stat. 1107 (1988) (codified at 17 U.S.C. § 205 *et seq.*) (Metric Conversion Act). This is a summary of the Commission's later Report and Order in this docket adopted March 12, 1996, and released March 29, 1996, 11 FCC Rcd 3617 (1996) (Report and Order). The full text of this Report and Order is available for inspection and copying during normal business hours in the FCC Public Reference Room (Room 239), 1919 M St., NW., Washington, DC. The complete text of this Report and Order may also be purchased from the Commission's copy contractor, International Transcription Service, Suite 140, 2100 M Street, NW., Washington, DC 20037.

#### Regulatory Flexibility Analysis

Because the Commission did not impose any of the proposed metric conversion options on common carriers and, instead, simply terminated this proceeding, the Commission has determined that Section 605(b) of the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), does not apply to the adoption of this Report and Order because termination of this proceeding does not have any significant economic impact on small entities.

#### Summary of Report and Order

In the 1993 NPRM, the Commission expressed its belief that distance-sensitive units in tariff filings under Part 61 of its rules should be expressed in metric units. Accordingly, that NPRM proposed three options for conversion of common carrier tariff materials to the metric system. Under Option 1, the Conversion Table Option, carriers would be required to include, in the general rules section of their tariff materials, a table for converting non-metric units of measurement to metric units. Under Option 2, carriers would be required to include—in the applicable rate sections of their tariff materials—the metric unit and corresponding rate in parenthesis beside the non-metric unit and related rate (e.g., \$4.00 per mile (\$2.50 per kilometer)). Under Option 3, carriers would be required to include

only the metric unit and related rate in the applicable rate sections of their tariff materials. To aid tariff users not familiar with the metric system, Option 3 would also require carriers to include appropriate conversion tables in their tariff materials.

Most commenting parties urged the Commission not to adopt any rule requiring metric conversion of common carrier tariff materials. Some parties noted that the Metric Conversion Act does not obligate the Commission to require metric conversion of such materials. A number of parties argued that the anticipated costs for carriers to convert these materials and the related administrative burdens on each carrier to revise tariff materials far outweigh any benefits to those who use these materials.

The National Institute of Standards and Technology at the U.S. Department of Commerce (NIST) recommended that these tariff materials include either (a) the metric unit and corresponding rate followed in parenthesis by the non-metric unit and rate, or (b) the non-metric unit and corresponding rate followed by the metric unit and rate. Thus, NIST would allow carriers to choose which measurement system would be dominant in their tariff materials and which would be included in parenthesis. Should the Commission not adopt that approach, NIST urged that common carriers be required to comply with Option 2 in the 1993 NPRM because, in the view of NIST, that option most closely met the goals of the Metric Conversion Act. In addition, the Chairman of the Standards and Metric Practices Subcommittee of the Interagency Council on Metric Policy urged the Commission to allow carriers to use only metric units in their tariff materials because use of any other option would require carriers to continue to use two sets of units in these materials.

The Commission found that the carrier burdens associated with both Option 2 and Option 3 clearly outweigh the benefits to the public that each offers. Although Option 1, the Conversion Table Option, would be less burdensome than either of the other two options, the Commission found that it, too, would impose additional burdens on carriers. While the Commission recognized that inclusion of such conversion tables in tariff materials would promote its metric conversion program and would potentially benefit some tariff users, the Commission, nevertheless, found that the benefits associated with such a requirement

would be outweighed by the estimated burdens on carriers.

Thus, in light of the record established in response to the 1993 NPRM, the Commission no longer found that the benefits of having metric units or metric conversion tables in tariff materials exceeded the related burdens on those carriers that filed these materials. Instead, the Commission found that the benefits to carriers and their customers of converting tariff materials to the metric system—or of including conversion tables in such materials—were not sufficiently clear to justify the burdens involved. Accordingly, the Commission declined to adopt any of the conversion options proposed in the 1993 NPRM and terminated this proceeding.

#### Ordering Clause

Accordingly, *It is ordered*, that the proceeding initiated in CC Docket No. 93-55 *Is terminated*.

#### List of Subjects in 47 CFR Part 61

Communications common carriers, Metric system, Telecommunications.

Federal Communications Commission.

LaVera F. Marshall,

*Acting Secretary*.

[FR Doc. 97-529 Filed 1-9-97; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[I.D. 122396B]

#### New England Fishery Management Council; Meeting

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

**ACTION:** Public meeting.

**SUMMARY:** The New England Fishery Management Council (Council) will hold a 1-day public meeting to consider actions affecting New England fisheries in the exclusive economic zone.

**DATES:** The meeting will be held on Tuesday, January 16, 1997, at 9 a.m.

**ADDRESSES:** The meeting will be held at the Tara Ferncroft Conference and Resort, 50 Ferncroft Road, Danvers, MA 01923; telephone (508) 777-2500. Requests for special accommodations should be addressed to the New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1097; telephone (617) 231-0422.

**FOR FURTHER INFORMATION CONTACT:**

Christopher B. Kellogg, Acting Executive Director, New England Fishery Management Council, (671) 231-0422.

**SUPPLEMENTARY INFORMATION:** This 1-day meeting is being held to discuss right whale and groundfish management issues.

Background Information for  
Abbreviated Rulemaking—Northeast  
Multispecies

The Council will consider taking action on framework adjustments to the Fishery Management Plan for the Northeast Multispecies Fishery (FMP) under the framework for abbreviated rulemaking procedure contained in 50 CFR 648.90. Initial action will be taken on a framework adjustment to the FMP that would restrict fixed gear in the Great South Channel area to protect right whales in critical habitat during high use periods.

The remainder of the day will be used to consider Framework Adjustment 20,

an action that would establish groundfish stock rebuilding measures for the 1997 fishing year. The range of options under consideration include area closures, gear modifications, and possible reductions in days-at-sea allocations. As part of this action, the Council also will discuss effort reduction measures for gillnet vessels, alternatives to the current haddock trip limit, incentives to reduce fishing effort on inshore groundfish stocks, and measures to protect the 1992 year class of winter flounder.

The Council will consider other adjustments that will be submitted as part of Framework Adjustment 20. These concern an exempted fishery for monkfish with 10-inch (25.4 cm) or larger mesh gillnets, an exempted fishery for mussel dredges in Southern New England, and modification of the bycatch allowances in the northern shrimp fishery. Any other outstanding business will be addressed at the end of the day.

The Council will consider public comments at a minimum of 2 Council meetings prior to making any final recommendations to the Regional Administrator, Northeast Region, NMFS, under the provisions for abbreviated rulemaking cited above. If the Regional Administrator concurs with the measures proposed by the Council, he will publish them as a final rule in the Federal Register.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Christopher B. Kellogg (see **ADDRESSES**) at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: January 6, 1996.

Bruce Morehead,

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 97-588 Filed 1-9-97; 8:45 am]

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