

telecommunications revenues that such telecommunications carrier derives from providing telecommunications service in the areas that regional database serves, ii) to the sum of the intrastate, interstate, and international end-user telecommunications revenues that all telecommunications carriers derive from providing telecommunications service in the areas that regional database serves.

(b) The local number portability administrator for a particular regional database may require the telecommunications carriers providing telecommunications service in the areas served by the regional database to provide once a year that data necessary to calculate, pursuant to paragraph (a)(1) or (a)(2) of this section, those carriers' portions of the shared costs of long-term number portability attributable to that regional database. All such telecommunications carriers shall comply with any such requests.

(c) Once a telecommunications carrier has been allocated, pursuant to paragraph (a)(1) or (a)(2) of this section, its portion of the shared costs of long-term number portability attributable to a regional database, the carrier shall treat that portion as a carrier-specific cost directly related to providing number portability.

3. Add § 52.33 to read as follows:

§ 52.33 Recovery of carrier-specific costs directly related to providing long-term number portability.

(a) Incumbent local exchange carriers may recover their carrier-specific costs directly related to providing long-term number portability by establishing in tariffs filed with the Federal Communications Commission a monthly number-portability charge, as specified in paragraph (a)(1), and a number portability query-service charge, as specified in paragraph (a)(2).

(1) The monthly number-portability charge may take effect no earlier than February 1, 1999, on a date the incumbent local exchange carrier selects, and may end no later than five years after that date.

(i) An incumbent local exchange carrier may assess each end user it serves in the 100 largest metropolitan statistical areas, and each end user it serves from a number-portability-capable switch outside the 100 largest metropolitan statistical areas, one monthly number-portability charge per line except that:

(A) One PBX trunk shall receive nine monthly number-portability charges.

(B) One PRI ISDN line shall receive five monthly number-portability charges.

(C) Lifeline Assistance Program customers shall not receive the monthly number-portability charge.

(ii) An incumbent local exchange carrier may assess on carriers that purchase the incumbent local exchange carrier's switching ports as unbundled network elements under section 251 of the Communications Act, and resellers of the incumbent local exchange carrier's local service, the same charges as described in paragraph (a)(1)(A) of this section, as if the incumbent local exchange carrier were serving those carriers' end users.

(iii) An incumbent local exchange carrier may not assess a monthly number-portability charge for local loops carriers purchase as unbundled network elements under section 251.

(iv) The incumbent local exchange carrier shall levelize the monthly number-portability charge over five years by setting a rate for the charge at which the present value of the revenue recovered by the charge does not exceed the present value of the cost being recovered, using a discount rate equal to the rate of return on investment which the Commission has prescribed for interstate access services pursuant to Part 65 of the Commission's Rules.

(2) The number portability query-service charge may recover only carrier-specific costs directly related to providing long-term number portability that the incumbent local exchange carrier incurs to provide long-term number portability query service to carriers on a prearranged and default basis.

(b) All telecommunications carriers other than incumbent local exchange carriers may recover their number portability costs in any manner consistent with applicable state and federal laws and regulations.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[I.D. 061898D]

Atlantic Tuna Fisheries; Atlantic Bluefin Tuna

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

ACTION: Catch limit adjustment.

SUMMARY: NMFS adjusts the daily catch limit for the Angling category fishery for Atlantic bluefin tuna (BFT) in the southern area (Delaware and states south) to one fish per angler, with a maximum of three fish per vessel, from the school size class and one fish per vessel from the large school or small medium size class. The duration of the catch limit adjustment is limited to the period of June 26 through July 27, 1998, whereupon the limit will revert to one BFT from the school, large school, or small medium size class per vessel per day. This action is being taken to provide increased fishing opportunities in the southern area without risking overharvest of this category.

DATES: The daily catch limit adjustment is effective 1:00 a.m., local time, June 26, 1998, until 11:30 p.m., local time, July 27, 1998.

FOR FURTHER INFORMATION CONTACT: Pat Scida, 978-281-9260, or Sarah McLaughlin, 301-713-2347.

SUPPLEMENTARY INFORMATION: Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285.

Implementing regulations for the Atlantic tuna fisheries at § 285.24 allow for adjustments to the daily catch limits in order to provide for maximum utilization of the quota spread over the longest possible period of time. The Assistant Administrator for Fisheries, NOAA, may increase or reduce the per angler catch limit for any size class BFT or may change the per angler limit to a per boat limit or a per boat limit to a per angler limit.

NMFS is responsible for implementing the International Commission for the Conservation of Atlantic Tunas recommendation to limit the annual catch of school bluefin to 8 percent by weight of the total annual domestic quota, i.e., 1,344 metric tons (mt). In addition, it is NMFS' goal to increase the geographical and temporal distribution of data collection and fishing opportunities for all fishermen in the Angling category.

Since January 1, 1998, NMFS has maintained the daily catch limit at one BFT per vessel to ensure that the southern area quota would not be exceeded and to provide increased fishing opportunities throughout the southern area. Preliminary estimates of southern area landings for January through May 1998 indicate that no more than 5 mt of school BFT (subquota of 51 mt), no more than 10 mt of large school/small medium BFT (subquota of 72 mt),

and approximately 2.3 mt of large medium/giant BFT (subquota of 5 mt) were landed. Updates to these estimates will be used to effect any further inseason adjustments as necessary. NMFS has determined that a catch limit adjustment is warranted to ensure reasonable fishing opportunities in all geographic areas without risking overharvest.

The daily catch limit for the southern area is adjusted as follows: No more than one BFT per angler, with a maximum of three fish per vessel, from the school size class may be retained each day per Angling category vessel. In addition, one BFT per vessel per day may be landed from the large school or small medium size class. This catch limit adjustment is effective June 26 through July 27, 1998, whereupon the catch limit will revert to one BFT from the school, large school, or small medium size class per vessel per day.

These catch limits have been selected based on catch rates for the 1997 fishing season. Therefore, NMFS will continue to monitor the Angling category fishery closely through the Automated Catch Reporting System and the Large Pelagic Survey. Depending on the level of fishing effort and catch rates of BFT, NMFS may determine that an interim closure or additional catch limit adjustment is necessary to enhance scientific data collection from all geographic areas. Closures or subsequent adjustments to the daily catch limit, if any, shall be announced through publication in the **Federal Register**. In addition, anglers may call the Atlantic Tunas Information Line at 888-USA-TUNA (888-872-8862), 301-713-1279, or 978-281-9305 for updates on quota monitoring and catch limit adjustments. Anglers aboard Charter/Headboat vessels, when engaged in recreational fishing for school, large school, and small medium BFT, are subject to the same rules as anglers aboard Angling category vessels. All BFT landed under the Angling category quota must be reported within 24 hours of landing to the NMFS Automated Catch Reporting System by phoning 888-USA-TUNA (888-872-8862), or in North Carolina, to a reporting station. For information about the North Carolina Harvest Tagging Program, including reporting station locations, call 800-338-7804.

Classification

This action is taken under 50 CFR 285.24(d)(3) and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 971 *et seq.*

Dated: June 23, 1998.

Gary C. Matlock,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 980319068-8155-02; I.D. 021998A]

RIN 0648-AK59

Fisheries Off West Coast States and in the Western Pacific; Western Pacific Bottomfish Fishery; Fishing Moratorium

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

ACTION: Final rule.

SUMMARY: NMFS is extending the current moratorium on harvesting seamount groundfish from the Hancock Seamount in the Northwestern Hawaiian Islands until August 31, 2004. The fishery has been under a moratorium since 1986. This action is being taken in response to a recommendation by the Western Pacific Fishery Management Council (Council), which heard reports from its Bottomfish Plan Team and Scientific and Statistical Committee that revealed that armorhead (*Pentaceros richardsoni*), an overfished seamount species, has not recovered. The intent of this action is to allow the protection provided for this resource to continue.

DATES: Effective September 1, 1998.

ADDRESSES: Request for information relevant to this action should be sent to William T. Hogarth, Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802.

FOR FURTHER INFORMATION CONTACT: James J. Morgan or Svein Fougner, Assistant Regional Administrator for Sustainable Fisheries, (562) 980-4030, or Al Katekaru, Pacific Islands Area Office, (808) 973-2985.

SUPPLEMENTARY INFORMATION: A proposed rule was published in the **Federal Register** on March 26, 1998 (63 FR 14675) requesting public comments on extending the moratorium on harvesting seamount groundfish from Hancock Seamount in the Northwestern Hawaiian Islands until August 31, 2004. There were no comments received

during the public comment period ending May 11, 1998.

This resource was overfished by foreign vessels before the Magnuson Fishery Conservation and Management Act was implemented; it has never been the target of domestic fishermen. The original Fishery Management Plan for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region, implemented in 1986, established a moratorium on fishing for bottomfish and seamount groundfish (51 FR 27413, July 31, 1986). Periodic reviews of the stocks indicated that no recovery had occurred. Therefore, on August 17, 1992 (57 FR 36907), the moratorium was extended to August 31, 1998. Armorhead was listed as overfished in the September 1997 "Report to Congress Status of Fisheries of the United States."

The last U.S. research cruise of Hancock Seamount was conducted in 1993; however, the Japanese trawl fleet continues to harvest armorhead on neighboring seamounts outside the exclusive economic zone (EEZ). According to bottom trawl catch and effort statistics provided by the National Research Institute of the Far Seas Fisheries, the most current (1995) spawning potential ratio (SPR) for the armorhead stock is 1.8 percent at all seamounts outside the EEZ. These seamounts comprise 95 percent of the trawl grounds and 91 percent of the total historic seamount-wide catch in the Japanese trawl fishery. Based on the low SPR value, it is inferred that the status of the Hancock Seamount armorhead stock is similarly depressed and well under the current 20 percent SPR definition for an overfished stock.

At its April 21, 1997, meeting, the Council heard reports from its Bottomfish Plan Team and Scientific and Statistical Committee on the status of seamount groundfish resources. On the basis of those reports, and in accordance with the framework procedures at 50 CFR 660.67, the Council recommended that the moratorium be extended for at least another 6 years (i.e., August 31, 2004).

The Council recognizes that the stocks extend outside the EEZ and that the moratorium will not ensure recovery of the resource within the EEZ; however, the action is in accordance with U.S. responsibilities under the Magnuson-Stevens Fishery Conservation and Management Act. The Council also has taken action to convene a panel of international experts to explore possible international management of the Emperor and Hawaiian Ridge Seamount armorhead fishery under the aegis of the United Nations Agreement Relating to