

attributable interest in the entity with which they are so associated. The officers and directors of an entity that controls a cellular licensee shall be considered to have an attributable interest in the cellular licensee.

(7) Ownership interests that are held indirectly by any party through one or more intervening corporations will be determined by successive multiplication of the ownership percentages for each link in the vertical ownership chain and application of the relevant attribution benchmark to the resulting product, except that if the ownership percentage for an interest in any link in the chain exceeds 50 percent or represents actual control, it shall be treated as if it were a 100 percent interest. (For example, if A owns 20% of B, and B owns 40% of licensee C, then A's interest in licensee C would be 8%. If A owns 20% of B, and B owns 51% of licensee C, then A's interest in licensee C would be 20% because B's ownership of C exceeds 50%.)

(8) Any person who manages the operations of a cellular licensee pursuant to a management agreement shall be considered to have an attributable interest in such licensee if such person, or its affiliate, has authority to make decisions or otherwise engage in practices or activities that determine, or significantly influence,

(i) The nature or types of services offered by such licensee;

(ii) The terms upon which such services are offered; or

(iii) The prices charged for such services.

(9) Any licensee or its affiliate who enters into a joint marketing arrangements with a cellular licensee, or its affiliate shall be considered to have an attributable interest, if such licensee, or its affiliate, has authority to make decisions or otherwise engage in practices or activities that determine, or significantly influence,

(i) The nature or types of services offered by such licensee;

(ii) The terms upon which such services are offered; or

(iii) The prices charged for such services.

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 64

[CC Docket 94-158; FCC 99-171]

#### Operator Services Providers and Call Aggregators

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; establishment of effective date.

**SUMMARY:** This document establishes the effective date of the rule published on August 30, 1999 concerning a deadline to update inaccurate information posted on a public phone about the presubscribed provider of long-distance operator services at that location.

**DATES:** Section 64.703(c) of the Commission's rules published at 64 FR 47118 (August 30, 1999) concerning Operator Services Providers and Call Aggregators shall become effective November 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Adrien R. Auger, Enforcement Division, Common Carrier Bureau (202) 418-0960, or via the Internet at [aauger@fcc.gov](mailto:aauger@fcc.gov).

**SUPPLEMENTARY INFORMATION:** On July 12, 1999, the Commission amended its rules to require that the information that call aggregators must post on or near pay phones be updated as soon as practicable, but no later than 30 days from the time of a change of the presubscribed operator service provider. The new rule was adopted in order to ensure that consumers are timely provided with basic information they need to make informed choices among telecommunications operator services providers. A summary of this order was published in the **Federal Register**. See 64 FR 47118, August 30, 1999. Because § 64.703(c) imposes new information collection requirements, it could not become effective until approved by the Office of Management and Budget (OMB). We stated that the Commission would publish a document in the **Federal Register** announcing the effective date for the rule. On September 24, 1999, OMB approved the information collections contained in the rule. (See OMB No. 3060-0653). This publication satisfies our statement that the Commission would publish a document announcing the effective date of the rule.

#### List of Subjects in 47 CFR Part 64

Communications common carriers, Reporting and recordkeeping requirements, Telephone.

Federal Communications Commission.

**William F. Caton,**

*Deputy Secretary.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

[I.D. 092899G]

#### Atlantic Highly Migratory Species Fisheries; Atlantic Bluefin Tuna

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

**ACTION:** General category closure.

**SUMMARY:** NMFS has determined that the 1999 Atlantic bluefin tuna (BFT) coastwide General category quota will be attained by October 3, 1999. Therefore, the coastwide General category fishery will be closed effective 11:30 p.m. on October 3, 1999. This action is being taken to prevent overharvest of the coastwide General category quota of 644 metric tons (mt). **DATES:** Effective 11:30 p.m. local time on October 3, 1999, through May 31, 2000.

**FOR FURTHER INFORMATION CONTACT:** Brad McHale or Pat Scida, 978-281-9260.

**SUPPLEMENTARY INFORMATION:** Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. Section 635.27 subdivides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas among the various domestic fishing categories. The General category landings quota, including time-period subquotas and the New York Bight set-aside, are specified annually as required under § 635.27(a)(1). The 1999 General category quota and effort control specifications were issued June 1, 1999 (64 FR 29806, June 3, 1999).

#### General Category Closure

NMFS is required, under § 635.28 (a)(1), to file with the Office of the Federal Register for publication notification of closure when a BFT quota is reached, or is projected to be

reached. On and after the effective date and time of such closure notification, for the remainder of the fishing year or for a specified period as indicated in the notification, fishing for, retaining, possessing, or landing BFT under that quota category is prohibited until the opening of the subsequent quota period or until such date as specified in the notification.

The 1999 BFT quota specifications issued pursuant to § 635.27 set a coastwide General category quota of 644 mt of large medium and giant BFT to be harvested from the regulatory area during the 1999 fishing year. Based on reported landings and effort, NMFS projects that this quota will be reached by October 3, 1999. Therefore, fishing for, retaining, possessing, or landing large medium or giant BFT by persons aboard vessels in the General or Charter/Headboat categories must cease at 11:30 p.m. local time October 3, 1999. The intent of this closure is to prevent overharvest of the coastwide quota established for the General category.

The 1999 quota specifications also established a set-aside quota of 10 mt for vessels fishing in the New York Bight area. NMFS will announce the opening date of the General category New York Bight fishery through a separate **Federal Register** document when it is determined that large medium and giant BFT are available in the New York Bight area. Allowing a few days transition between the closure of the coastwide fishery and the opening of the New York Bight fishery reduces concerns regarding enforcement of regulations applicable to that area, i.e., that upon the effective date of the set-aside fishery, fishing for, retaining, or landing large medium or giant BFT is authorized only within the set-aside area.

General category permit holders may tag and release BFT while the General category is closed, subject to the requirements of the tag-and-release program at § 635.26. Vessels permitted in the Charter/Headboat category that are still eligible for the Angling category trophy fish allowance under § 635.23(c)(1)(2) may land one large medium or giant BFT prior to May 31, 2000.

#### Classification

This action is taken under § 635.28(a) and is exempt from review under E.O. 12866.

**Authority:** 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: October 1, 1999.

**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 679

[Docket No. 990304062-9062-01; I.D. 100199A]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Vessels Less Than or Equal To 99 Feet LOA Catching Pollock for Processing by the Inshore Component in the Bering Sea

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

**ACTION:** Modification of a closure.

**SUMMARY:** NMFS is modifying a closure for pollock by vessels catching pollock for processing by the inshore component in the critical habitat/catcher vessel operational area (CH/CVOA) of the Bering Sea and Aleutian Islands management area (BSAI) to exempt from this closure vessels less than or equal to 99 feet length over all (LOA). This action is necessary because a sufficient amount of the C season limit of the pollock total allowable catch (TAC) specified for the inshore component within the CH/CVOA remains to accommodate fishing by vessels less than or equal to 99 feet LOA catching pollock for processing by the inshore component.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), October 1, 1999 until 2400 hrs A.l.t., December 31, 1999, or until NMFS publishes further notice in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.20(a)(5)(i)(C)(1) and the revised emergency interim rule implementing Steller Sea lion conservation measures (64 FR 39087, July 21, 1999), the 1999 C season limit of pollock TAC specified to the inshore component for harvest within the CH/CVOA is 79,307 metric tons (mt). On September 29, 1999, the Administrator, Alaska Region, NMFS (Regional Administrator), issued a notice, which will publish on October 4, 1999, stating that the C season limit of pollock had been reached and prohibited directed fishing for pollock by all vessels catching pollock for processing by the inshore component within the CH/CVOA.

However, in calculating the directed fishing closure, 5,000 mt of pollock had been reserved to accommodate continued fishing by catcher vessels less than or equal to 99 feet LOA, consistent with § 679.22(a)(11)(iv)(C)(2). Although the notice prohibited directed fishing for pollock by all inshore vessels, the intent was to close directed fishing for catcher vessels greater than 99 feet LOA and to exempt from the closure catcher vessels less than or equal to 99 feet LOA.

Consequently, NMFS is modifying the September 29, 1999, directed fishing closure for inshore pollock in the CH/CVOA to exempt from the closure catcher vessels less than or equal to 99 feet LOA catching pollock for processing by the inshore component within the CH/CVOA conservation zone, as defined at § 679.22(a)(11)(iv)(B). The closure remains in full force and effect for inshore catcher vessels greater than 99 feet LOA.

#### Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to allow for the continued fishing for the C season limit of pollock in the CH/CVOA by catcher vessels less than or equal to 99 feet LOA catching pollock for processing by the inshore component. A delay in the effective date is impracticable and contrary to the public interest. Further delay would result in inconsistency with regulation implementing reasonable and prudent management measures to promote the recovery of the endangered Steller sea lion. NMFS finds for good cause that the implementation of this action can not be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.