

distribute the corrected report and statement(s) to previous queriers (where identifiable), the reporting entity and the subject of the report.

(ii) Concludes that the information contained in the report is inaccurate, the Secretary will inform the subject of the determination and direct the HIPDB or the reporting entity to revise the report. The Secretary will include a brief statement (Secretarial Statement) in the report describing the findings. The HIPDB will distribute the corrected report and statement (s) to previous queriers (where identifiable), the reporting entity and the subject of the report.

(iii) Determines that the disputed issues are outside the scope of the Department's review, the Secretary will inform the subject and the HIPDB of the determination. The Secretary will include a brief statement (Secretarial Statement) in the report describing the findings. The report will be removed from "disputed status." The HIPDB will distribute the report and the statement(s) to previous queriers (where identifiable), the reporting entity and the subject of the report.

(iv) Determines that the adverse action was not reportable and therefore should be removed from the HIPDB, the Secretary will inform the subject and direct the HIPDB to void the report.

The HIPDB will distribute a notice to previous queriers (where identifiable), the reporting entity and the subject of the report that the report has been voided.

Dated: April 10, 1998.

**June Gibbs Brown,**  
Inspector General.

Approved: June 9, 1998.

**Donna E. Shalala,**  
Secretary.

[FR Doc. 98-29147 Filed 10-29-98; 8:45 am]

BILLING CODE 4160-15-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 73 and 74

[MM Docket No. 95-31; FCC 98-269]

#### Reexamination of Comparative Standards for Noncommercial Educational Applicants

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission is seeking further comment on methods that it might use to choose among competing applications involving noncommercial

educational (NCE) broadcast stations, both on the reserved and nonreserved portions of the broadcast spectrum. The Commission proposes to eliminate the current traditional hearing process, which has been costly and time consuming without making meaningful distinctions between applicants. It seeks comments on various alternatives, including lotteries and point systems. The intended effect is to improve methods for considering noncommercial educational broadcast applications, consistent with statutory requirements.

**DATES:** Comments are due on or before December 14, 1998. Reply comments are due on or before January 4, 1999.

**ADDRESSES:** Paper comments should be sent to Secretary, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554. Electronic comments should be sent via the Internet to <http://www.fcc.gov/e-file/ecfs.html>.

**FOR FURTHER INFORMATION CONTACT:** Irene Bleiweiss, Mass Media Bureau, Audio Services Division (202) 418-2780.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Further Notice of Proposed Rule Making* (In the Matter of Reexamination of the Comparative Standards for Noncommercial Educational Applicants), adopted October 7, 1998, and released October 21, 1998. The complete text of this *Further Notice of Proposed Rule Making* is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C., and also may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 1231 20th Street, N.W., Washington, DC 20036.

#### Synopsis of Order

1. The Commission first issued a *Notice of Proposed Rule Making* in this proceeding in 1995 [60 FR 15275 March 23, 1995]. The Commission is now issuing a *Further Notice of Proposed Rule Making* to seek comments on additional options and issues. The Commission proposes to discontinue its use of traditional comparative hearings to select among competing applicants for noncommercial educational (NCE) radio and television stations. It solicits comments on several alternatives.

2. With respect to applicants for channels reserved for NCE use, the Commission proposes to use either a lottery or a point system. A lottery would be weighted to give significant preference to applicants who would increase diversity of ownership and

applicants controlled by a member or members of a minority group, as required by statute. A point system would have no required statutory components. The Commission seeks comment on various factors for which it might award points, including local diversity, fair distribution of service, technical parameters, and other factors. The Commission also seeks comments on tie breakers, to be used if two or more applicants receive the same number of points.

3. NCE applicants, along with commercial applicants, can also currently apply for channels not specifically reserved for NCE use. The Balanced Budget Act of 1997 requires that commercial licenses be awarded by auction but exempts certain NCE stations from auction. The Commission solicits comments on whether the statute would permit an auction between commercial and NCE applicants for nonreserved channels, with or without bidding credits for the NCE applicant. It also presents several non-auction alternatives including expanding the limited circumstances under which the Commission will reclassify a commercial channel as available for NCE use only in a particular area; considering NCE entities ineligible to apply for nonreserved channels altogether; and hybrid approaches consisting of a lottery/auction or point system/auction. The Commission invites comments and additional suggestions from the public.

#### List of Subjects in 47 CFR Parts 73 and 74

Radio broadcasting, Television broadcasting.

Federal Communications Commission.

**Magalie Roman Salas,**  
Secretary.

[FR Doc. 98-29065 Filed 10-29-98; 8:45 am]

BILLING CODE 6712-01-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

#### 49 CFR Part 1146

[STB Ex Parte No. 628]

#### Expedited Relief for Service Inadequacies

**AGENCY:** Surface Transportation Board.

**ACTION:** Extension of time for filing reply comments.

**SUMMARY:** In a supplemental notice of proposed rulemaking served October 15, 1998, and published in the **Federal**

**Register** on October 20, 1998 (63 FR 55996) (October supplemental notice), the Surface Transportation Board requested the filing of supplemental reply comments on November 6, 1998. In response to a request filed by Edison Electric Institute (EEI), the Board is extending for one week (to November 13, 1998) the date for filing supplemental replies. The supplemental comment date of October 30, 1998, remains the same.

**DATES:** Supplemental reply comments are now due November 13, 1998.

**ADDRESSES:** An original plus 12 copies of all supplemental replies, referring to STB Ex Parte No. 628, must be sent to the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, copies should be served upon all parties included in the service list issued by the Board in its notices served June 9 and 16, 1998, which are available on the Board's website ([www.stb.dot.gov](http://www.stb.dot.gov)). The October supplemental notice contains further information concerning the availability of obtaining, copying, and seeing documents, and the requirements for electronic submission of documents.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar, (202) 565-1600. [TDD for the hearing impaired: (202) 565-1695.]

**SUPPLEMENTARY INFORMATION:** In a decision in this proceeding served May 12, 1998, and published in the **Federal Register** on May 18, 1998 (63 FR 27253), the Board instituted a proceeding to solicit comments on proposed rules that would establish expedited procedures for shippers to obtain alternative rail service from another carrier when the incumbent carrier cannot properly serve shippers. In the October supplemental notice, the Board requested comments on a request by the American Short Line and Regional Railroad Association (ASLRRA) for similar expedited procedures to be established for Class II and Class III railroads to obtain temporary access to an additional carrier under similar circumstances. Supplemental comments on the ASLRRA request are due October 30, 1998. Supplemental replies to such comments are due November 6, 1998.

In a request filed October 22, 1998, EEI asks that the supplemental reply comments be due on or before November 13, 1998. In support of its

request, EEI submits that the one-week extension is needed, *inter alia*, to prepare meaningful replies and to coordinate with other parties, and to avoid conflict with two meetings outside Washington, D.C. on November 2-3 and November 4-6, involving a large number of shippers. EEI states that ASLRRA does not oppose the one-week extension. EEI's request is reasonable, and it will be granted.

Decided: October 27, 1998.

By the Board, Vernon A. Williams, Secretary.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 98-29155 Filed 10-29-98; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[I.D. 101698B]

#### Fisheries off West Coast States and in the Western Pacific; Northern Anchovy Fishery

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

**ACTION:** Receipt of an application for an exempted fishing permit; request for comments.

**SUMMARY:** NMFS announces receipt of an application for an exempted fishing permit (EFP) that would allow an experimental fishery for northern anchovy in an area off San Francisco closed to vessels fishing for the purposes of reducing the catch into products such as fish meal and oil. Reduction fishing is prohibited in the Farallon Islands closure by 50 CFR 660.512 of the regulations implementing the Northern Anchovy Fishery Management Plan (FMP). The purpose of the proposed experiment is to investigate the consequences of conducting a small-scale reduction fishery in the area. If granted, the permit would allow fishing that otherwise would be prohibited by the FMP and its implementing regulations. NMFS may authorize such a permit pursuant to regulations at 50 CFR 600.745(b).

**DATES:** Comments must be received by November 30, 1998.

**ADDRESSES:** Send comments to Dr. William T. Hogarth, Regional Administrator, Southwest Region, NMFS, 501 W. Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213.

**FOR FURTHER INFORMATION CONTACT:** Svein Fougner or James Morgan at (562)980-4030).

**SUPPLEMENTARY INFORMATION:** The FMP and implementing regulations at 50 CFR 600.745(b) specify that EFPs may be issued to authorize fishing that otherwise would be prohibited by an FMP and set forth procedures for issuing permits.

NMFS has accepted an EFP application for review and has forwarded copies to the U.S. Coast Guard and the Director of the California Department of Fish and Game. The applicant proposes to harvest northern anchovy off the coast of California in the area of the Farallon Islands. This area has been closed to reduction fishing since implementation of the FMP in 1978 and, like other area closures in the FMP, was meant to avoid conflict between recreational vessels and what was then a high-volume reduction fishery. Fishing operations would most likely take place in the spring of 1999 with roundhaul gear and would involve from one to three vessels of 30 to 50 mt capacity.

The application will be discussed at the November 2-6, 1998, meeting of the Pacific Fishery Management Council, which will be held at the Doubletree Hotel Columbia River in Portland, OR 1401 N. Hayden Island Drive, Portland, OR 97217 (63 FR 54450, October 9, 1998). The decision on whether to issue an EFP and determinations on appropriate permit conditions will be based on a number of considerations, including recommendations made by the Council and comments received from the public. A copy of the application is available for review at the NMFS Southwest Regional Office (see **ADDRESSES**).

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

Dated: October 23, 1998.

**Bruce C. Morehead,**

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

[FR Doc. 98-29085 Filed 10-29-98; 8:45 am]

BILLING CODE 3510-22-F