

not believe it would be appropriate to exempt small price cap LECs from the application of an X-factor. We seek comment on these issues and urge commenting parties to support their comments with specific evidence and analysis.

Federal Rules that May Duplicate, Overlap, or Conflict With the Proposed Rules. None.

Filing of Comments and Reply Comments

Pursuant to 47 CFR 1.415, 1.419, interested parties may file comments on or before December 30, 1999 and reply comments on or before January 14, 2000. Comments may be filed using the Commission's Electronic Comment Filing System ("ECFS") or by filing paper copies.

Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. Only one copy of electronically-filed comments must be submitted.

Parties who choose to file by paper must file an original and four copies of each filing. All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-B204, Washington, D.C. 20554.

Parties who choose to file by paper should also submit their comments on diskette. The diskette should be submitted to: Wanda Harris, Federal Communications Commission, Common Carrier Bureau, Competitive Pricing Division, 445 12th Street, S.W., Fifth Floor, Washington, D.C. 20554. The submission should be on a 3.5 inch diskette formatted in an IBM compatible format using WordPerfect 5.1 for Windows or compatible software. The diskette should be accompanied by a cover letter and should be submitted in "read only" mode. The diskette should be clearly labeled with the commenter's name, proceeding (including the docket number in this case), type of pleading (comments or reply comments), date of submission, and the name of the electronic file on the diskette. The label

should also include the following phrase: "Disk Copy—Not an Original." Each diskette should contain only one party's pleadings, preferably in a single electronic file. In addition, commenters must send diskette copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, N.W., Washington, D.C. 20036. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554.

Ordering Clauses

Pursuant to the authority contained in sections 1, 4(i), 4(j), 201–205, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), (j), 201–205, and 303(r), *Notice Is Hereby Given* of the rulemaking described above and that *Comment Is Sought* on those issues.

The Commission's Office of Public Affairs, Reference Operations Division, Shall Send a copy of this Further Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 61

Communications common carriers, Tariffs.

Federal Communications Commission.

Magalie Roman Salas,
Secretary.

[FR Doc. 99–30741 Filed 11–24–99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Parts 567 and 568

[Docket No. NHTSA–99–5673]

RIN 2127–AE27

Vehicles Built in Two or More Stages

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of establishment of a negotiated rulemaking advisory committee and notice of the first meeting.

SUMMARY: NHTSA announces the establishment of a Negotiated Rulemaking Committee to develop recommended amendments to the existing NHTSA regulations (49 CFR parts 567 and 568) governing the certification of vehicles built in two or more stages to the Federal motor vehicle

safety standards (49 CFR part 571). The purpose of the amendments would be to assign certification responsibilities more equitably among the various participants in the multi-stage vehicle manufacturing process. The Committee will develop its recommendations through a negotiation process. The Committee will consist of persons who represent the interests that would be affected by the proposed rule, such as first-stage, intermediate and final-stage manufacturers of motor vehicles, equipment manufacturers, vehicle converters, testing facilities, trade associations that represent various manufacturing groups, and consumers. This notice also announces the time and place of the first advisory committee meeting. The public is invited to attend; an opportunity for members of the public to make oral presentations will be provided if time permits.

DATES: The first meeting of the advisory committee will be from 10 a.m. to 5 p.m. on Tuesday, December 14, 1999, and will continue from 9 a.m. to 3 p.m. on Wednesday, December 15, 1999.

ADDRESSES: The first meeting of the advisory committee will take place at the Hotel Washington, 515 15th Street, NW, Washington, DC 20004.

FOR FURTHER INFORMATION CONTACT:

For non-legal issues, you may call Charles Hott, Office of Crashworthiness Standards, at 202–366–4920.

For legal issues, you may call Rebecca MacPherson, Office of the Chief Counsel, at 202–366–2992.

You may send mail to both of these officials at the National Highway Traffic Safety Administration, 400 Seventh St., SW, Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

I. Background

On May 20, 1999, the National Highway Traffic Safety Administration (NHTSA) published a notice of intent to establish an advisory committee (Committee) for a negotiated rulemaking to develop recommendations for regulations governing the certification of vehicles built in two or more stages. The notice requested comment on membership, the interests affected by the rulemaking, the issues that the Committee should address, and the procedures that it should follow. The reader is referred to that notice (64 FR 27499) for further information on these issues.

NHTSA received 17 comments on the notice of intent. All commenters endorsed the concept of using the

negotiated rulemaking process for this subject. Commenters generally supported the proposed list of issues without specific comment.

Based on this response, and for the reasons stated in the notice of intent, we have determined that establishing an advisory committee on this subject is appropriate and in the public interest. In accordance with the Federal Advisory Committee Act (FACA; 5 U.S.C. App. I sec. 9(c)), we prepared a Charter for the Establishment of a Negotiated Rulemaking Advisory Committee. We intend to file the charter within fifteen (15) days from the date of this publication.

II. Membership

A total of 20 individuals were nominated or applied for membership to the Committee, either through written comments or through follow-up telephone calls.

In considering requests for representation on the Committee, we had to first determine whether the requesters represent interests significantly affected by the proposed rulemaking. As identified in the notice of intent, in addition to the Department of Transportation (DOT), these interests are: manufacturers of various stages of motor vehicles, equipment manufacturers, vehicle converters, testing facilities, trade associations that represent various manufacturing groups, and consumers of the affected vehicles.

Following is the list of Committee members, identified by interest. Members are encouraged to designate alternates who can serve in place of the member if necessary. As noted in the notice of intent, the Committee will make its decisions through a process of negotiation leading to consensus. "Consensus" means the unanimous concurrence among the interests represented on the Committee, unless the Committee explicitly adopts a different definition.

The meetings of the Committee will be facilitated by Phillip Harter and Alan Strasser of the Mediation Institute. The organizations and interests that will participate in the negotiated rulemaking are:

National Highway Traffic Safety Administration:

1. Rebecca MacPherson, Department of Transportation, NHTSA;

Incomplete Vehicle Manufacturers:

2. Timothy Blubaugh, Freightliner Corporation;
3. Lindsay Harding, Ford Motor Company;
4. Paul Murphy, Motor Coach Industries, International;
5. David Stensland, Navistar

International Transportation Corporation;

6. Glenn Zuchniewicz, General Motors Corporation;

Component Manufacturers:

7. Jerome Loftus, Atwood Mobile Products;
8. Paul Wagner, Bornemann Products, Inc.

Final Stage Manufacturers:

9. Andy Callaway, Mark III Industries;
10. Phillip Headley, Environmental Industries Association;
11. David Humphreys, Recreational Vehicle Industry Association (RVIA);
12. Michael Kastner, National Truck Equipment Association (NTEA);
13. Mark Sidman, Ambulance Manufacturers Division, Manufacturers Council of Small School Buses, and Mid-Size Bus Manufacturers Association;
14. Thomas Turner, Blue Bird Body Company;
15. Becky Plank, National Mobility Equipment Dealers Association (NMEDA);

Dealers:

16. Douglas Greenhaus, National Automobile Dealers Association (NADA);

Testing Facilities:

17. John Phillips, Transportation Research Center (TRC);

Consumer Representatives:

18. Christopher Amos, National Association of Fleet Manufacturers;
19. Mark Edwards, AAA;
20. Clarence Ditlow, Center for Auto Safety;
21. Bob Herman, Paralyzed Veterans of America (PVA).

III. Participation by Non-Members

Meetings of the Committee will be open to the public so that individuals who are not part of the Committee may attend and observe. Any person attending the Committee meetings may address the Committee, if time permits, or file statements with the Committee.

IV. Key Issues for Negotiation

In its notice of intent, NHTSA tentatively identified major issues that should be considered in this negotiated rulemaking and asked for comment concerning the appropriateness of these issues for consideration and whether other issues should be added. These issues were:

- Equitable and effective allocation of certification responsibility;
- Enforcement issues relevant to each stage of manufacturing;
- Costs to regulated parties of testing or certification;
- Effects on safety;

- Effects on small businesses;
- Enforceability against later-stage manufacturers of standards that include dynamic testing;
- Feasibility and cost effectiveness of alternate methods (e.g., testing, computer modeling, or other as-yet-unspecified methods) to ensure compliance of completed vehicles with requirements of applicable FMVSSs;
- Mechanisms for incorporating alternate methods of ensuring compliance into these regulations;
- Mechanisms for sharing costs of testing;
- Requirements tailored to the capabilities and circumstances of each class of vehicles;
- Extended leadtime for implementation of FMVSSs for final-stage manufacturers;
- Recall and warranty responsibilities of manufacturers;
- Pass-through certification as a compliance option;
- Relative administrative/compliance burdens of certification on first-stage and later-stage manufacturers; and
- Scope of compliance "envelopes" prescribed by first-stage manufacturers and ability of intermediate- and final-stage manufacturers to stay within those envelopes.

Commenters neither objected to these issues nor suggested that additional issues be addressed. Accordingly, they will be the issues considered by the Committee.

V. Procedures and Schedule

Staff support for the Committee will be provided by NHTSA and the facilitator, and meetings will take place in Washington, DC, unless agreed otherwise by the Committee.

Consistent with FACA requirements, the facilitator will prepare summaries of each Committee meeting. These summaries and all documents submitted to the Committee will be placed in the public docket for this rulemaking.

As stated in the notice of intent, the Committee's objective is to prepare a report containing an outline of its recommendations for a notice of proposed rulemaking with suggestions for specific preamble and regulatory language based on the Committee's recommendations, as well as information relevant to a regulatory evaluation and an evaluation of the impacts of the proposal on small businesses.

The negotiation process will proceed according to a schedule of specific dates that the Committee devises at its first meeting on December 14–15, 1999. NHTSA will publish notices of future meetings in the **Federal Register**. We

anticipate that the Committee will meet for up to five two-day sessions beginning in December 1999. If the Committee establishes working groups to support its work, additional meetings for the working groups may be necessary.

NHTSA intends to accept the Committee recommendations, keeping in mind its statutory authority and other legal requirements. In the event that the agency rejects any of the recommendations, the preamble to a NPRM addressing the issues that were the subject of the negotiations will explain the reasons for the rejection.

VI. Meeting Agenda

The first meeting of the negotiated rulemaking committee will begin at 10 a.m. on December 14, 1999, with consideration of Committee ground rules, procedures, and calendar.¹ The Committee will then address the specific issues that should be included in the negotiation and how data to support its deliberations will be developed. In addition, the Committee will consider whether to establish working groups to provide technical support and recommendations for specific aspects of the negotiations. The first meeting will conclude no later than 3 p.m. on December 15.

VII. Authority

5 U.S.C. 561 *et seq.*, delegation of authority at 49 CFR 1.50.

Issued on: November 19, 1999.

Stephen R. Kratzke,

Acting Associate Administrator for Safety Performance Standards.

[FR Doc. 99-30740 Filed 11-24-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[I.D. 110899D]

Gulf of Mexico Fishery Management Council; Public Hearings

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

ACTION: Notice of public hearings; request for comments.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene public hearings to receive comments on a Draft Charter Vessel/Headboat Permit Moratorium Amendment to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico and to the Fishery Management Plan for Coastal Migratory Pelagic Resources in the Gulf of Mexico and South Atlantic (Draft Amendment).

DATES: Written comments on the Draft Amendment will be accepted by the Gulf Council until January 3, 2000. The public hearings will be held in December. See **SUPPLEMENTARY INFORMATION** for specific dates and times of the public hearings.

ADDRESSES: Written comments should be sent to and copies of the draft amendment are available from the Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301, North, Suite 1000, Tampa, Florida 33619, telephone: 813-228-2815. The public hearings will be held in Texas, Florida, Louisiana, Mississippi, and Alabama. See **SUPPLEMENTARY INFORMATION** for specific locations.

FOR FURTHER INFORMATION CONTACT:

Wayne Swingle, Executive Director, Gulf of Mexico Fishery Management Council; telephone: 813-228-2815.

SUPPLEMENTARY INFORMATION: In the Gulf of Mexico region there are presently about 1,286 charter vessels and 91 headboats. This represents an estimated 32-percent increase in the number of charter vessels and a 6-percent decrease in the number headboats between 1988 and 1998. Additionally, the number of charter vessel trips has increased 187 percent between 1988 and 1997.

The Council is considering implementation of a temporary moratorium on the issuance of charter vessel/headboat permits to fish the exclusive economic zone (EEZ) for reef fish and coastal migratory pelagics (mackerel) fish. A moratorium, if adopted by the Council and approved and implemented by NMFS, would provide a basis for the development of a more comprehensive effort limitation program for this segment of the recreational fisheries that could provide better long-term fishing effort control.

The Draft Amendment considers seven features of the proposed moratorium: (1) The duration of the moratorium; (2) initial eligibility requirements for a permit; (3) permit transfers during the moratorium; (4) vessel size for permit transfer; (5) the reissuance of permits not renewed; (6) a permit appeal process; and (7) vessel reporting. At present, the Council suggests a preferred alternative

containing the following elements: (1) The establishment of a 3-year charter vessel/headboat permit moratorium; (2) an initial eligibility requirement according to which all persons holding charter vessel/headboat permits on September 16, 1999, are eligible; (3) the allowance of permit transfers during the moratorium between (a) vessels owned by the permit holder and (b) individuals without transfer of the vessel; and (4) NMFS's suspension of permits not renewed (or permanently revoked) during the moratorium.

The Council has not selected preferred alternatives for (1) vessel size restriction on permit transfers, (2) the appeals process under moratorium, or (3) vessel reporting requirements.

Time and Location for Public Hearings

Public hearings for the Draft Charter Vessel/Headboat Permit Moratorium Amendment will be held at the following locations, dates, and times. In addition, public testimony will be accepted at the Gulf Council meeting in Fort Walton Beach, Florida on January 19, 2000.

1. December 6, 1999, 7:00 p.m. to 10:00 p.m., Port Isabel Community Center, 213 Yturria, Port Isabel, TX 78578
2. December 6, 1999, 7:00 p.m. to 10:00 p.m., Harvey Government Center, 1200 Truman Avenue, Key West, FL 33040
3. December 7, 1999, 7:00 p.m. to 10:00 p.m., Port Aransas Civic Center Auditorium, 710 West Avenue A, Port Aransas, TX 78373
4. December 7, 1999, 7:00 p.m. to 10:00 p.m., Naples Depot Civic Cultural Center 1051 Fifth Avenue South, Naples, FL 34102
5. December 8, 1999, 7:00 p.m. to 10:00 p.m., Texas A&M Auditorium, 200 Seawolf Parkway, Galveston, TX 77553
6. December 8, 1999, 7:00 p.m. to 10:00 p.m., City Hall Auditorium, 300 Municipal Drive, Madeira Beach, FL 33708
7. December 9, 1999, 7:00 p.m. to 10:00 p.m., Larose Regional Park, 2001 East 5th Street, Larose, LA 70373
8. Monday, December 13, 1999, 6:00 p.m. to 9:00 p.m., J. L. Scott Marine Education Center & Aquarium, 115 East Beach Blvd., US Hwy. 90, Biloxi, MS 39530
9. December 14, 1999, 7:00 p.m. to 10:00 p.m., Hilton Beachfront Garden Inn, 23092 Perdido Beach Boulevard, Orange Beach, AL 36561
10. December 15, 1999, 6:00 p.m. to 9:00 p.m., Gulf Coast Community College, Student Union East Building, Gibson Lecture Hall (2nd Floor), 5230

¹ NHTSA will publish a single notice of the schedule of all future meetings in the **Federal Register**, but will amend the notice through subsequent **Federal Register** notices if it becomes necessary to do so.