

**Copper River Meridian**

T. 59 S., R. 79 E., partly unsurveyed  
Sec. 26, lot 3.

The area described contains 41.25 acres.

2. The land described above will be subject to Public Land Order No. 5180, as amended, and will remain withdrawn from all forms of appropriation under the public land laws and from location and entry under the mining laws except locations for metalliferous minerals.

Dated: September 15, 1995.

**Bob Armstrong,**

*Assistant Secretary of the Interior.*

[FR Doc. 95-25138 Filed 10-10-95; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**
**47 CFR Part 1**
**Competitive Bidding Proceedings—  
Designated Entities; Correction**

**AGENCY:** Federal Communications Commission.

**ACTION:** Correcting Amendments.

**SUMMARY:** This document contains corrections to the final regulations, which were published August 26, 1994 (59 FR 44293). The regulations related to designated entity provisions in competitive bidding proceedings.

**EFFECTIVE DATE:** October 11, 1995.

**FOR FURTHER INFORMATION CONTACT:**

Diane M. Law, Wireless Telecommunications Bureau, (202) 418-0660.

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are the subject of these corrections defined "designated entities" for the purposes of competitive bidding proceedings and established preferences for which they are eligible.

**Need for Correction**

As published, the final regulations contain errors which may prove to be misleading and are in need of clarification.

**List of Subjects in 47 CFR Part 1**

Administrative practice and procedure, Reporting and recordkeeping requirements, Telecommunications.

Accordingly, 47 CFR Part 1 is corrected by making the following correcting amendments:

**PART 1—PRACTICE AND PROCEDURE**

1. The authority citation for Part 1 continues to read as follows:

**Authority:** 47 U.S.C. 151, 154, 303, and 309(j) unless otherwise noted.

**§ 1.2110 [Corrected]**

2. In § 1.2110, paragraph (b)(4)(x)(C) should be redesignated as paragraph (c).

3. In § 1.2110, paragraph (b)(4)(x)(D) should be redesignated as paragraph (d).

4. In § 1.2110, paragraph (b)(4)(x)(E) should be redesignated as paragraph (e).

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 95-25142 Filed 10-10-95; 8:45 am]

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**47 CFR Parts 43 and 61**

[CC Docket No. 93-36; FCC 95-399]

**Tariff Filing Requirements for Nondominant Carriers**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** By this action, the Commission reinstates those tariff filing requirements adopted in the Nondominant Filing Order that were not addressed in the Court of Appeals' decision vacating that Order. In accordance with the court's decision, the Commission amends its rules to remove the provision that had permitted domestic, nondominant common carriers to file tariffs containing rates expressed in a manner of the carrier's choosing, including as a reasonable range of rates. The Commission also denies a petition for partial reconsideration of the Nondominant Filing Order and dismisses an application for stay of a portion of that Order as moot. Finally, by this action, the Commission amends its rules to delete references to the Commission's forbearance policy that are inconsistent with earlier court decisions vacating that policy and to implement changes to the Nondominant Filing Order, which were erroneously omitted from the Code of Federal Regulations.

**EFFECTIVE DATE:** March 11, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Katherine Schroder, (202) 418-1530.

**SUPPLEMENTARY INFORMATION:** In 1993 the Commission adopted streamlined tariff filing requirements for domestic, nondominant common carriers in the Nondominant Filing Order, 58 FR 44457, August 23, 1993. On January 20,

1995, the United States Court of Appeals for the District of Columbia Circuit vacated the Commission's Nondominant Filing Order. The court concluded that the Commission's rule permitting domestic nondominant carriers to file tariffs containing rates expressed in any manner of the carrier's choosing, including as a reasonable range of rates violates the Communications Act of 1934. The Commission now interprets the court's decision as invalidating only the range of rates provisions adopted in the Nondominant Filing Order, and reinstates the other tariff filing rules for domestic, nondominant common carriers adopted in that Order.

The Commission denies a petition filed by Ad Hoc Telecommunications Users Committee seeking reconsideration of the one-day notice period established in the Nondominant Filing Order. The Commission dismisses as moot an application for stay, filed by AT&T Communications, pending appellate review of that portion of the Order that authorized domestic, nondominant common carriers to file ranges of rates in their tariffs. In light of the court's ruling on ranges of rates, the Commission dismisses as moot the application for stay. Because no further purpose would be served by keeping CC Docket No. 93-36 open, the Commission terminates this proceeding.

The Commission also amends Section 43.51(a) to incorporate changes to the rule made by an erratum to the Nondominant Filing Order, which were not reflected in the Code of Federal Regulations. Finally, the Commission takes this opportunity to delete references to forbearance in Section 43.51(b), thereby conforming that section with earlier court decisions invalidating the Commission's forbearance policy.

The full text of this item is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239) of the Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, International Transcription Service, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

**Paperwork Reduction Act**

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completing and reviewing the collections of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestion for reducing the burden, to the Federal Communications Commission, Records Management Branch, Paperwork Reduction Project (3060-0540), Washington, DC 20554 and to the Office of Management and Budget, Paperwork Reduction Project (3060-0540), Washington, DC 20503.

**List of Subjects**

47 CFR Part 43

Communications common carriers, Reporting and recordkeeping requirements, Telephone.

47 CFR Part 61

Communications common carriers, Reporting and recordkeeping requirements, Telephone.

Federal Communications Commission.

**William F. Caton,**  
*Acting Secretary.*

**Rule Changes**

Parts 43 and 61 of Title 47 of the Code of Federal Regulations are amended as follows:

**PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS AND CERTAIN AFFILIATES**

1. The authority citation for Part 43 continues to read as follows:

**Authority:** Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154, unless otherwise noted. Interpret or apply secs. 211, 219, 220, 48 Stat. 1073, 1077, as amended; 47 U.S.C. 211, 219, 220.

2. Section 43.51 is amended by revising paragraph (a) introductory text and paragraph (b) to read as follows:

**§ 43.51 Contracts and concessions.**

(a) Any communications common carrier that: is engaged in domestic communications and has not been classified as nondominant pursuant to § 61.3 of this chapter or is engaged in foreign communications, and enters into a contract with another carrier, including an operating agreement with a communications entity in a foreign point for the provision of a common carrier service between the United States and that point; must file with the Commission, within thirty (30) days of execution, a copy of each contract, agreement, concession, license, authorization, operating agreement or other arrangement to which it is a party

and amendments thereto with respect to the following:

\* \* \* \* \*

(b) If the agreement referred to in this section is made other than in writing, a certified statement covering all details thereof must be filed by at least one of the parties to the agreement. Each other party to the agreement which is also subject to these provisions may, in lieu of also filing a copy of the agreement, file a certified statement referencing the filed document. The Commission may, at any time and upon reasonable request, require any communication common carrier classified as nondominant, and therefore not subject to the provisions of this section, to submit the documents referenced in this section.

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**PART 61—TARIFFS**

3. The authority citation for Part 61 continues to read as follows:

**Authority:** Secs. 1, 4(i), 4(j), 201-205, and 403 of the Communications Act of 1934, as amended; 47 U.S.C. 151, 154(i), 154(j), 201-205, and 403, unless otherwise noted.

**§ 61.22 [Amended]**

4. Section 61.22(b) is amended by removing the second sentence.

[FR Doc. 95-25144 Filed 10-10-95; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**50 CFR Part 32**

**RIN 1018-AD03**

**Addition of Cape May National Wildlife Refuge to the List of Open Areas for Hunting in New Jersey**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) adds Cape May National Wildlife Refuge to the list of areas open for big game hunting in New Jersey along with pertinent refuge-specific regulations for such activities. The Service has determined that such use will be compatible with the purposes for which the refuge was established. The Service has further determined that this action is in accordance with the provisions of all applicable laws, is consistent with principles of sound wildlife management, and is otherwise in the public interest by providing additional

recreational opportunities of a renewable natural resource.

**EFFECTIVE DATE:** This rule is effective October 11, 1995.

**FOR FURTHER INFORMATION CONTACT:** Stephen R. Vehrs, Division of Refuges, U.S. Fish and Wildlife Service, Washington, DC 20240; Telephone (703) 358-2029, X-5242.

**SUPPLEMENTARY INFORMATION:** National wildlife refuges are generally closed to hunting and sport fishing until opened by rulemaking. The Secretary of the Interior (Secretary) may open refuge areas to hunting and/or fishing upon a determination that such uses are compatible with the purpose(s) for which the refuge was established. The action must also be in accordance with provisions of all laws applicable to the areas, must be consistent with the principles of sound wildlife management, and must otherwise be in the public interest. This rulemaking opens Cape May National Wildlife Refuge to big game (white-tailed deer) hunting.

In the June 9, 1995, issue of the **Federal Register**, 60 FR 30686, the Service published a proposed rulemaking and invited public comment. All substantive comments were reviewed and considered following a 60-day public comment period.

Five organizations provided comments opposing the rule based on the rationale that recreational deer hunting was not justified nor compatible with the primary purpose for which the refuge was established. These comments also indicated an opinion that the Service failed to show adequate evidence that the proposed reduction of deer numbers through hunting is based on solid scientific evidence, and that alternative herd reduction methods were considered. Comments further indicated that an explanation was not presented that hunting could de-stabilize this deer herd and cause a compensatory rebound of offspring within the hunted population, and that the majority of the public is opposed to hunting on national wildlife refuges.

The Refuge Manager conducted a compatibility determination, on behalf of the Service, of the feasibility of deer hunting being applied as a management tool to control the refuge white-tailed deer population as well as to provide a quality wildlife dependent recreational opportunity for deer hunters. The Manager's documented findings within the compatibility determination as well as within the environmental assessment were as follows: 1. the proposed white-