

FEDERAL COMMUNICATIONS
COMMISSION

47 CFR Parts 64 and 69

[CC Docket No. 91-141; DA 95-1287]

Expanded Interconnection With Local
Telephone Company Facilities;
CorrectionAGENCY: Federal Communications
Commission.

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the final rule [FCC 94-190, 9 FCC Rcd 5154], which was summarized and published in the **Federal Register** on Monday, August 1, 1994 [59 FR 38922]. The rule related to the Commission's policies on expanded interconnection with local telephone company facilities.

EFFECTIVE DATE: December 15, 1994.

FOR FURTHER INFORMATION CONTACT: David Sieradzki (202) 418-1576 (not a toll-free call).

SUPPLEMENTARY INFORMATION:

Background

In the Memorandum Opinion and Order that is the subject of these corrections, the FCC reaffirmed its commitment to its expanded interconnection policy, which creates new opportunities for competitive provision of access services that the local telephone companies traditionally have provided on a monopoly basis, and required certain companies to provide expanded interconnection through virtual collocation.

Need for Correction

As published, the document contains an error which may prove to be misleading and is in need of clarification.

Correction of Publication

In the last sentence of paragraph 62 on page 38929 of the Synopsis of Memorandum Opinion and Order [59 FR 38922, Aug. 1, 1994], FR Doc. 94-18589 is corrected to read as follows:

We delegate authority to the Chief, Common Carrier Bureau, to modify the threshold point for switched transport volume and term discounts in unusual circumstances where a change in the strict requirements would advance the Commission's objectives.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-22002 Filed 9-6-95; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 90

[PR Docket No. 89-552, GN Docket No. 93-252, and PP Docket No. 93-253; FCC 95-312]

Wireless Telecommunications
Services; Private Land Mobile Radio
ServiceAGENCY: Federal Communications
Commission.ACTION: Final rule; petitions for
reconsideration.

SUMMARY: In this *Second Memorandum Opinion and Order* portion of the adopted *Second Memorandum Opinion and Order and Third Notice of Proposed Rulemaking*, the Commission denies a Petition for Reconsideration filed by SunCom Mobile & Data, Inc., denies waiver requests filed by Northeast Florida Telephone Company, Wireless Plus, Inc., and the 220 MHz QO Coalition, grants a Petition to Sever filed by SunCom Mobile & Data, Inc., and extends the deadline for non-nationwide 220 MHz licensees authorized within Line A of the Canadian border to construct and operate their stations to a date 12 months after the date that the terms of an agreement with Canada are released. These actions are taken in response to these requests and petitions.

EFFECTIVE DATE: September 7, 1995.

FOR FURTHER INFORMATION CONTACT:

Martin Liebman, Wireless Telecommunications Bureau (202) 418-1310, or Rhonda Lien, Wireless Telecommunications Bureau (202) 418-0620.

SUPPLEMENTARY INFORMATION: This is a synopsis of the *Second Memorandum Opinion and Order* portion of the Commission's *Second Memorandum Opinion and Order and Third Notice of Proposed Rulemaking* in PR Docket No. 89-552, GN Docket No. 93-252, and PP Docket No. 93-253, FCC 95-312, adopted July 28, 1995, and released August 28, 1995. The summary of the *Third Notice of Proposed Rulemaking* portion of this decision may be found elsewhere in this edition of the **Federal Register**. The complete text of this decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street NW., Washington, DC, and also may be purchased from the Commission's copy contractor, International Transcription Service, at (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Synopsis of the Second Memorandum
Opinion and Order Portion of the
Second Memorandum Opinion and
Order and Third Notice of Proposed
Rulemaking

1. The Commission, in a *Third Report and Order* in GN Docket 93-252 (59 FR 59945, November 21, 1994) denied a Request for Declaratory Ruling filed by SunCom Mobile & Data, Inc. (SunCom) which sought approval to aggregate non-nationwide 220 MHz five-channel blocks on a regional basis to provide multiple-market service on a single system. The Commission denied a concurrently filed waiver request by SunCom to allow an extended period for the construction of its system. SunCom filed a Petition for Reconsideration of these decisions. Wireless Plus, Inc., a manager of 220 MHz stations, filed a waiver request similar to SunCom's Request for Declaratory Ruling. The Commission now denies these three requests.

2. SunCom also filed a Petition to Sever its Requests for Declaratory Ruling and for Waiver from GN Docket No. 93-252, and from other petitions for reconsideration of the *Third Report and Order* in GN Docket 93-252. SunCom asked that the Commission act expeditiously on its Petition for Reconsideration. The Commission is incorporating SunCom's Petition for Reconsideration into this proceeding for disposition, and its Petition to Sever is therefore granted.

3. The Commission received waiver requests from the 220 MHz QO Coalition and Northeast Florida Telephone Company seeking waiver of our rules to permit licensees authorized on Channels 171-180 to operate in the trunked mode. The Commission denies both of these requests.

4. The Commission extends the construction deadline for Phase I non-nationwide 220 MHz licensees located within Line A of the Canadian border until 12 months after the signing of an agreement with Canada on the sharing of 220-222 MHz channels near the border.

5. Authority for issuance of the decision is contained in Sections 4(i), 303(r), and 332 of the Communications Act of 1934, as amended; 47 U.S.C. 154(i), 303(r), and 332.

Ordering Clauses

6. Accordingly, IT IS ORDERED that the Petition to Sever filed by SunCom Mobile & Data, Inc., IS GRANTED.

7. IT IS FURTHER ORDERED that the Petition for Reconsideration filed by SunCom Mobile & Data, Inc., IS DENIED.

8. IT IS FURTHER ORDERED that the Request for Rule Waiver filed by Wireless Plus, Inc., IS DENIED.

9. IT IS FURTHER ORDERED that the Request for Rule Waiver filed by the 220 MHz QO Coalition IS DENIED.

10. IT IS FURTHER ORDERED that the Petition for Rule Waiver filed by Northeast Florida Telephone Company IS DENIED.

11. IT IS FURTHER ORDERED that the deadline for non-nationwide 220 MHz licenses authorized within Line A of the Canadian border to construct and operate their stations is extended to a date 12 months after the date that the terms of an agreement with Canada are released.

List of Subjects in 47 CFR Part 90

Business and industry, Radio.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-22295 Filed 9-6-95; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 663

[Docket No. 941265-4365; I.D. 083095B]

Pacific Coast Groundfish Fishery; Thornyhead Trip Limits and Nontrawl Sablefish Mop-Up Fishery

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

ACTION: Inseason adjustments and nontrawl sablefish mop-up fishery; request for comments.

SUMMARY: NMFS announces adjustments to the management measures for the Pacific coast groundfish fishery off Washington, Oregon, and California. This action will reduce the limited entry trip limits for thornyheads, establish beginning and ending dates and trip limits applicable to the mop-up fishery for nontrawl limited entry sablefish, and set trip limits for the nontrawl limited entry sablefish fishery after the mop-up fishery. These actions are intended to extend the thornyhead fishery as long as possible during the year, and to provide for harvest of the remainder of the limited entry nontrawl allocation for sablefish.

DATES: The thornyhead trip limits are effective from 0001 hours (local time),

September 1, 1995, until the effective date of the 1996 annual specifications and management measures for the Pacific coast groundfish fishery, which will be published in the **Federal Register**. The nontrawl sablefish mop-up fishery will begin at 1201 hours (local time), September 1, 1995, and will end at 1200 hours (local time), September 30, 1995, at which time the daily trip limits resume. The daily trip limits for the nontrawl sablefish fishery will remain in effect until the effective date of the 1996 annual specifications and management measures for the Pacific coast groundfish fishery, which will be published in the **Federal Register**. Comments will be accepted until September 18, 1995.

ADDRESSES: Comments on these actions should be sent to Mr. William Stelle, Jr., Director, Northwest Region, National Marine Fisheries Service, 7600 Sand Point Way NE., BIN C15700, Bldg. 1, Seattle, WA 98115-0070; or Ms. Hilda Diaz-Soltero, Director, Southwest Region, National Marine Fisheries Service, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213. Information relevant to these actions has been compiled in aggregate form and is available for public review during business hours at the office of the Director, Northwest Region, NMFS (Regional Director).

FOR FURTHER INFORMATION CONTACT: William L. Robinson at 206-526-6140; or Rodney R. McInnis at 310-980-4040.

SUPPLEMENTARY INFORMATION: *Thornyheads.* The Annual Specifications and Management Measures for the Pacific Coast Groundfish Fishery (60 FR 2331-2344, January 9, 1995), as amended, established management measures for the 1995 limited entry fishery for Dover sole, thornyheads, and trawl-caught sablefish (the DTS complex). At its August 1995 meeting in San Francisco, CA, the Pacific Fishery Management Council (Council) considered the best available scientific information, comments from its advisory committees, and public testimony before recommending adjustments to the management measures for the thornyhead fishery, as explained below.

The DTS complex is managed collectively because the four species often are caught together in the trawl fishery. (Thornyheads include both shortspine and longspine thornyheads.) In 1995, the 1,500 metric ton (mt) harvest guideline for shortspine thornyheads was set higher than the 1,000-mt acceptable biological catch (ABC), largely because of uncertainty in the new stock assessment. The stock

assessment indicates that the shortspine thornyhead biomass is below the level consistent with maximum sustainable yield (MSY). The harvest guideline for shortspine thornyheads is near the MSY level, but below its overfishing level of about 1,800 mt. In contrast, longspine thornyheads remain above MSY and are being fished down to the level that would produce MSY. However, the 6,000-mt harvest guideline for longspine thornyheads in 1995 is set below its ABC of 7,000 mt, primarily to protect the fully exploited shortspine thornyheads.

At the beginning of 1995, the cumulative trip limit for thornyheads combined was set at 20,000 lb (9,072 kg) per vessel per month, of which no more than 4,000 lb (1,814 kg) could be shortspine thornyheads (60 FR 2331, January 9, 1995). On April 1, 1995 (60 FR 16811, April 3, 1995), the monthly cumulative trip limit for combined thornyheads was reduced by 25 percent to 15,000 lb (6,804 kg), of which no more than 3,000 lb (1,361 kg) could be shortspine thornyheads. Landings have not slowed significantly.

The best available information at the August 1995 Council meeting indicated that if landing rates are not slowed the harvest guidelines for both thornyhead species, and the overfishing level for shortspine thornyheads, will be exceeded by the end of the year. If landing rates are not slowed, the harvest guideline for shortspine thornyheads will be reached by September 20, 1995, and exceeded by 39 percent by the end of the year. The overfishing level for shortspine thornyheads will be exceeded by 16 percent by the end of the year. The harvest guideline for longspine thornyheads will be reached by November 7, 1995, and exceeded by 19 percent by the end of the year. To stay within the harvest guidelines for both species, landings will need to be reduced by 84 percent for shortspine thornyheads, and 46 percent for longspine thornyheads.

The Council considered several alternatives, including immediate prohibition of landings of shortspine thornyheads or the entire DTS complex, and a reduction in trip limits. The Council recommended that the cumulative monthly trip limits for thornyheads be cut almost in half, from 15,000 lb (6,804 kg) to 8,000 lb (3,629 kg) for thornyheads combined, and from 3,000 lb (1,361 kg) to 1,500 lb (680 kg) for shortspine thornyheads. The level of discards that would result from such a small trip limit on shortspine thornyheads is unknown. It is intended that fishers move their operations to deeper water where shortspine