

include a federal mandate that may result in estimated annual costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: September 30, 1999.

William J. Muszynski,

Acting Regional Administrator, Region 2.

[FR Doc. 99-26856 Filed 10-13-99; 8:45 am]

BILLING CODE 6560-50-U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 271

[FRL-6453-1]

Georgia: Final Authorization of State Hazardous Waste Management Program Revisions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to grant final authorization to the hazardous waste program revisions submitted by Georgia. In the "Rules and Regulations" section of this **Federal Register**, EPA is authorizing the State's program revisions as an immediate final rule without prior proposal because EPA views this action as noncontroversial and anticipates no adverse comments. The Agency has explained the reasons for this authorization in the preamble to the immediate final rule. If EPA does not receive adverse written comments, the immediate final rule will become effective and the Agency will not take further action on this proposal. If EPA receives adverse written comments, EPA will withdraw the immediate final rule and it will not take effect. EPA will then address public comments in a later final rule based on this proposal. EPA may not provide further opportunity for comment. Any parties interested in commenting on this action must do so at this time.

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

ADDRESSES: Mail written comments to Narindar Kumar, Chief, RCRA Programs Branch, Waste Management Division, U.S. Environmental Protection Agency, The Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303-3104; (404) 562-8440. You can examine copies of the materials submitted by Georgia during normal business hours at the following locations: EPA Region 4, Library, The Sam Nunn Atlanta Federal Center, 61 Forsyth Street, SW, Atlanta, Georgia 30303-3104, Phone number: (404) 562-8190; or Georgia Department of Natural Resources, Environmental Protection Division, 205 Butler Street, SE, Atlanta, Georgia 30334, Phone number: (404) 656-2833.

FOR FURTHER INFORMATION CONTACT: Narindar Kumar, Chief, RCRA Programs Branch, Waste Management Division, U.S. Environmental Protection Agency at the above address and phone number.

SUPPLEMENTARY INFORMATION: For additional information, please see the immediate final rule published in the "Rules and Regulations" section of this **Federal Register**.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

[FR Doc. 99-26192 Filed 10-13-99; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

Possible Revision or Elimination of Rules

AGENCY: Federal Communications Commission.

ACTION: Review of regulations under the Regulatory Flexibility Act; comment request.

SUMMARY: This document invites members of the public to comment on the Commission's rules to be reviewed pursuant to the Regulatory Flexibility Act of 1980. The purpose of the review is to determine whether the rules, published 1986 through 1989 as contained in the Appendix, should be continued without change, should be amended, or should be rescinded to minimize any significant impact of the rules upon a substantial number of small entities. Upon receipt of comments from the public, comments will be evaluated, and action taken to rescind or amend the Commission's rules, as required.

DATES: Comments may be filed on or before December 10, 1999.

FOR FURTHER INFORMATION CONTACT: Eric Malinen or Helen G. Hillegass, Office of Communications Business Opportunities, Federal Communications Commission, (202) 418-0990.

ADDRESSES: Federal Communications Commission, Office of Secretary, 445 12th Street, SW, Washington, DC 20554.

SUPPLEMENTARY INFORMATION: Each year an opportunity will be created for a review and comment by interested parties on the Commission's rules that may require amendment or rescission. What follows is the entire text of the public notice, including the Appendix.

Public Notice

FCC Seeks Comment Regarding Possible Revision or Elimination of Rules Under the Regulatory Flexibility Act, 5 U.S.C. 610

Released: September 24, 1999.

Comment Period Closes: December 10, 1999.

1. Pursuant to the Regulatory Flexibility Act of 1980, *see* 5 U.S.C. 610, the Federal Communications Commission (FCC) hereby publishes a plan for the review of rules issued by the agency in calendar years 1986, 1987, 1988, and 1989 which have, or might have, a significant economic impact on a substantial number of small entities. The purpose of the review will be to determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any significant economic impact of such rules upon a substantial number of small entities.

2. The accompanying Appendix lists the FCC regulations to be reviewed during the next twelve months. In succeeding years, as here, lists will be published for the review of regulations promulgated ten years preceding the year of review.

3. In reviewing each rule under this plan to minimize the possible significant economic impact on small entities, consistent with the stated objectives of the applicable statutes, the FCC will consider the following factors:

- The continued need for the rule;
- The nature of complaints or comments received concerning the rule from the public;
- The complexity of the rule;
- The extent to which the rule overlaps, duplicates, or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and

e. The length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

4. Appropriate information has been provided for each rule, including a brief description of the rule and the need for and legal basis of the rule. The public is invited to comment on the rules chosen for review by December 10, 1999. All relevant and timely comments will be considered by the FCC before final action is taken in this proceeding. To file formally in this proceeding, participants should file an original and four copies of all comments. Comments should be sent to the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. Comments will be available for public inspection during regular business hours in the FCC Reference Center of the Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

Appendix

List of Rules for Review Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. 610, for 1996, 1997, 1998, 1999. All listed rules are in Title 47 of the Code of Federal Regulations.

TITLE 47 OF THE CODE OF FEDERAL REGULATIONS

PART 0—COMMISSION ORGANIZATION

Subpart C—General Information

Brief Description: This rule describes the procedures to be followed in filing applications or other filings requiring a fee under part 1, subpart G of the Commission's Rules, 47 CFR 1.1101 through 1.1182. The subpart G rules pertain to statutory filing and regulatory fees. The rule here listed elaborates on the procedures, including issues of timing, means, and filing locations, to be used in conjunction with such applications or other filings.

Need: This rule facilitates efficient and uniform filing procedures in the implementation of fee statutes.

Legal Basis: 47 U.S.C. 154(i), 154(j), 303(r).

Section Number and Title:

0.401(b) Location of Commission Offices

PART 1—PRACTICE AND PROCEDURE

Subpart B—Hearing Proceedings

Brief Description: The rules describe how a fee must accompany written appearances filed with the Commission in certain cases designated for hearing, including comparative broadcast proceedings involving applicants for new facilities.

Need: The rules facilitate fee collection procedures for certain fees required by statute.

Legal Basis: 47 U.S.C. 154(i), 154(j), 158(f), 303(r).

Section Number and Title:

1.221(f) Notice of hearing; appearances

1.221(g) Notice of hearing; appearances

Subpart C—Rulemaking Proceedings

Brief Description: This rule permits the Commission, during the course of rulemakings to amend the tables of allotments for FM or TV broadcast stations in order to modify the license or permit of the affected entity to specify a new community of license, under certain circumstances.

Need: The rule permits the above procedure only in instances where the new allotment would be mutually exclusive with the existing allotment. Without the procedure, licensees and permittees might be deterred from seeking improvements to technical facilities that would require a modification of the community of license.

Legal Basis: 47 U.S.C. 154(i), 303(r), 307.

Section Number and Title:

1.420(i) Additional procedures in proceedings for amendment of the FM or TV Tables of Allotments

Subpart E—Complaints, Applications, Tariffs, and Reports Involving Common Carriers

Brief Description: This rule describes requirements for formal complaint proceedings, including content requirements for pleadings and other documents. The rule includes standards for documenting legal and factual sources relied upon, and a requirement that the filing attorney or other filing party be identified.

Need: The rule promotes a more complete record for the effective and efficient disposition of complaints.

Legal Basis: 47 U.S.C. 151, 154(i), 208, 403.

Section Number and Title:

1.720 General pleading requirements

Brief Description: This rule specifies that FCC Form 492 must be used when carriers file reports regarding interstate rates of return, as required by part 65 of the Commission's Rules, 47 CFR part 65.

Need: Use of the specialized form, FCC Form 492, facilitates the collection of data under part 65 of the Commission's rules.

Legal Basis: 47 U.S.C. 154(i), 154(j), 205.

Section Number and Title:

1.795 Reports regarding interstate rates of return

Subpart F—Wireless Radio Services Applications Proceedings

Brief Description: These rules establish the requirements and conditions under which domestic common carrier radio stations may be licensed in the Wireless Radio Services.

Need: These rules are promulgated to ensure the most effective and efficient use of the radio spectrum the Commission regulates. These rules are necessary to ensure that the Commission maintains consistency, fairness, and accuracy in its licensing responsibilities.

Legal Basis: 47 U.S.C. 154, 222, 301, 303, 309, 332.

Section Number and Title:

1.903 Authorization required

1.913 Application forms; electronic and manual filing

1.919 Ownership information

1.923 Content of applications

1.926 Application processing; initial procedures

1.929 Classification of filings as major or minor

1.931(b)(11) Application for special temporary authority

1.933 Public notices

1.945 License grants

1.946 Construction and coverage requirements

1.948 Assignment of authorization or transfer of control, notification of consummation

1.955 Termination of authorizations

Subpart G—Schedule of Statutory Charges and Procedures for Payment

Brief Description: These rules specify that a filing fee will be returned or refunded when the application for new or modified facilities is not timely filed in accordance with the filing window; they also specify the circumstances under which applicants in the Mass Media Services designated for comparative hearings need pay no hearing fee, or are entitled to a refund of the hearing fee.

Need: In implementing statutory requirements for the fee program, these

rules result in equitable treatment to permit a refund where filings have been returned without requiring staff action, and also where a surviving Mass Media Services applicant is immediately grantable.

Legal Basis: 47 U.S.C. 154(i), 158.

Section Number and Title:

1.1113(a)(6) Return or refund of charges

1.1113(b) Return or refund of charges

Brief Description: This rule specifies that reconsideration or review of FCC Fee Section staff action is available only when the applicant has made full and proper fee payment, and the fee payment has not failed while the Commission considers the matter.

Need: The rule facilitates the efficient functioning of the fee program in this context. Without the rule, the failure to include full and proper payment along with the request would needlessly delay the Commission's processes and increase the paperwork burden on the staff.

Legal Basis: 47 U.S.C. 154(i), 158.

Section Number and Title:

1.1118(b) Error claims

Subpart O—Collection of Claims Owed the United States

Brief Description: These rules implement the Debt Collection Improvement Act of 1982, including the use of administrative and salary offsets, reporting of delinquent individual debtors to consumer reporting agencies, the assessment of interest, penalties, administrative and other sanctions against delinquent debtors, the issuance of contracts to private collection services for the recovery of money owed to the United States, and the procedures to be followed in referring delinquent debts to the Department of Treasury for collection by offsets against tax refunds owed to the particular debtor.

Need: These rules implement the Debt Collection Act of 1982.

Legal Basis: 31 U.S.C. 3701, 3711, *et seq.*; 5 U.S.C. 5514.

Section Number and Title:

1.1901 Definitions

1.1902 Exceptions

1.1903 Use of procedures

1.1904 Conformance to law and regulations

1.1905 Other procedures; collection of forfeiture penalties

1.1906 Informal action

1.1907 Return of property

1.1908 Omissions not a defense

1.1911 Demand for payment

1.1912 Collection by administrative offset

1.1913 Administrative offset against amounts payable from Civil Service Retirement and Disability Fund

1.1914 Collection in installments

1.1915 Exploration of compromise

1.1916 Suspending or terminating collection action

1.1917 Referrals to the Department of Justice or the General Accounting Office

1.1918 Use of consumer reporting agencies

1.1919 Contracting for collection services

1.1925 Purpose

1.1926 Scope

1.1927 Notification

1.1928 Hearing

1.1929 Deduction from pay

1.1930 Liquidation from final check or recovery from other payment

1.1931 Non-waiver of rights by payments

1.1932 Refunds

1.1933 Interest, penalties and administrative costs

1.1934 Recovery when paying agency is not creditor agency

1.1935 Obtaining the services of a hearing official

1.1940 Assessment

1.1941 Exemptions

1.1942 Other sanctions

1.1950 Reporting discharged debts to the Internal Revenue Service

1.1951 Offset against tax refunds

1.1952 Interagency requests

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Subpart B—Allocation, Assignment, and Use of Radio Frequencies

Brief Description: These rules display the Table of Frequency Allocations, which sets forth a "road map" of the service allocations of radio frequency spectrum throughout the world. The Table of Allocations also indicates how spectrum is allocated among Federal Government users, who are subject to the regulatory jurisdiction of the Department of Commerce's National Telecommunications and Information Administration, and non-Federal users, who are subject to the Commission's jurisdiction. The table further shows the services to which the various spectrum bands are allocated. The precise technical rules governing each service regulated by the Commission, however, are set forth in the several other parts of the Commission's rules.

Need: These rules are promulgated to promote the efficient use of the radio spectrum in order to prevent harmful interference among users of radio frequencies, to ensure safety of life and property, and to promote interoperability among radio frequencies throughout the world.

Legal Basis: 47 U.S.C. 154, 303.

Section Number and Title:

2.100 International regulations in force

2.101 Nomenclature of frequencies

2.102 Assignment of frequencies

2.103 Government use of non-Government frequencies

2.104 International Table of Frequency Allocations

2.105 United States Table of Frequency Allocations

2.106 Table of Frequency Allocations

2.107 Radio astronomy station notification

2.108 Policy regarding the use of the fixed-satellite allocations in the 3.6–3.7, 4.5–4.8, and 5.85–5.925 GHz bands

Subpart K—Importation of Devices Capable of Causing Harmful Interference

Brief Description: These rules update current rules to better accomplish interference prevention from radio-frequency devices and facilitate the filing of FCC Form 740 (Importation) information.

Need: These rules are promulgated to control criteria thereby reducing filing and handling burden on both importers and the government and facilitates conversion to a method of electronic filing of importation information in cooperation with the U.S. Customs Service.

Legal Basis: 47 U.S.C. 154(i), 302, 303(r).

Section Number and Title:

2.1201 Purpose

2.1202 Exclusions

2.1203 General requirement for entry into the U.S.A.

2.1205 Filing of required declaration

2.1207 Examination of imported equipment

PART 15—RADIO FREQUENCY DEVICES

Brief Description: These rules provide the parameters necessary to permit the unlicensed operation of radio frequency devices.

Need: These rules are necessary to promote the efficient use of the radio spectrum by preventing harmful interference to licensed radio services that share the same or nearby spectrum. Such licensed services include broadcast, cellular, safety-of-life communications, U.S. Government operations, and others. The rules specify standards regarding the levels of wanted and unwanted emissions and frequencies of permitted operation.

Legal Basis: 47 U.S.C. 154, 302, 303, 304, 307, 544A.

MDS licensees. These rules supply requirements for cable television and the competitive bidding process; instructions for specific application forms, partitioned service areas, basic trading areas, and all other procedures applicable to MDS.

Legal Basis: 47 U.S.C. 151, 154, 201, 202, 203, 204, 205, 208, 215, 218, 303, 307, 313, 314, 403, 404, 552, 554, 602.

Section Number and Title:

- 21.910 Special procedures for discontinuance, reduction or impairment of service by common carrier MDS licensees

PART 22—PUBLIC MOBILE SERVICES

Brief Description: These rules establish the requirements and conditions under which domestic common carrier radio stations may be licensed and used in the Public Mobile Radio Services.

Need: These rules are promulgated to ensure the most effective and efficient use of the radio spectrum the Commission regulates. These rules are necessary to ensure that the Commission maintains consistency, fairness, and accuracy in its licensing responsibilities.

Legal Basis: 47 U.S.C. 154, 222, 303, 309, 332.

Section Number and Title:

Subpart A—Scope and Authority

- 22.3 Authorization required

Subpart B—Licensing Requirements and Procedures

- 22.107 General application requirements
22.131 Procedures for mutually exclusive applications
22.143 Construction prior to grant of application
22.144 Termination of authorizations
22.150 Standard pre-filing technical coordination procedure

Subpart C—Operational and Technical Requirements

- 22.351 Channel assignment policy
22.352 Protection from interference
22.353 Blanketing interference
22.367 Wave polarization

Subpart D—Developmental Authorizations

- 22.411 Developmental authorization of 43 MHz paging transmitters
22.413 Developmental authorization of 72–76 MHz fixed transmitters

Subpart E—Paging and Radiotelephone Service

- 22.511 Construction period for the Paging and Radiotelephone Service
22.529 Application requirements for the Paging and Radiotelephone Service
22.531 Channels for paging operation
22.535 Effective radiated power limits
22.537 Technical channel assignment criteria
22.559 Paging application requirements
22.561 Channels for one-way or two-way mobile operation
22.563 Provisions of rural radiotelephone service upon request
22.565 Transmitting power limits
22.567 Technical channel assignment criteria
22.589 One-way or two-way application requirements
22.591 Channels for point-to-point operation
22.593 Effective radiated power limits
22.599 Assignment of 72–76 MHz channels
22.601 Assignment of microwave channels
22.603 488–494 MHz fixed service in Hawaii
22.621 Channels for point-to-multipoint operation
22.623 System configuration
22.625 Transmitter locations
22.627 Effective radiated power limits
22.651 470–512 MHz channels for trunked mobile operation
22.653 Eligibility
22.655 Channel usage
22.657 Transmitter locations
22.659 Effective radiated power limits

Subpart F—Rural Radiotelephone Service

- 22.702 Eligibility
22.709 Rural radiotelephone service application requirements
22.711 Provision of information to applicants
22.713 Construction period for rural radiotelephone stations
22.719 Additional channel policy for rural radiotelephone stations
22.725 Channels for conventional rural radiotelephone stations
22.729 Meteor burst propagation modes
22.757 Channels for basic exchange telephone radio systems

Subpart G—Air-Ground Radiotelephone Service

- 22.809 Transmitting power limits
22.811 Idle tone
22.815 Construction period for general aviation ground stations

- 22.873 Construction period for commercial aviation air-ground systems

Subpart H—Cellular Radiotelephone Service

- 22.901 Cellular service requirements and limitations
22.913 Effective radiated power limits
22.923 Cellular system configuration
22.925 Prohibition on airborne operation of cellular telephones
22.937 Demonstration of financial qualifications
22.946 Service commencement and construction periods for cellular systems

Subpart I—Offshore Radiotelephone Service

- 22.1035 Construction period
22.1037 Application requirements for offshore stations

PART 32—UNIFORM SYSTEM OF ACCOUNTS FOR TELECOMMUNICATIONS COMPANIES

Brief Description: This rule establishes the Uniform System of Accounts, a financial based system maintained in sufficient detail to facilitate recurrent regulatory decision making without undue reliance on ad hoc information requests and special studies. It also provides a stable platform that accepts different costing methodologies and accommodates improvements to separations and settlements processes.

Need: This rule implements the Uniform System of Accounts.

Legal Basis: 47 U.S.C. 154, 219, 220.

Subpart A—Preface

Section Number and Title:

- 32.1 Background
32.2 Basis of the accounts
32.3 Authority
32.4 Communications Act

Subpart B—General Instructions

Section Number and Title:

- 32.11 Classification of companies
32.12 Records
32.13 Accounts—general
32.14 Regulated accounts
32.15 [Reserved.]
32.16 Changes in accounting standards
32.17 Interpretation of accounts
32.18 Waivers
32.19 Address for reports and correspondence
32.20 Numbering convention
32.21 Sequence of accounts
32.22 Comprehensive interperiod tax allocation

32.23	Nonregulated activities	32.2112	Motor vehicles	32.4070	Income taxes—accrued
32.24	Compensated absences	32.2113	Aircraft	32.4080	Other taxes—accrued
32.25	Unusual items and contingent liabilities	32.2114	Special purpose vehicles	32.4100	Net current deferred operating income taxes
32.26	Materiality	32.2115	Garage work equipment	32.4110	Net current deferred nonoperating income taxes
32.27	Transactions with affiliates	32.2116	Other work equipment	32.4120	Other accrued liabilities
Subpart C—Instructions For Balance Sheet Accounts					
<i>Section Number and Title:</i>					
32.101	Structure of the balance sheet accounts	32.2121	Buildings	32.4130	Other current liabilities
32.102	Nonregulated investments	32.2122	Furniture	32.4210	Funded debt
32.103	Balance sheet accounts for other than regulated-fixed assets to be maintained	32.2123	Office equipment	32.4220	Premium on long-term debt
32.1120	Cash and equivalents	32.2124	General purpose computers	32.4230	Discount on long-term debt
32.1130	Cash	32.2210	Central office—switching	32.4240	Reacquired debt
32.1140	Special cash deposits	32.2211	Analog electronic switching	32.4250	Obligations under capital leases
32.1150	Working cash advances	32.2212	Digital electronic switching	32.4260	Advances from affiliated companies
32.1160	Temporary investments	32.2215	Electro-mechanical switching	32.4270	Other long-term debt
32.1180	Telecommunications accounts receivable	32.2220	Operator systems	32.4310	Other long-term liabilities
32.1181	Accounts receivable allowance—telecommunications	32.2230	Central office—transmission	32.4320	Unamortized operating investment tax credits—net
32.1190	Other accounts receivable	32.2231	Radio systems	32.4330	Unamortized nonoperating investment tax credits—net
32.1191	Accounts receivable allowance—other	32.2232	Circuit equipment	32.4340	Net noncurrent deferred operating income taxes
32.1200	Notes receivable	32.22310	Information origination/termination	32.4350	Net noncurrent deferred nonoperating income taxes
32.1201	Notes receivable allowance	32.2311	Station apparatus	32.4360	Other deferred credits
32.1210	Interest and dividends receivable	32.2321	Customer premises wiring	32.4370	Other jurisdictional liabilities and deferred credits—net
32.1220	Inventories	32.2341	Large private branch exchanges	32.4510	Capital stock
32.1280	Prepayments	32.2351	Public telephone terminal equipment	32.4520	Additional paid-in capital
32.1290	Prepaid rents	32.2362	Other terminal equipment	32.4530	Treasury stock
32.1300	Prepaid taxes	32.2410	Cable and wire facilities	32.4540	Other capital
32.1310	Prepaid insurance	32.2411	Poles	32.4550	Retained earnings
32.1320	Prepaid directory expenses	32.2421	Aerial cable	Subpart D—Instructions for Revenue Accounts	
32.1330	Other prepayments	32.2422	Underground cable	<i>Section Number and Title:</i>	
32.1350	Other current assets	32.2423	Buried cable	32.4999	General
32.1401	Investments in affiliated companies	32.2424	Submarine cable	32.5000	Basic local service revenue
32.1402	Investments in nonaffiliated companies	32.2425	Deep sea cable	32.5001	Basic area revenue
32.1406	Nonregulated investments	32.2426	Intrabuilding network cable	32.5002	Optional extended area revenue
32.1407	Unamortized debt issuance expense	32.2431	Aerial wire	32.5003	Cellular mobile revenue
32.1408	Sinking funds	32.2441	Conduit systems	32.5004	Other mobile services revenue
32.1410	Other noncurrent assets	32.2680	Amortizable tangible assets	32.5010	Public telephone revenue
32.1438	Deferred maintenance and retirements	32.2681	Capital leases	32.5040	Local private line revenue
32.1439	Deferred charges	32.2682	Leasehold improvements	32.5050	Customer premises revenue
32.1500	Other jurisdictional assets—net	32.2690	Intangibles	32.5060	Other local exchange revenue
32.2000	Instructions for telecommunications plant accounts	32.3000	Instructions for balance sheet accounts—depreciation and amortization	32.5069	Other local exchange revenue settlements
32.2001	Telecommunications plant in service	32.3100	Accumulated depreciation	32.5080	Network access revenue
32.2002	Property held for future telecommunications use	32.3200	Accumulated depreciation—held for future telecommunications use	32.5081	End user revenue
32.2003	Telecommunications plant under construction	32.3300	Accumulated depreciation—nonoperating	32.5082	Switched access revenue
32.2005	Telecommunications plant adjustment	32.3400	Accumulated amortization—tangible	32.5083	Special access revenue
32.2006	Nonoperating plant	32.3410	Accumulated amortization—capitalized leases	32.5084	State access revenue
32.2007	Goodwill	32.3420	Accumulated amortization—leasehold improvements	32.5100	Long distance message revenue
32.2110	Land and support assets	32.3500	Accumulated amortization—intangible	32.5110	Unidirectional long distance revenue
32.2111	Land	32.3600	Accumulated amortization—other	32.5111	Long distance inward-only revenue
		32.4000	Instructions for balance sheet accounts—liabilities and stockholders' equity	32.5112	Long distance outward-only revenue
		32.4010	Account payable	32.5120	Long distance private network revenue
		32.4020	Notes payable	32.5121	Subvoice grade long distance private network revenue
		32.4030	Advance billing and payments		
		32.4040	Customers' deposits		
		32.4050	Current maturities—long-term debt		
		32.4060	Current maturities—capital leases		

32.5122 Voice grade long distance private network revenue

32.5123 Audio program grade long distance private network revenue

32.5124 Video program grade long distance private network revenue

32.5125 Digital transmission long distance private network revenue

32.5126 Long distance private network switching revenue

32.5128 Other long distance private network revenue

32.5129 Other long distance private network revenue settlements

32.5160 Other long distance revenue

32.5169 Other long distance revenue settlements

32.5200 Miscellaneous revenue

32.5230 Directory revenue

32.5240 Rent revenue

32.5250 Corporate operations revenue

32.5260 Miscellaneous revenue

32.5261 Special billing arrangements revenue

32.5262 Customer operations revenue

32.5263 Plant operations revenue

32.5264 Other incidental regulated revenue

32.5269 Other revenue settlements

32.5270 Carrier billing and collection revenue

32.5280 Nonregulated operating revenue

32.5300 Uncollectible revenue

32.5301 Uncollectible revenue—telecommunications

32.5302 Uncollectible revenue—other

Subpart E—Instructions for Expense Accounts

Section Number and Title:

32.5999 General

32.6110 Network support expenses

32.6112 Motor vehicle expense

32.6113 Aircraft expense

32.6114 Special purpose vehicles expense

32.6115 Garage work equipment expense

32.6116 Other work equipment expense

32.6120 General support expenses

32.6121 Land and building expense

32.6122 Furniture and artworks expense

32.6123 Office equipment expense

32.6124 General purpose computers expense

32.6210 Central office switching expenses

32.6211 Analog electronic expense

32.6212 Digital electronic expense

32.6215 Electro-mechanical expense

32.6220 Operator systems expense

32.6230 Central office transmission expenses

32.6231 Radio systems expense

32.6232 Circuit equipment expense

32.6310 Information origination/termination expenses

32.6311 Station apparatus expense

32.6341 Large private branch exchange expense

32.6351 Public telephone terminal equipment expense

32.6362 Other terminal equipment expense

32.6410 Cable and wire facilities expenses

32.6411 Poles expense

32.6421 Aerial cable expense

32.6422 Underground cable expense

32.6423 Buried cable expense

32.6424 Submarine cable expense

32.6425 Deep sea cable expense

32.6426 Intrabuilding network cable expense

32.6431 Aerial wire expense

32.6441 Conduit systems expense

32.6510 Other property, plant and equipment expenses

32.6511 Property held for future telecommunications use expense

32.6512 Provisioning expense

32.6530 Network operations expenses

32.6531 Power expense

32.6532 Network administration expense

32.6533 Testing expense

32.6534 Plant operations administration expense

32.6535 Engineering expense

32.6540 Access expense

32.6560 Depreciation and amortization expenses

32.6561 Depreciation expense—telecommunications plant in service

32.6562 Depreciation expense—property held for future telecommunications

32.6563 Amortization expense—tangible

32.6564 Amortization expense—intangible

32.6565 Amortization expense—other

32.6610 Marketing

32.6611 Product management

32.6612 Sales

32.6613 Product advertising

32.6620 Services

32.6621 Call completion services

32.6622 Number services

32.6623 Customer services

32.6710 Executive and planning

32.6711 Executive

32.6712 Planning

32.6720 General and administrative

32.6721 Accounting and finance

32.6722 External relations

32.6723 Human resources

32.6724 Information management

32.6725 Legal

32.6726 Procurement

32.6727 Research and development

32.6728 Other general and administrative

32.6790 Provision for uncollectible notes receivable

Subpart F—Instructions for Other Income Accounts

Section Number and Title:

32.6999 General

32.7099 Content of accounts

32.7100 Other operating income and expenses

32.7110 Income from custom work

32.7130 Return from nonregulated use of regulated facilities

32.7140 Gains and losses from foreign exchange

32.7150 Gains and losses from disposition of land and artworks

32.7160 Other operating gains and losses

32.7199 Content of accounts

32.7200 Operating taxes

32.7210 Operating investment tax credits—net

32.7220 Operating Federal income taxes

32.7230 Operating state and local income taxes

32.7240 Operating other taxes

32.7250 Provision for deferred operating income taxes—net

32.7299 Content of accounts

32.7300 Nonoperating income and expense

32.7310 Dividend income

32.7320 Interest income

32.7330 Income from sinking and other funds

32.7340 Allowance for funds used during construction

32.7350 Gains or losses from the disposition of certain property

32.7360 Other nonoperating income

32.7370 Special charges

32.7399 Content of accounts

32.7400 Nonoperating taxes

32.7410 Nonoperating investment tax credits—net

32.7420 Nonoperating Federal income taxes

32.7430 Nonoperating state and local income taxes

32.7440 Nonoperating other taxes

32.7450 Provision for deferred nonoperating income taxes—net

32.7499 Content of accounts

32.7500 Interest and related items

32.7510 Interest on funded debt

32.7520 Interest expense—capital leases

32.7530 Amortization of debt issuance expense

32.7540 Other interest deductions

32.7599 Content of accounts

32.7600 Extraordinary items

32.7610 Extraordinary income credits

32.7620 Extraordinary income charges

32.7630 Current income tax effect of extraordinary items—net

- 32.7640 Provision for deferred income tax effect of extraordinary items—net
- 32.7899 Content of accounts
- 32.7910 Income effect of jurisdictional rate-making differences—net
- 32.7990 Nonregulated net income

Subpart G—Glossary

Section Number and Title:

- 32.9000 Glossary of terms

PART 36—JURISDICTIONAL SEPARATIONS PROCEDURES; STANDARD PROCEDURES FOR SEPARATING TELECOMMUNICATIONS PROPERTY COSTS, REVENUES, EXPENSES, TAXES AND RESERVES FOR TELECOMMUNICATIONS COMPANIES

Brief Description: This rule establishes a system of accounting that separates the costs of regulated and nonregulated activities of telephone companies and their affiliates. These measures were implemented to prevent cross subsidization or inaccurate allocations of common costs between regulated and nonregulated activities.

Need: This rule separates the costs of regulated and non-regulated activities of telephone companies.

Legal Basis: Sec. 4; 48 Stat. 1066, as amended; 47 U.S.C. 154. Secs. 219, 220; 48 Stat. 1077 as amended, 1078; 47 U.S.C. 219, 220.

Subpart A—General

Section Number and Title:

- 36.1 General
- 36.2 Fundamental principles underlying procedures

Subpart B—Telecommunications Property

Section Number and Title:

- 36.101 Section arrangement
- 36.102 General
- 36.111 General
- 36.112 Apportionment procedure
- 36.121 General
- 36.122 Categories and apportionment procedures
- 36.123 Operator systems equipment—Category 1
- 36.124 Tandem switching equipment—Category 2
- 36.125 Local switching equipment—Category 3
- 36.126 Circuit equipment—Category 4
- 36.141 General
- 36.142 Categories and apportionment procedures
- 36.151 General
- 36.152 Categories of Cable and Wire Facilities (C&WF)
- 36.153 Assignment of Cable and Wire Facilities (C&WF) to categories

- 36.154 Exchange line Cable and Wire Facilities (C&WF)—Category 1—apportionment procedures
- 36.155 Wideband and exchange truck (C&WF)—Category 2—apportionment procedures
- 36.156 Interexchange Cable and Wire Facilities (C&WF)—Category 3—apportionment procedures
- 36.157 Host/remote message Cable and Wire Facilities (C&WF)—Category 4—apportionment procedures
- 36.161 Tangible assets—Account 2680
- 36.162 Intangible assets—Account 2690
- 36.171 Property held for future telecommunications use—Account 2002; Telecommunications plant under construction—Account 2003; and Telecommunications plant adjustment—Account 2005
- 36.172 Investment in nonaffiliated companies—Account 1402
- 36.181 Material and supplies—Account 1220
- 36.182 Cash working capital
- 36.191 Equal access equipment

Subpart C—Operating Revenues and Certain Income Accounts

Section Number and Title:

- 36.201 Section arrangement
- 36.202 General
- 36.211 General
- 36.212 Basic local services revenue—Account 5000
- 36.213 Network access services revenues
- 36.214 Long distance message revenue—Account 5100
- 36.215 Miscellaneous revenue—Account 5200
- 36.216 Uncollectible revenue—Account 5300
- 36.221 Other operating income and expenses—Account 7100
- 36.222 Nonoperating income and expenses—Account 7300
- 36.223 Interest and related items—Account 7500
- 36.224 Extraordinary items—Account 7600
- 36.225 Income effect of jurisdictional ratemaking differences—Account 7910

Subpart D—Operating Expenses and Taxes

Section Number and Title:

- 36.301 Section arrangement
- 36.302 General
- 36.310 General
- 36.311 Network support expenses—Account 6110; and General support expenses—Account 6120
- 36.321 Central office expenses—Accounts 6210, 6220, and 6230

- 36.331 Information origination/termination expenses—Account 6310
- 36.341 Cable and wire facilities expenses—Account 6410
- 36.351 General
- 36.352 Other property plant and equipment expenses—Account 6510
- 36.353 Network operations expenses—Account 6530
- 36.354 Access expenses—Account 6540
- 36.361 Depreciation and amortization expenses—Account 6560
- 36.371 General
- 36.372 Marketing—Account 6610
- 36.373 Services—Account 6620
- 36.374 Telephone operator services
- 36.375 Published directory listing
- 36.376 All other
- 36.377 Category 1—Local business office expense
- 36.378 Category 2—Customer services (revenue accounting)
- 36.379 Message processing expense
- 36.380 Other billing and collecting expense
- 36.381 Carrier access charge billing and collecting expense
- 36.382 Category 3—All other customer services expense
- 36.391 General
- 36.392 Executive and planning—Account 6710; and General and administrative—Account 6720
- 36.411 Operating taxes—Account 7200
- 36.412 Apportionment procedures
- 36.421 Equal access expenses

Subpart E—Reserves and Deferrals

Section Number and Title:

- 36.501 General
- 36.502 Other jurisdictional assets—Net—Account 1500
- 36.503 Accumulated depreciation—Account 3100
- 36.504 Accumulated depreciation—Property held for future telecommunications use—Account 3200
- 36.505 Accumulated amortization—Tangible—Account 3400; Accumulated amortization—Intangible—Account 3500; and Accumulated amortization—Other—Account 3600
- 36.506 Net current deferred operating income taxes—Account 4100; Net noncurrent deferred operating income taxes—Account 4340
- 36.507 Other jurisdictional liabilities and deferred credits—Net—Account 4370

Subpart F—Universal Service Fund

Section Number and Title:

- 36.601 General

- 36.611 Submission of information to the National Exchange Carrier Association (NECA)
- 36.612 Updating information submitted to the National Exchange Carrier Association
- 36.613 Submission of information by the National Exchange Carrier Association
- 36.621 Study area total unseparated loop cost
- 36.622 National and study area average unseparated loop costs
- 36.631 Expense adjustment
- 36.641 Transition

Subpart G—Lifeline Connection Assistance Expense Allocation

Section Number and Title:

- 36.701 General
- 36.711 Lifeline connection assistance
- 36.721 Telephone company eligibility for lifeline connection assistance expense allocation
- 36.731 Submission of information to the National Exchange Carrier Association
- 36.741 Expense adjustment

PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILIATES

Brief Description: This rule establishes an automated reporting system for the collection of the financial and operating data that the Commission requires to administer its accounting, joint cost, jurisdictional separations, rate base disallowance, and access charge rules.

Need: This rule implements the automated reporting system that aids in financial and operating data collection.

Legal Basis: Sec. 4; 48 Stat. 1066, as amended; 47 U.S.C. 154. Secs. 211, 219; 48 Stat. 1073, 1077, as amended; 47 U.S.C. 211, 219, 220.

Section Number and Title:

- 43.21(d) Annual reports of carriers and certain affiliates
- 43.21(e) Annual reports of carriers and certain affiliates

Brief Description: This rule requires all foreign-owned carriers to file annual reports on all common carrier services offered in the United States.

Need: This rule implements the requirement that all foreign-owned carriers file annual reports.

Legal Basis: Sec. 4; 48 Stat. 1066, as amended; 47 U.S.C. 154. Secs. 211, 219; 48 Stat. 1073, 1077, as amended; 47 U.S.C. 211, 219, 220.

Section Number and Title:

- 43.81 Reports of carriers owned by foreign telecommunications entities

PART 61—TARIFFS

Brief Description: This rule defines terms utilized in part 61.

Need: This rule defines terms utilized in part 61.

Legal Basis: Sec. 4; 48 Stat. 1066, as amended; 47 U.S.C. 154. Sec. 203; 48 Stat. 1070; 47 U.S.C. 203.

Section Number and Description:

61.3 Definitions

Brief Description: This rule requires any publications filed with the Commission be accompanied by a letter of transmittal which explains, among other things, the nature and purpose of the filing.

Need: This rule implements the requirement that a letter of transmittal accompany all publications filed with the Commission.

Legal Basis: Sec. 4, 303; 48 Stat. 1066, as amended, 1082; 47 U.S.C. 154, 303. Sec. 203; 48 Stat. 1070; 47 U.S.C. 203; 5 U.S.C. 552.

Section Number and Description:

61.33 Letters of transmittal

Brief Description: This rule reduces the administrative and regulatory burdens on small telephone companies. Additionally, this rule reduces the frequency of required tariff filings for small companies using historical data, and eliminates the data filing requirements and the liability for automatic refunds.

Need: This rule aids small telephone companies by reducing regulatory burdens.

Legal Basis: Secs. 4, 303; 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303; 5 U.S.C. 552.

Section Number and Title:

- 61.39 Optional supporting information to be submitted with letters of transmittal for Access Tariff filings effective on or after April 1, 1989, by local exchange carriers serving 50,000 or fewer access lines in a given study area that are described as subset 3 carriers in 69.602

Brief Description: These rules limit the rates dominant carriers may charge, rather than the rates of return they may receive, thereby avoiding unnecessary costs, and forcing investment in efficiency enhancing technology and innovative service approaches in order to earn the greatest levels of return within the applicable rate limitations.

Need: This rule encourages efficiency.

Legal Basis: Sec. 4; 48 Stat. 1066, as amended; 47 U.S.C. 154. Sec. 203; 48 Stat. 1070; 47 U.S.C. 203.

Section Number and Title:

- 61.41 Price cap requirements generally
- 61.42 Price cap baskets and service categories

- 61.43 Annual price cap filings required

- 61.44 Adjustments to the PCI for Dominant Interexchange Carriers

- 61.46 Adjustments to the API

- 61.47 Adjustments to the SBI; pricing bands

- 61.48 Transition rules for price cap formula calculations

- 61.49 Supporting information to be submitted with letters of transmittal for tariffs of carriers subject to price cap regulation

Brief Description: This rule requires that every proposed tariff filing bear an effective date and, unless exempted, meet the notice requirement. Subsection (c), specifically, names different notice requirements for those carriers subject to the price cap regulations. Different notice periods are required for these carriers for conformity reasons.

Need: This rule implements notice requirements for every proposed tariff filing.

Legal Basis: Sec. 4; 48 Stat. 1066, as amended; 47 U.S.C. 154. Sec. 203; 48 Stat. 1070; 47 U.S.C. 203.

Section Number and Title:

- 61.58(c) Notice requirements

PART 63—EXTENSION OF LINES AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS

Brief Description: This rule establishes that an application under 63.701 shall be submitted in the form specified in 63.53 for applications under 214 of the Communications Act.

Need: This rule provides the format for applications submitted to the Commission.

Legal Basis: 47 U.S.C. 151, 154(i), 154(j), 201, 202, 203, 204, 205, 218, 403, 533.

Section Number and Title:

- 63.701 Contents of application
- 63.702 Form

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

Subpart E—Use of Recording Devices by Telephone Companies

Brief Description: This rule provides the conditions under which a conversation may be recorded.

Need: This rule articulates the requirements for a permissible recording of a conversation.

Legal Basis: Secs. 1, 4, 201, 202, 203, 204, 205, 218; 48 Stat. 1064, 1066, 1070, as amended, 1071, 1072, 1077; 47 U.S.C.

151, 154, 201, 202, 204, 205, 218; E.O. 11092 of February 26, 1963.

Section Number and Title:

64.501(b) Recording of telephone conversations with telephone companies

Subpart I—Allocation of Costs

Brief Description: This rule establishes a uniform system of allocation of costs for the purposes of tariffs.

Need: This rule establishes a uniform system of allocation of costs for the purposes of tariffs.

Legal Basis: Secs. 1, 4, 201, 202, 203, 204, 205, 218; 48 Stat. 1064, 1066, 1070, as amended, 1071, 1072, 1077; 47 U.S.C. 151, 154, 201, 202, 204, 205, 218; E.O. 11092 of February 26, 1963.

Section Number and Title:

64.902 Transactions with affiliates

PART 65—INTERSTATE RATE OF RETURN PRESCRIPTION PROCEDURES AND METHODOLOGIES

Subpart C—Exchange Carriers

Brief Description: This rule defines net income and the affect on it by gains and losses in depreciable and nondepreciable property, charitable deductions, and interest related customer deposits.

Need: This rule defines net income for interexchange carriers.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1072, 1077, 1094, as amended; 47 U.S.C. 151, 154, 201, 202, 203, 204, 205, 218, 219, 220, 403.

Section Number and Title:

65.450 Net income

Subpart E—Rate of Return Reports

Brief Description: This rule ensures that rate of return reports are filed in a uniform manner and in compliance with the Commission's prescribed methods.

Need: This rule ensures all rate of return reports that come to the Commission are filed in a uniform manner.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1072, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

65.600 Rate of return reports

Subpart F—Maximum Allowable Rates of Return

Brief Description: These rules set forth the method for determining and enforcing maximum allowable rates of

return for the interstate services exchange telephone carriers.

Need: These rules balance the interests of rate-payers and investors by promoting just and reasonable rates without imposing excessive burdens or costs on the carriers or the Commission.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1072, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

65.700 Determining the maximum allowable rate of return

65.701 Period of review

65.702 Measurement of interstate service earnings

Subpart G—Rate Base

Brief Description: This rule establishes that the rate base consists of the interstate portion of the accounts listed in 65.820 that have been invested in "plant used" and useful in the efficient provision of interstate telecommunications services regulated by the Commission, minus any deducted items computed in accordance with 65.830.

Need: This rule establishes the rate base.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1072, 1077, 1094, as amended; 47 U.S.C. 151, 154, 201, 202, 203, 204, 205, 218, 219, 220, 403.

Section Number and Title:

65.810 Definitions

65.820 Included items

65.830 Deducted items

PART 68—CONNECTION OF TERMINAL EQUIPMENT TO THE TELEPHONE NETWORK

Subpart A—General

Brief Description: Part 68 of the rules sets forth the technical standards for registration and interconnection to the telephone network of customer provided terminal equipment.

Need: These rules set forth the technical standards for registration and interconnection to the telephone network.

Legal Basis: 47 U.S.C. 151, 154(i), 154(j), 201, 202, 203, 204, 205, 218, 220, 313, 403, 412; 5 U.S.C. 553.

Section Number and Title:

68.2 Scope

Brief Description: This rule allows a waiver of the requirement, that nearly all telephones manufactured in or imported into the United States after August 16, 1989 be hearing aid compatible, where a valid, public interest argument can be identified and

compliance is either infeasible or so costly as to make one's product unmarketable.

Need: This rule provides a waiver for telephones being hearing aid compliant.

Legal Basis: Secs. 4, 201, 202, 203, 204, 205, 208, 215, 218, 313, 314, 403, 404, 410, 602; 48 Stat., as amended, 1066, 1070, 1071, 1072, 1073, 1076, 1077, 1087, 1094, 1098, 1102; 47 U.S.C. 151, 154, 201, 202, 203, 204, 205, 208, 215, 218, 220, 313, 314, 403, 404, 410, 412, 602.

Section Number and Title:

68.5 Waivers

Subpart C—Registration Procedures

Brief Description: This rule delineates compliance tests for terminal equipment.

Need: This rule delineates compliance tests for terminal equipment.

Legal Basis: 47 U.S.C. 151, 154(i), 154(j), 201, 202, 203, 204, 205, 218, 220, 313, 403, 412; 5 U.S.C. 553.

Section Number and Title:

68.200(j) Application for equipment registration

Subpart D—Conditions for Registration

Brief Description: This rule defines standards for labeling of telephone equipment.

Need: This rule ensures that the labeling of telephone equipment is done in a uniform manner.

Legal Basis: 47 U.S.C. 151, 154(i), 154(j), 201, 202, 203, 204, 205, 218, 220, 313, 403, 412; 5 U.S.C. 553.

Section Number and Title:

68.300(b)(4) Labeling requirements

68.300(b)(5) Labeling requirements

Brief Description: This rule defines leakage current limits.

Need: This rule establishes acceptable levels of leakage.

Legal Basis: 47 U.S.C. 151, 154(i), 154(j), 201, 202, 203, 204, 205, 218, 220, 313, 403, 412; 5 U.S.C. 553.

Section Number and Title:

68.304(g) Leakage current limitations
Table Note (6) Leakage current limitations

Brief Description: This rule sets maximum power for voice band private lines.

Need: This rule sets maximum power for voice band private lines.

Legal Basis: 47 U.S.C. 151, 154(i), 154(j), 201, 202, 203, 204, 205, 218, 220, 313, 403, 412; 5 U.S.C. 553.

Section Number and Title:

68.308(b)(1)(v) Signal power limitations

- 68.308(b)(1)(vi) Signal power limitations
- 68.308(b)(1)(vii) Signal power limitations
- 68.308(b)(5)(i)(G) Signal power limitations
- 68.308(b)(5)(i)(H) Signal power limitations
- 68.308(f) Signal power limitations
- Brief Description:* This rule dictates maximum time a line can be tied up after an automatic telephone dialing is completed.
- Need:* This rule ensures that a consumer's line will not be tied up after being automatically dialed.
- Legal Basis:* 47 U.S.C. 151, 154(i), 154(j), 201, 202, 203, 204, 205, 218, 220, 313, 403, 412; 5 U.S.C. 553.
- Section Number and Title:*
- 68.318 Additional limitations

Subpart F—Connectors

Brief Description: These rules provide for uniform standards for the protection of the telephone network from damage caused by the connection of terminal equipment and associated wiring thereto, and for the compatibility of hearing aids and telephones so as to ensure that persons with hearing aids have reasonable access to the telephone network.

Need: These rules provide for uniform standards for the protection of the telephone network from damage caused by the connection of terminal equipment and associated wiring.

Legal Basis: Secs. 4, 5, 303; 48 Stat. 1066, 1068, 1082, as amended; 47 U.S.C. 151, 154, 155, 201, 202, 203, 204, 205, 218, 220, 303, 313, 403, 412; 5 U.S.C. 553.

Section Number and Title:

- 8.502(a)(3) Configurations
- 68.502(b)(3) Configurations
- 68.502(d)(2) Configurations

PART 69—ACCESS CHARGES

Subpart A—General

Brief Description: This rule serves to define key terms utilized with respect to access charges.

Need: This rule defines a number of terms used in the section.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

- 69.2(hh) Definitions
- 69.2(ii) Definitions
- 69.2(jj) Definitions
- 69.2(kk) Definitions
- 69.2(ll) Definitions
- 69.2(mm) Definitions

Brief Description: This rule detariffs billing and collection services provided by local exchange carriers to interexchange carriers for interstate services.

Need: This rule deregulates billing and collection services.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

- 69.3(e)(8) Filing of access service tariffs

Brief Description: This rule provides filing standards for advance notice of intention of filing tariffs either as a single carrier or as an association.

Need: This rule provides filing standards for advance notice of intention of filing tariffs either as a single carrier or as an association.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

- 69.3(e)(9) Filing of access service tariffs

Brief Description: This rule ensures consistency between filing of data concerning tariffs between the association and the agency.

Need: This rule ensures consistency of filings between the association and the agency.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

- 69.3(e)(10) Filing of access service tariffs

Brief Description: This rule clarifies the effects of mergers and acquisitions among exchange carriers on the common line pooling status of the involved exchange carriers and the long term and transitional support arrangements.

Need: This rule clarifies the effects of mergers and acquisitions among exchange carriers.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

- 69.3(e)(11) Filing of access service tariffs

- 69.3(g) Filing of access service tariffs

Brief Description: This rule allows for a filing period twice a year of the access charge tariff.

Need: This rule makes the filing of tariffs easier by allowing twice a year filings.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

- 69.3(f) Filing of access service tariffs

Brief Description: This rule ensures tariffs for access charges include the payments for the elements listed in 69.4(b), the Universal Service Fund and Lifeline Assistance.

Need: This rule ensures that tariffs for access charge payments include the elements listed in 69.4(b).

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

- 69.4(c) Charges to be filed

Brief Description: This rule sets forth the scope of interexchange carriers responsible for paying the Universal Service Fund and Lifeline Assistance charges.

Need: This rule sets forth the scope of interexchange carriers responsible for paying the Universal Service Fund and Lifeline Assistance charges.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

- 69.5(d) Persons to be assessed

Subpart B—Computation of Charges

Brief Description: This rule serves to provide price caps for incumbent local exchange carriers that would not otherwise have a price cap.

Need: This rule helps to ensure that the rate consumers pay for service is fair.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

- 69.104(e) End user common line for non-price cap incumbent local exchange carriers
- 69.104(f) End user common line for non-price cap incumbent local exchange carriers
- 69.104(g) End user common line for non-price cap incumbent local exchange carriers
- 69.104(h) End user common line for non-price cap incumbent local exchange carriers
- 69.104(i) End user common line for non-price cap incumbent local exchange carriers
- 69.104(m) End user common line for non-price cap incumbent local exchange carriers

Brief Description: This rule provides a standard rate to compute non-premium charges and defines what qualifies as a non-premium charge.

Need: This rule provides a standard rate to compute non-premium charges and defines what qualifies as a non-premium charge.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

69.113 Non-premium charges for MTS—WATS equivalent services

Subpart E—Apportionment of Expenses

Brief Description: These rules apportion expenses for the Universal Service Fund, Lifeline Assistance, and other expenses.

Need: These rules apportion expenses for the Universal Service Fund, Lifeline Assistance, and other expenses.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

69.411 Other expenses
69.412 Non participating company payments/receipts
69.413 Universal Service Fund expenses

Subpart G—Exchange Carrier Association

Brief Description: These rules delineate the functions of associations.

Need: These rules delineate the functions of associations.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

69.603(c) Association functions
69.603(d) Association functions
69.603(e) Association functions
69.603(f) Association functions

Brief Description: This rule establishes the payment of long term support as well as the formula for amount of payment, and the commencement date for transitional support.

Need: This rule ensures that support payments will be made and the starting date for transitional support.

Legal Basis: Secs. 4, 201, 202, 203, 205, 218, 403; 48 Stat. 1066, 1070, 1077, 1094, as amended; 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

Section Number and Title:

69.612 Long term and transitional support

PART 73—RADIO BROADCAST SERVICES

Subpart A—AM Broadcast Stations

Brief Description: These rules provide for compliance and authorization of AM radio equipment and licenses.

Need: These rules prescribe the filing requirements, application forms and procedures for AM broadcast radio services.

Legal Basis: 47 U.S.C. 154, 303, 334, 336.

Section Number and Title:

73.21 Classes of AM broadcast channels and stations
73.26 Regional channels; Class B and Class D stations
73.44 AM transmission system emission limitations
73.45 AM antenna systems
73.54 Antenna resistance and reactance measurements
73.68 Sampling systems for antenna monitors
73.99 Presunrise service authorization (PSRA) and Postsunset service authorization (PSSA)
73.150 Directional antenna systems
73.182 Engineering standards of allocation
73.190 Engineering charts and related formulas

Subpart B—FM Broadcast Stations

Brief Description: These rules provide for compliance and authorization of FM radio equipment and licenses.

Need: These rules prescribe filing requirements, application forms and procedures for FM broadcast radio services.

Legal Basis: 47 U.S.C. 154, 303, 334, 336.

Section Number and Title:

73.202 Table of Allotments
73.207 Minimum distance separation between stations
73.210 Station classes
73.211 Power and antenna height requirements
73.213 Grandfathered short-spaced stations
73.215 Contour protection for short-spaced assignments
73.311 Field strength contours
73.315 FM transmitter location
73.316 FM antenna systems

Subpart E—Television Broadcast Stations

Brief Description: These rules provide for compliance and authorization of television broadcast equipment and licenses.

Need: These rules prescribe filing requirements, application forms and

procedures for television broadcast services.

Legal Basis: 47 U.S.C. 154, 303, 334, 336.

Section Number and Title:

73.610 Minimum distance separations between stations
73.658 Affiliation agreements and network programs practices; territorial exclusivity in non-network program arrangements

Subpart H—Rules Applicable to All Broadcast Stations

Brief Description: These rules provide for compliance and authorization of all broadcast services.

Need: These rules prescribe operating procedures applicable to all broadcast services.

Legal Basis: 47 U.S.C. 154, 303, 334, 336.

Section Number and Title:

73.1015 Truthful written statements and responses to Commission inquires and correspondence
73.1211 Broadcast of lottery information
73.1690 Modification of transmission systems
73.3522 Amendment of applications
73.3523 Dismissal of applications in renewal proceedings
73.3571 Processing of AM broadcast station applications
73.3572 Processing of TV broadcast, low power TV, TV translator and TV booster station applications
73.3580 Local public notice of filing of broadcast applications
73.3588 Dismissal of petitions to deny or withdrawal of informal objections
73.3999 Enforcement of 18 U.S.C. 1464 (restrictions on the transmission of obscene and indecent material)
73.4099 Financial qualifications, certification of
73.4107 FM broadcast assignments, increasing availability of
73.4108 FM transmitter site map submissions
73.4266 Tender offer and proxy statements

PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

Subpart General—Rules Applicable to All Services in Part 74

Brief Description: These rules prescribe filing requirements applicable to all experimental radio, auxiliary, special broadcast and other program distribution services regulated under part 74.

Need: These rules list filing requirements, application forms and procedures applicable to experimental broadcasting, remote pick-up, aural broadcasting, television auxiliary broadcasting, low power television, instructional television fixed services television stations and FM booster stations.

Legal Basis: 47 U.S.C. 154, 303, 307, 554.

Section Number and Title:

- 74.2 General definitions
- 74.15 Station license period

Subpart E—Aural Broadcast Auxiliary Stations

Brief Description: These rules prescribe operating procedures exclusive to aural broadcast auxiliary stations.

Need: These rules provide procedures for aural broadcast studio transmitter link stations, intercity relay stations, aural broadcast microwave booster stations and all other instructions applicable to aural broadcasting stations.

Legal Basis: 47 U.S.C. 154, 303, 307, 554.

Section Number and Title:

- 74.502 Frequency assignment
- 74.531 Permissible service

Subpart F—Television Broadcast Auxiliary Stations

Brief Description: These rules prescribe operating procedures exclusive to television broadcast auxiliary stations.

Need: These rules promote a list of band width channels and provide procedures for television pick-up stations, studio-transmitter link stations, television relay stations, television translator relay stations, television broadcast licensees, television microwave booster stations and all other instructions applicable to television auxiliary stations.

Legal Basis: 47 U.S.C. 154, 303, 307, 554.

Section Number and Title:

- 74.600 Eligibility for license
- 74.602 Frequency assignment
- 74.631 Permissible service
- 74.633 Temporary authorizations
- 74.637 Emissions and emission limitations
- 74.643 Interference to geostationary-satellites
- 74.644 Minimum path lengths for fixed links

Subpart G—Low Power TV, TV Translator, and TV Booster Stations

Brief Description: These rules prescribe operating procedures

exclusive to low power television, television translator, and television booster stations.

Need: These rules promote procedures for television broadcast translator stations, primary stations, VHF translator, UHF translator, UHF translator signal boosters, low power television stations, program origination, local origination, television broadcast booster station and all other instructions applicable to low power, translator and booster television stations.

Legal Basis: 47 U.S.C. 154, 303, 307, 554.

Section Number and Title:

- 74.701 Definitions
- 74.702 Channel assignments
- 74.703 Interference
- 74.731 Purpose and permissible service
- 74.732 Eligibility and licensing requirements
- 74.763 Time of operation
- 74.765 Posting of station and operator licenses
- 74.769 Copies of rules
- 74.780 Broadcast regulations applicable to translators, low power, and booster stations
- 74.783 Station identification
- 74.784 Rebroadcasts

Subpart H—Low Power Auxiliary Stations

Brief Description: These rules prescribe operating procedures exclusive to low power auxiliary stations.

Need: These rules provide instructions on band width allocation and all other procedures applicable to low power television stations.

Legal Basis: 47 U.S.C. 154, 303, 307, 554.

Section Number and Title:

- 74.832 Licensing requirements and procedures

Subpart I—Instructional Television Fixed Service

Brief Description: These rules prescribe operating procedures exclusive to instructional television fixed service stations.

Need: These rules promote procedures for instructional television fixed service (ITFS) broadcasting stations, frequencies on fixed broadcast stations, fixed service applications, multi-channel distribution and all other procedures applicable to television fixed service.

Legal Basis: 47 U.S.C. 154, 303, 307, 554.

Section Number and Title:

- 74.903 Interference

- 74.913 Selection procedure for mutually exclusive ITFS applications

Subpart L—FM Broadcast Translator Stations and FM Broadcast Booster Stations

Brief Description: These rules prescribe operating procedures exclusive to FM broadcast translator and FM broadcast booster stations.

Need: These rules provide procedures pertaining to transmitting FM signal channels for primary stations, FM radio broadcast stations, and FM booster stations.

Legal Basis: 47 U.S.C. 154, 303, 307, 554.

Section Number and Title:

- 74.1235 Power limitations and antenna systems
- 74.1250 Transmitters and associated equipment

PART 76—CABLE TELEVISION SERVICE

Subpart D—Carriage of Television Broadcast Signals

Brief Description: These rules provide for the carriage of television broadcast signals on cable television systems. Subject to the Commission's network nonduplication, syndicated exclusivity and sports broadcasting rules, cable systems must carry the entirety of the program schedule of every local television station carried pursuant to the Commission's mandatory carriage provisions or the retransmission consent provisions. A broadcaster and a cable operator may negotiate for partial carriage of the signal where the station is not eligible for must carry rights, either because of the station's failure to meet the requisite definitions or because the cable system is outside the station's market area.

Need: These rules prescribe requirements and obligations concerning cable television system carriage of television broadcast signals.

Legal Basis: 47 U.S.C. 154.

Section Number and Title:

- 76.70 Exemption from input selector switch rules

Subpart F—Nonduplication Protection and Syndicated Exclusivity

Brief Description: These rules protect the exclusive rights of television broadcast stations to distribute particular programs. Commercial television station licensees are entitled to protect the network programming that they have contracted for by exercising nonduplication rights against more

distant television broadcast stations carried on a local cable television system that serves more than 1,000 subscribers. With respect to non-network programming, cable systems that serve at least 1,000 subscribers may be required, upon proper notification, to provide syndicated exclusivity protection to broadcasters who have contracted with program suppliers for exclusive exhibition rights to certain programs within specific geographic areas, whether or not the cable system affected is carrying the station requesting this protection.

Need: These rules provide requirements pertaining to the permissible retransmission of broadcast signals by cable television systems and requirements pertaining to the syndicated exclusivity rights of broadcasters.

Legal Basis: 47 U.S.C. 154, 302, 303.
Section Number and Title:

- 76.92 Network non-duplication; extent of protection
- 76.93 Parties entitled to network non-duplication protection
- 76.94 Notification
- 76.95 Exceptions
- 76.97 Effective dates
- 76.151 Syndicated program exclusivity; extent of protection
- 76.153 Parties entitled to syndicated exclusivity
- 76.155 Notification
- 76.156 Exceptions
- 76.157 Exclusivity contracts
- 76.158 Indemnification contracts
- 76.159 Requirements for invocation of protection
- 76.161 Substitutions
- 76.163 Effective dates

Subpart K—Technical Standards

Brief Description: These rules provide technical performance standards for the operation of cable television systems to ensure the delivery of satisfactory television signals to cable subscribers. Local franchising authorities are generally authorized to enforce these technical standards through their franchising process.

Need: These rules prescribe technical standards applicable to cable television service.

Legal Basis: 47 U.S.C. 154, 303, 601.
Section Number and Title:

- 76.605 (Note 1) Technical standards
- 76.605 (Note 3) Technical standards

PART 78—CABLE TELEVISION RELAY SERVICE

Subpart B—Applications and Licenses

Brief Descriptions: These rules set forth procedures for applying for

licenses to operate cable antenna relay service stations. Cable systems use these microwave relay stations to obtain certain signals when it is impractical to use cable delivery. Cable operators may purchase microwave relay service from companies providing such common carrier services, or they may operate their own relay stations licensed by the Commission.

Need: These rules prescribe application and licensing requirements applicable to cable television relay service.

Legal Basis: 47 U.S.C. 154, 303.

Section Number and Title:

- 78.11(f) Permissible service
- 78.18(a)(5) Frequency assignments
- 78.18(a)(6) Frequency assignments
- 78.18(a)(7) Frequency assignments

Subpart D—Technical Regulations

Brief Description: These rules provide technical standards for the operation of cable antenna relay service (CARS) stations. These rules address transmitter power limitations and bandwidth authorized for use by CARS stations. These rules also address procedures concerning the installation, replacement and repair of CARS station equipment, and procedures for frequency monitoring and measurement and system testing.

Need: These rules prescribe technical requirements applicable to cable television relay service.

Legal Basis: 47 U.S.C. 154, 301, 303.

Section Number and Title

Description:

- 78.103(e) Emissions and emission limitations
- 78.106 Interferences to geostationary-satellites
- 78.108 Minimum path lengths for fixed links

PART 80—STATIONS IN THE MARITIME SERVICES

Brief Description: These rules include radio services in the Maritime Mobile Service, the Maritime Mobile-Satellite Service, the Maritime Radiodetermination Service, and stations in the Fixed Service that support maritime operations. Regardless of service, marine stations are either considered to be stations on shipboard or stations on land. A license is required for each land station. Ship stations are licensed by rule (no individual license needed) when they operate only on domestic voyages and are not required by law to carry a radio. Rules concerning domestic marine communications are matched to requirements of the U.S. Coast Guard,

which monitors marine distress frequencies continuously in U.S. waters.

Need: These marine radio services rules are promulgated to promote safety and operational activities of nonfederal maritime activities, including U.S. vessels that traverse international waters. The rules also reduce radio interference among radio users by promoting the efficient use of the radio spectrum.

Legal Basis: Secs. 4, 303, 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609; 3 UST 3450, 3 UST 4726, 12 UST 2377

Section Number and Title:

Subpart A—General Information

- 80.5 Definitions

Subpart B—Applications and Licenses

- 80.15 Eligibility for station license
- 80.19 Standard forms to be used
- 80.23 Filing of applications

Subpart C—Operating Requirements and Procedures

- 80.80 Operating controls for ship stations
- 80.83 Protection from potentially hazardous RF radiation
- 80.89 Unauthorized transmissions
- 80.95 Message charges
- 80.102 Radiotelephone station identification
- 80.111 Radiotelephone operating procedures for coast stations
- 80.142 Ships using radiotelegraphy
- 80.143 Required frequencies for radiotelephony

Subpart D—Operator Requirements

- 80.153 Coast station operator requirements
- 80.155 Ship station operator requirements
- 80.156 Control by operator
- 80.157 Radio officer defined
- 80.159 Operator requirements of Title III of the Communications Act and the Safety Convention
- 80.169 Operators required to adjust transmitters or radar
- 80.177 When operator license is not required
- 80.179 Unattended operation

Subpart E—General Technical Standards

- 80.203 Authorization of transmitters for licensing
- 80.205 Bandwidths
- 80.207 Classes of emission
- 80.209 Transmitter frequency tolerances
- 80.211 Emission limitations
- 80.213 Modulation requirements

- 80.215 Transmitter power
- 80.217 Suppression of interference aboard ships
- 80.219 Special requirements for narrow-band direct-printing (NB-DP) equipment
- 80.221 Special requirements for automatically generating the radiotelephone alarm signal
- 80.223 Special requirements for survival craft stations
- 80.225 Requirements for selective calling equipment
- 80.227 Special requirements for protection from RF radiation

Subpart G—Safety Watch Requirements and Procedures

- 80.303 Watch on 156.800 MHz (Channel 16)
- 80.308 Watch required by the Great Lakes Radio Agreement
- 80.311 Authority for distress transmission
- 80.313 Frequencies for use in distress
- 80.327 Urgency signals

Subpart H—Frequencies

- 80.355 Distress, urgency, safety, call and reply Morse code frequencies
- 80.357 Morse code working frequencies
- 80.359 Frequencies for digital selective calling (DSC)
- 80.363 Frequencies for facsimile
- 80.369 Distress, urgency, safety, call and reply frequencies
- 80.371 Public correspondence frequencies
- 80.373 Private communications frequencies
- 80.375 Radiodetermination frequencies
- 80.381 Frequencies for operational fixed stations
- 80.383 Vessel Traffic Services (VTS) system frequencies
- 80.385 Frequencies for automated systems
- 80.387 Frequencies for Alaska fixed stations

Subpart I—Station Documents

- 80.409 Station logs

Subpart J—Public Coast Stations

- 80.471 Discontinuance or impairment of service
- 80.475 Scope of service of the Automated Maritime Telecommunications Systems (AMTS)
- 80.477 AMTS points of communication

Subpart K—Private Coast Stations and Marine Utility Stations

- 80.514 Marine VHF frequency coordinating committee(s)

Subpart L—Operational Fixed Stations

- 80.559 Licensing limitations

Subpart M—Stations in the Radio Determination Service

- 80.601 Scope of communications
- 80.603 Assignment and use of frequencies
- 80.605 U.S. Coast Guard coordination.

Subpart N—Maritime Support Stations

- 80.655 Use of frequencies

Subpart Q—Compulsory Radiotelegraph Installations for Vessels 1600 Gross Tons

- 80.825 Radar installation requirements and specifications

Subpart R—Compulsory Radiotelephone Installations for Vessels 300 Gross Tons

- 80.860 Reserve power supply
- 80.871 VHF radiotelephone station
- 80.879 Radar installation requirements and specifications

Subpart S—Compulsory Radiotelephone Installations for Small Passenger Boats

- 80.911 VHF transmitter

Subpart T—Radiotelephone Installation Required for Vessels on the Great Lakes

- 80.956 Required frequencies and uses

Subpart U—Radiotelephone Installations Required by the Bridge-to-Bridge Act

- 80.1019 Antenna radio frequency indicator

Subpart V—Emergency Position Indicating Radio Beacons (EPIRBs)

- 80.1051 Scope
- 80.1053 Special requirements for Class A EPIRB stations
- 80.1055 Special requirements for Class B EPIRB stations
- 80.1061 Special requirements for 406.025 MHz EPIRBs

Subpart X—Voluntary Radio Installations

- 80.1185 Supplemental eligibility for mobile-satellite stations
- 80.1187 Scope of communication
- 80.1189 Portable ship earth stations

PART 87—AVIATION SERVICES

Brief Description: The Aviation Services consist of three services. (1) The Aeronautical Mobile Service

includes aeronautical advisory stations, aeronautical enroute stations, airport control stations, and automatic weather observation stations. (2) The Aeronautical Radionavigation Service includes stations used for navigation, obstruction warning, instrument landing, and measurement of altitude and range. (3) The Aeronautical Fixed Service is a system of fixed stations used for point-to-point communications for aviation safety, navigation, or preparation for flight. The Commission regulates the Aviation Services in cooperation with the Federal Aviation Administration.

Need: These aviation radio services rules are promulgated to promote safety and provide systems of non-governmental use of radio for aeronautical communications, aeronautical radio navigation, and search and rescue operations. The rules also reduce radio interference among radio users by promoting the efficient use of the radio spectrum.

Legal Basis: 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151, 152, 153, 154, 155, 156, 301 through 609.

Section Number and Title:

Subpart A—General Information

- 87.5 Definitions

Subpart B—Applications and Licenses

- 87.23 Supplemental information required
- 87.29 Partial grant of application
- 87.37 Developmental license

Subpart C—Operating Requirements and Procedures

- 87.73 Transmitter adjustments and tests
- 87.77 Availability for inspections
- 87.103 Posting station license
- 87.111 Suspension or discontinuance of operation

Subpart D—Technical Requirements

- 87.131 Power and emissions
- 87.133 Frequency stability
- 87.137 Types of emission
- 87.141 Modulation requirements
- 87.147 Authorization of equipment

Subpart E—Frequencies

- 87.173 Frequencies

Subpart F—Aircraft Stations

- 87.187 Frequencies

Subpart G—Aeronautical Advisory Stations (UNICOMS)

- 87.217 Frequencies

Subpart H—Aeronautical Multicom Stations

87.237 Scope of service

Subpart I—Aeronautical Enroute and Aeronautical Fixed Stations87.263 Frequencies
87.265 Administrative communications**Subpart J—Flight Test Stations**87.303 Frequencies
87.305 Frequency coordination**Subpart O—Airport Control Tower Stations**87.417 Scope of service
87.421 Frequencies**Subpart Q—Stations in the Radiodetermination Service**

87.475 Frequencies

Subpart R—Civil Air Patrol Stations

87.503 Supplemental eligibility

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

Brief Description: These services allow businesses, local governments, educational institutions, hospitals, service providers and utilities to build their own internal communication systems to meet specialized needs where commercial services are unavailable, insufficient, or too costly. Channels are in the 30–50, 150–170, 220–222, 420–512, 700, 800 and 900 MHz bands. Some channels are shared; others are exclusive. Frequencies are often assigned in pairs for use in two-way communications. The most common use is for dispatch communications; other uses include alerting, monitoring, alarms, and operational communications.

Need: These private land mobile radio services rules are promulgated to promote flexibility to radio users in meeting their communications needs where communications are used as a tool for businesses to provide their products and services more economically.

Legal Basis: Secs. 4, 303; 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.

Section Number and Title:

Subpart A—General Information:

90.7 Definitions

Subpart B—Public Safety Radio Pool90.16 Public Safety National Plan
90.20 Public Safety Pool**Subpart C—Industrial/Business Radio Pool**90.33 Scope
90.35 Industrial/Business Pool**Subpart F—Radiolocation Service**

90.103 Radiolocation Service

Subpart G—Applications and Authorizations90.111 Scope
90.119 Application forms
90.125 Who may sign applications
90.127 Submission and filing of applications
90.129 Supplemental information to be routinely submitted with applications
90.135 Modification of license
90.137 Applications for operation at temporary locations
90.139 Commission processing of applications
90.141 Resubmitted applications
90.145 Special temporary authority
90.151 Requests for waiver
90.155 Time in which station must be placed in operation
90.157 Discontinuance of station operation
90.159 Temporary and conditional permits**Subpart H—Policies Governing the Assignment of Frequencies**90.173 Policies governing the assignment of frequencies
90.175 Frequency coordination requirements
90.176 Coordinator notification requirements on frequencies below 512 MHz
90.177 Protection of certain radio receiving locations
90.179 Shared use of radio stations**Subpart I—General Technical Standards**90.201 Scope
90.203 Type acceptance required
90.205 Power and antenna height limits
90.207 Types of emissions
90.209 Bandwidth limitations
90.211 Modulation requirements
90.213 Frequency stability**Subpart J—Non-Voice and Other Specialized Operations**90.235 Secondary fixed signaling operations
90.237 Interim provisions for operation of radioteleprinter and radiofacsimile devices
90.241 Radio call box operations
90.242 Travelers' information stations

90.243 Mobile relay stations

Subpart K—Standards for Special Frequencies or Frequency Bands90.251 Scope
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90.259 Assignment and use of frequencies in the bands 216–220 MHz and 1427–1435 MHz
90.261 Assignment and use of the frequencies in the band 450–470 MHz for fixed operations
90.266 Long distance communications on frequencies below 25 MHz
90.267 Assignment and use of frequencies in the 450–470 MHz band for low power use
90.269 Use of frequencies for self-powered vehicle detectors
90.273 Availability and use of frequencies in the 421–430 MHz band
90.275 Selection and assignment of frequencies in the 421–430 MHz band
90.279 Power limitations applicable to the 421–430 MHz band
90.281 Restrictions on operational fixed stations in the 421–430 MHz band**Subpart L—Authorization in the Band 470–512 MHz (UHF-TV Sharing)**90.303 Availability of frequencies
90.311 Frequencies**Subpart N—Operating Requirements**90.405 Permissible communications
90.419 Points of communication
90.425 Station identification
90.427 Precautions against unauthorized operation
90.437 Posting station licenses**Subpart O—Transmitter Control**90.463 Transmitter control points
90.465 Control of systems of communication
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90.492 One-way paging operations in the 806–824/851–869 MHz, 896–901/935–940 MHz bands
90.494 Paging operations on shared channels in the 929–930 MHz band**Subpart S—Regulations Governing Licensing and Use of Frequencies in the 806–824, 851–869, 896–901, and 935–940 MHz Bands**90.601 Scope
90.603 Eligibility

- 90.605 Forms to be used
- 90.607 Supplemental information to be furnished by applicants for facilities under this subpart
- 90.609 Special limitations on amendment of applications for assignment or transfer of authorizations for radio systems above 800 MHz
- 90.611 Processing of applications
- 90.613 Frequencies available
- 90.615 Spectrum blocks available in the General Category for 800 MHz SMR General Category
- 90.617 Frequencies in the 809.750–824/854.750–869 MHz and 896–901/935–940 MHz bands available for trunked or conventional system use in non-border areas
- 90.619 Frequencies available for use in the U.S./Mexico and U.S./Canada border areas
- 90.621 Selection and assignment of frequencies
- 90.623 Limitations on the number of frequencies assignable for conventional systems
- 90.625 Other criteria to be applied in assigning channels for use in conventional systems of communication
- 90.627 Limitation on the number of frequency pairs that may be assignable for trunked systems and on the number of trunked systems
- 90.629 Extended implementation schedules
- 90.631 Trunked systems loading, construction and authorization requirements
- 90.633 Conventional systems loading requirements
- 90.635 Limitations on power and antenna height
- 90.637 Restrictions on operational fixed stations
- 90.645 Permissible operations
- 90.647 Station identification
- 90.651 Supplemental reports required of licensees authorized under this subpart
- 90.653 Number of systems authorized in a geographical area
- 90.655 Special licensing requirements for Specialized Mobile Radio systems used to provide service to persons other than the licensee
- 90.657 Temporary permit

PART 95—PERSONAL RADIO SERVICES

Brief Description: The Personal Radio Services provide the general public with short-range wireless communications for personal activities. There are three established services: the General Mobile Radio Service (GMRS), the Citizens Radio Service, and the Radio Control

Radio Service. The GMRS rules permit both personal and business communications and has resulted in a very broad mix of GMRS system licensees: personal users, volunteer public service groups and small and large commercial organizations.

Need: These personal radio services rules are promulgated to promote flexibility of users to take advantage of new technology and equipment.

Legal Basis: Secs. 4, 303; 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303.

Section Number and Title:

Subpart A—General Mobile Radio Service (GMRS)

- 95.1 The General Mobile Radio Service (GMRS)
- 95.3 License required
- 95.5 License eligibility
- 95.7 Channel sharing
- 95.25 Land station description
- 95.29 Channels available
- 95.39 Considerations near FCC monitoring stations
- 95.51 Antenna height
- 95.53 Mobile station communication points
- 95.57 Mobile relay station communication points
- 95.71 Applying for a new or modified license
- 95.73 System licensing
- 95.75 Basic information
- 95.77 Additional information for GMRS systems with land stations at four or more locations
- 95.83 Additional information for stations with antennas higher than normally allowed
- 95.89 Renewing a license
- 95.103 Licensee duties
- 95.113 System records
- 95.117 Where to contact the FCC
- 95.121 Transmitting channel
- 95.129 Station equipment
- 95.131 Servicing station transmitters
- 95.133 Modification to station transmitters
- 95.135 Maximum authorized transmitting power
- 95.137 Moving a small base station or a small control station
- 95.139 Adding a small base station or a small control station
- 95.141 Interconnection prohibition
- 95.175 Cooperation in sharing channels
- 95.179 Individuals who may be station operators

Subpart E—Technical Regulations

- 95.621 GMRS transmitter channel frequencies

PART 101—FIXED MICROWAVE SERVICES

Brief Description: The microwave services are used mostly for fixed point-to-point communications systems and are a mechanism which private organizations such as businesses, educational institutions, utilities and local governments use to satisfy internal communications requirements. These systems offer a convenient and often-times cost-effective alternative to wireline for the transmission of voice, data, video and control signals.

Need: These fixed microwave radio services rules are promulgated to promote flexibility to radio users in meeting their communications needs. For example, private users employ microwave frequencies to operate and control equipment at remote sites, gather data related to customer usage, control traffic signals and obtain toll data from moving vehicles as well as other monitoring functions.

Legal Basis: 47 U.S.C. 154, 303.

Section Number and Title

Subpart A—General

- 101.3 Definitions

Subpart B—Applications and Licenses

- 101.13 Application forms and requirements for private operational fixed stations
- 101.19 General application rules
- 101.57 Modification of station license
- 101.63 Period of construction; certification of completion of construction

Subpart C—Technical Standards

- 101.101 Frequency availability
- 101.105 Interference protection criteria
- 101.107 Frequency tolerance
- 101.109 Bandwidth
- 101.113 Transmitter power limitations
- 101.115 Directional antennas
- 101.123 Quiet zones and Arecibo Coordination Zone
- 101.135 Shared use of radio stations and the offering of private carrier service
- 101.143 Minimum path length requirements
- 101.145 Interference to geostationary-satellites
- 101.147 Frequency assignments
- 101.149 Special requirements for operation in the band 38,600–40,000 MHz

Subpart H—Private Operational Fixed Point-to-Point Microwave Service

- 101.601 Eligibility

101.603 Permissible communications
[FR Doc. 99-26593 Filed 10-13-99; 8:45 am]
BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 092799B]

Fisheries of the Northeastern United States; Petition for Rulemaking for Seasonal Area Closures, Bycatch Quotas, and Related Measures to Reduce Scup Bycatch

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

ACTION: Notice of receipt of petition for rulemaking; request for comments.

SUMMARY: NMFS announces receipt of, and requests public comment on, an amended petition for rulemaking to: Reduce scup bycatch through seasonal area closures and a bycatch quota; monitor the *Loligo* fishery through a vessel monitoring system (VMS) and observers; and develop new gear designs. The Natural Resources Defense Council, the Environmental Defense Fund, the Center for Marine Conservation, the National Audubon Society, and the American Oceans Campaign (Petitioners) have petitioned NMFS and the Mid-Atlantic Fishery Management Council (Council) to implement these measures beginning November 1999, to reduce the amount of scup caught incidentally in the *Loligo* squid fishery.

DATES: Comments on the amended petition are requested on or before November 15, 1999.

ADDRESSES: Copies of the amended petition for rulemaking are available upon request from Gary C. Matlock, Ph.D., Director, Office of Sustainable Fisheries, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Comments on the amended petition should be directed to Dr. Gary C. Matlock at the above address. Please mark the outside of the envelope "Scup Petition for Rulemaking."

FOR FURTHER INFORMATION CONTACT: Mark R. Millikin, 301-713-2341.

SUPPLEMENTARY INFORMATION: The fisheries affected by this petition for rulemaking and the petition's amendment are primarily the scup (or porgy, *Stenotomus chrysops*) fishery, which is managed jointly by the Council

and the Atlantic States Marine Fisheries Commission under the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) and the *Loligo* squid fishery, which is managed by the Council under the Atlantic Mackerel, Squid, and Butterfish FMP. The Secretary of Commerce has management authority for these species in the exclusive economic zone (EEZ) under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The management unit for the scup fishery is scup in the U.S. waters of the Atlantic Ocean from 35°15.3' N. lat., the latitude of Cape Hatteras Light, N.C., northward to the U.S.-Canadian border. Regulations governing the scup fishery in the EEZ are found at 50 CFR part 648, subparts A and H. Regulations governing the *Loligo* squid fishery in the EEZ are found at 50 CFR part 648, subparts A and B.

The Petitioners assert that incidentally-caught juvenile scup are discarded in several small mesh fisheries, in particular the *Loligo* squid fishery. Discarded scup is "bycatch," according to the Magnuson-Stevens Act, because it is not landed and sold or kept for personal use. For the commercial fishery, the FMP requires the discard of scup: (1) smaller than a minimum size of 9 inches (22.9 cm), and (2) when the amount of scup on board exceeds the poundage threshold requiring a minimum mesh size in the codend of the net (either 100 or 200 lb (45.4 or 90.7 kg), depending on the season).

The Petitioners contend that because bycatch in small-mesh fisheries is a significant problem, management of the directed scup fishery alone is inadequate to rebuild the overfished scup stock. In addition, the Petitioners note that NMFS recently partially disapproved Amendment 12 to the FMP because it failed to address adequately the bycatch issue. Consequently, the Petitioners argue, "there are no legally sufficient measures in place to protect the scup from this major source of mortality."

Thus, in order to protect the scup stock, the Petitioners proposed two different actions (either one or both) to be implemented in 1999, and further actions to be implemented in 2000 and beyond. For 1999, the Petitioners proposed (a) a closure of the *Loligo* fishery in NMFS Northeast Statistical Area 613 (area 613) for the Winter II (November-December) season, (b) the imposition of a scup bycatch quota throughout the *Loligo* management unit for the Winter II season, or (c) both options (a) and (b). The Petitioners note that combining the two management

measures could eliminate "hotspots" of discards and protect scup from being discarded on *Loligo* trips redirected into other open areas.

Since submitting their original petition for rulemaking, the Petitioners amended their request based upon new information. The Petitioners reference an analysis of the 1997 and 1998 vessel trip report data conducted by Council staff for presentation to the FMP's Scup Monitoring Committee. These data showed high scup discards in statistical areas 537 and 539 in the *Loligo* fishery during the Winter II (November-December) season, as well as in area 613. Further, the data showed high scup discard rates in statistical areas 616 and 622 for the *Loligo* fishery during the Winter I (January-April) season. These areas were included in the Monitoring Committee's August 1999 recommendations for area closures of the *Loligo* fishery to prevent bycatch of scup. Since the Council did not recommend closure of those areas to *Loligo* fishing, the Petitioners have requested in their amended petition immediate implementation of the Monitoring Committee's recommendation in order to reduce scup bycatch. The Petitioners also request that the above measures (time/area closures, bycatch quota, or both) be part of the specifications for the 2000 *Loligo* squid fishery.

Area 613 is defined as Federal waters off Long Island, NY, bounded by straight lines connecting the following points in the order stated:

NMFS Northeast Statistical Area 613

Point	N. Lat.	W. Long.
L11	(¹)	73°00'
L12	40°00'	73°00'
L13	40°00'	71°40'
L14	41°00'	71°40'
L15	41°00'	(²)

¹ The intersection the longitude line with the 3 nautical mile line south of Patchogue, NY.

² The intersection the latitude line with the 3 nautical mile line south of Montauk, NY.

Area 537 is defined as Federal waters off Nantucket and Martha's Vineyard Islands, MA, bounded by straight lines connecting the following points in the order stated:

NMFS NORTHEAST STATISTICAL AREA 537

Point	N. Lat.	W. Long.
C11	(¹)	70°00'
C12	39°50'	70°00'
C13	39°50'	71°40'
C14	40°50'	71°40'
C15	40°50'	71°20'