

permitted, except during the Sunshine Agenda period, provided that they are disclosed as provided in the Commission's rules. See generally 47 CFR 1.1202, 1.1203, 1.1206.

Comment Filing Dates

32. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. 1.415, 1.419, interested parties may file comments on or before March 6, 1995, and reply comments on or before March 27, 1995. To file formally in this proceeding, you must file an original and four copies of all comments, reply comments, and supporting comments. If you want each Commissioner to receive a personal copy of your comments, you must file an original and nine copies. Comments and reply comments should be sent to Office of the Secretary, Federal Communications Commission, Washington, DC 20554, with a copy to Peggy Reitzel of the Common Carrier Bureau, Room 544, and James Yancey of the Cable Services Bureau, Room 408C. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center (Room 239), 1919 M Street NW., Washington, DC.

Initial Regulatory Flexibility Analysis Statement

33. Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, the Fourth Further Notice of Proposed Rulemaking, seeking comment and information regarding whether additional or modified safeguards and rule changes may be necessary or appropriate in the context of the Commission's video dialtone regulatory framework, when a telephone company provides video programming directly to subscribers in its telephone service area may directly impact entities that are small business entities, as defined in Section 601(3) of the Regulatory Flexibility Act.

34. The Secretary shall send a copy of this *Fourth Further Notice of Proposed Rulemaking*, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with Section 603(a) of the Regulatory Flexibility Act, Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601, *et seq.*

Ordering Clauses

35. *It is ordered* that, pursuant to Sections 1, 4, 201-205, 215, and 218 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154, 201-205, 215, and 218, a Fourth Further Notice of Proposed Rulemaking is hereby adopted.

36. *It is further ordered* that, the Secretary shall send a copy of the Fourth Further Notice of Proposed Rulemaking, including the regulatory flexibility certification, to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with paragraph 603(a) of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* (1981).

List of Subjects in 47 CFR Part 63

Cable television, Communications common carriers, Reporting and recordkeeping requirements, Telephone, Video dialtone.

Federal Communications Commission

William F. Caton,

Secretary.

[FR Doc. 95-3831 Filed 2-15-95; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 95-16]

Radio Broadcasting Services; Leone, American Samoa

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission, on its own motion, proposes the deletion of vacant and unapplied-for Channel 266C1 from Leone, American Samoa. The independent nation of Western Samoa has recently assigned an FM station to operate on Channel 266A which conflicts with the American Samoa allotment. Should an interest in applying for a Class C1 channel at Leone be expressed, the staff has determined that Channel 230C1 can be allotted to Leone in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates -14-20-38 South Latitude and 170-47-06 West Longitude.

DATES: Comments must be filed on or before April 3, 1995, and reply comments on or before April 18, 1995.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-16, adopted January 25, 1995, and released February 10, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, D.C. 20037.

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

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

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

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A Karousos,

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

[FR Doc. 95-3936 Filed 2-15-95; 8:45 am]

BILLING CODE 6712-01-F

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 225

[FRA Docket No. RAR-4, Notice No. 10]

RIN 2130-AA58

Railroad Accident Reporting

AGENCY: Federal Railroad Administration (FRA).

ACTION: Notice of postponement of decision whether or not to issue a supplemental notice of proposed rulemaking and confirmation of March 10, 1995, deadline for comments.

SUMMARY: In accordance with a notice published on December 27, 1994 (59 FR 66501), FRA held an informal public regulatory conference on January 30-February 2, 1995, in Washington, D.C. to further discuss issues related to its notice of proposed rulemaking (NPRM)

on railroad accident reporting (59 FR 42880). Conference participants offered various alternative approaches in response to the specific proposals set forth in the NPRM. The Association of American Railroads and The American Short Line Railroad Association requested that they be allowed to address specific topics by the existing comment deadline of March 10, 1995, and that such comments be incorporated into a second or supplemental NPRM. FRA believes that a decision as to whether or not to issue a supplemental NPRM is premature at this point in the rulemaking proceeding. FRA requests that written comments addressing all issues in the NPRM be filed no later than March 10, 1995, as specified in FRA's December 27, 1994, notice. After thorough review and analysis of the submitted comments, FRA will decide whether a supplemental NPRM is in fact warranted for this rulemaking and will issue a decision in the **Federal Register**.

FRA's decision whether or not to issue a supplemental NPRM will be based primarily on the extent that written comments address constructive, creative solutions to the subjects and issues involved in the NPRM.

DATES: *Written Comments:* Written comments filed in response to the NPRM must be received no later than March 10, 1995. Comments received after that date will be considered to the extent practicable without incurring additional expense or delay.

ADDRESSES: *Written Comments:* Written comments should identify the docket number and the notice number and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street, S.W., Room 8201, Washington, D.C. 20590. Persons desiring to be notified that their written comments have been received by FRA should submit a stamped, self-addressed postcard with their comments. The

Docket Clerk will indicate on the postcard the date on which the comments were received and will return the card to the addressee. Written comments will be available for examination, both before and after the closing date for comments, during regular business hours in room 8201 of the Nassif Building at the above address.

FOR FURTHER INFORMATION CONTACT: Marina C. Appleton, Trial Attorney, Office of Chief Counsel, FRA, 400 Seventh Street, S.W., Washington, D.C. 20590 (telephone 202-366-0628); or Robert Finkelstein, Chief, Systems Support Division, Office of Safety Analysis, Office of Safety, FRA, 400 Seventh Street, S.W., Washington, D.C. 20590 (telephone 202-366-2760).

Issued in Washington, D.C., on February 13, 1995.

Jolene M. Molitoris,

Federal Railroad Administrator.

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