

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Parts 4 and 24

[Notice No. 868]

RIN 1512-AB78

#### Implementation of Public Law 105-34, Section 1417, Related to the Use of Additional Ameliorating Material in Certain Wines (98R-89P)

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

**ACTION:** Notice of proposed rulemaking cross-referenced to temporary regulations.

**SUMMARY:** In the Rules and Regulations portion of this **Federal Register**, the Bureau of Alcohol, Tobacco and Firearms (ATF) is issuing temporary regulations to implement section 1417 of the Taxpayer Relief Act of 1997. The new law made changes in the use of additional ameliorating material in certain wines. The wine regulations are amended to extend the amelioration and sweetening limitations so that wines made exclusively from any fruit (excluding grapes) or berry with a fixed acid content of 20 or more parts per thousand is entitled to a volume of up to 60 percent ameliorating material.

**DATES:** Written comments must be received on or before December 15, 1999.

**ADDRESSES:** Send written comments to: Chief, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 50221, Washington, DC 20091-0221, Attention: Notice Number 868.

**FOR FURTHER INFORMATION CONTACT:** Thomas B. Busey, Regulations Division, 650 Massachusetts Avenue, NW., Washington, DC 20226; (202) 927-8204.

#### SUPPLEMENTARY INFORMATION:

#### Executive Order 12866

It has been determined that this proposed rule is not a significant

regulatory action as defined by Executive Order 12866. Therefore, a regulatory assessment is not required.

#### Regulatory Flexibility Act

Because this proposed rule does not impose a collection of information requirement on small entities, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601) do not apply. Moreover, the revenue effects of this rulemaking on small businesses flow directly from the underlying statute. Likewise, any secondary or incidental effects, or other compliance burdens flow directly from the statute. Pursuant to 26 U.S.C. 7805(f), this proposed regulation will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

#### Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507) and its implementing regulations, 5 CFR part 1320, do not apply to this notice of proposed rulemaking because no new requirement to collect information is proposed.

#### Public Participation

ATF requests comments on the temporary regulations from all interested persons. Comments received on or before the closing date will be carefully considered. Comments received after that date will be given the same consideration if it is practicable to do so, but assurance of consideration cannot be given except as to comments received on or before the closing date.

Comments may be submitted by facsimile transmission (FAX) to (202) 927-8602, provided the comments: (1) are legible, (2) are 8 1/2" x 11" in size, (3) contain a written signature, and (4) are three pages or less in length. This limitation is necessary to assure reasonable access to the equipment. Comments sent by FAX in excess of three pages will not be accepted. Receipt of FAX transmittals will not be acknowledged. Facsimile transmitted comments will be treated as originals.

ATF will not recognize any material in comments as confidential. Comments may be disclosed to the public. Any material which the commenter considers to be confidential or inappropriate for disclosure to the public should not be included in the comment. The name of the person

submitting the comment is not exempt from disclosure. During the comment period, any person may request an opportunity to present oral testimony at a public hearing. However, the Director reserves the right, in light of all circumstances, to determine if a public hearing is necessary.

The temporary regulations in this issue of the **Federal Register** amend the regulations in 27 CFR parts 4 and 24. For the text of the temporary regulations see T.D. ATF-403, published in the Rules and Regulations section of this issue of the **Federal Register**.

#### Drafting Information

The principal author of this document is Thomas B. Busey, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

Signed: July 22, 1999.

**John W. Magaw,**  
*Director.*

Approved: August 13, 1999.

**John P. Simpson,**  
*Deputy Assistant Secretary (Regulatory, Tariff and Trade Enforcement).*

[FR Doc. 99-24159 Filed 9-15-99; 8:45 am]

BILLING CODE 4810-31-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 1, 22, 24, 26, 27, 73, 74, 80, 87, 90, 95, 97, and 101

[WT Docket No. 99-87, RM-9332, RM-9405; DA 99-1861]

#### Revised Competitive Bidding Authority

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice; extension of reply comment period.

**SUMMARY:** This document extends the time to file reply comments on the *Notice of Proposed Rule Making* released on March 25, 1999. Reply comments were due on or before September 16, 1999. On September 10, 1999, the Commission released an order (DA 99-1861) that grants the Land Mobile Communications Council's "Request for Extension of Time to File Reply Comments." The new deadline will be September 30, 1999.

**DATES:** Reply comments must be filed on or before September 30, 1999.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Room TW-A325, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Gary D. Michaels, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau, at (202) 418-0660, or Scot Stone, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, at (202) 418-0680.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Order* in WT Docket No. 99-87, DA 99-1861, adopted and released on September 10, 1999. The full text of the *Order* is available for inspection and copying during normal business hours in the FCC Reference Information Center, Room CY-A257, 445 Twelfth Street, SW., Washington, DC 20554, and may also be purchased from the Commission's duplicating contractor, International Transcription Services, Inc., 445 Twelfth Street, SW., Room CY-B400, Washington, DC 20554, (202) 314-3070. The *Order* is also available on the Internet at the Commission's web site: <http://www.fcc.gov/wtb/documents.html>.

1. On March 25, 1999, the Commission released a *Notice of Proposed Rule Making* ("NPRM"), WT Docket No. 99-87, RM-9332, RM-9405, FCC 99-52, 63 FR 23571, May 3, 1999. The *NPRM* initially stated that comments and reply comments would be due on or before July 2, 1999 and August 2, 1999, respectively. On May 19, 1999 the Commission released an *Order*, WT Docket No. 99-87, RM-9332, RM-9405, FCC 99-950, 64 FR 30288, June 7, 1999, extending the deadline for comments to August 2, 1999 and reply comments to September 16, 1999.

2. On September 8, 1999, the Land Mobile Communications Council ("LMCC") filed a "Request for Extension of Time to File Reply Comments" to extend the deadline for filing reply comments to September 30, 1999. LMCC contends that an extension is warranted due to the voluminous initial responses to the *NPRM*, the multiple questions raised therein as well as coinciding comment deadlines in other Commission proceedings that significantly impact the private wireless industry.

3. Although the Commission does not routinely grant extensions of time in rule making proceedings, we agree that an extension will afford parties the necessary time to coordinate and file reply comments that will facilitate the compilation of a more complete record in this proceeding, without causing

undue delay of the Commission's consideration of the issues.

Accordingly, *it is ordered* that the "Request for Extension of Time to File Reply Comments" filed by the Land Mobile Communications Council is granted. Interested parties may file reply comments on or before September 30, 1999.

4. This action is taken pursuant to the authority provided in 47 CFR 1.46 and under delegated authority pursuant to 47 CFR 0.131, 0.331.

Federal Communications Commission.

**Mark R. Bollinger,**

*Deputy Chief, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau.*

[FR Doc. 99-24232 Filed 9-15-99; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 99-1803, MM Docket No. 99-276, RM-9702]

### Radio Broadcasting Services; Scappoose and Tillamook, OR

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Thunderegg Wireless, L.L.C., licensee of Station KJUN, requesting the reallocation of Channel 281C3 from Tillamook to Scappoose, OR, as the community's first local aural service, and the modification of Station KJUN's license to specify Scappoose as its community of license. Channel 281C3 can be allotted to Scappoose in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.5 kilometers (4.1 miles) northwest, at coordinates 45-46-58 NL; 122-57-13 WL, to accommodate petitioner's desired transmitter site. Canadian concurrence in the allotment is required since Scappoose is located within 320 kilometers (200 miles) of the U.S.-Canadian border.

**DATES:** Comments must be filed on or before October 25, 1999, and reply comments on or before November 9, 1999.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or

consultant, as follows: John E. Fiorini III, H. Anthony Lehv, Gardner, Carton & Douglas, 1301 K Street, NW., Suite 900, East Tower, Washington, DC 20005 (Counsel to petitioner).

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 99-276, adopted August 25, 1999, and released September 3, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing *permissible ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 99-24156 Filed 9-15-99; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 990907245-9245-01; I.D. 082499B]

RIN 0648-AM86

### Fisheries of the Northeastern United States; Atlantic Herring Fishery; Atlantic Herring Fishery Management Plan

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and