

No. N-243, approved on November 25, 1986. The AO provided for construction and installation of a hydraulic cut-off barrier and leachate collection system. Additionally the AO required the following: a performance monitoring system, cover and grading requirements, operating procedures, meeting closure and post-closure procedures and requirements, and the establishment of both closure and post-closure funds. This site is currently regulated under a State issued permit (FP #49-1). The remedial action requirements as stated in the Agreed Order (dated February 1990) have been incorporated into the current permit, which requires regular inspections and monitoring schedules for a 30-year post-closure period of the landfill. The permit (FP #49-1) was issued under the state authority IC 13-15-7.

The Remedial Investigation results and risk assessment evaluation established that the chemical contamination discovered at the Site, with current remedial measures in place, does not pose an unacceptable risk to the environment and human health. However, as waste was left in place and contained, a 5-year review of site status which includes a physical inspection of the Site and a review of monitoring data is recommended.

EPA, with concurrence from the State of Indiana, has determined that all appropriate Fund-financed responses under CERCLA at the Southside Sanitary Landfill Superfund Site have been completed, and no further CERCLA response is appropriate in order to provide protection of human health and the environment. Therefore, EPA proposes to delete the Site from the NPL.

Dated: May 1, 1997.

Michelle D. Jordan,

Acting Regional Administrator, U.S. EPA, Region V.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[CS Docket No. 97-98; DA 97-894]

Amendment of Rules and Policies Governing Pole Attachments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of time period.

SUMMARY: The Cable Services Bureau, released an *Order* which denied in part and granted in part, the Motion for Extension of Time filed by AEP Service Corporation, Commonwealth Edison Company, Duke Power Company, Florida Power and Light Company and Northern States Power Company in Amendment of Rules and Policies Governing Pole Attachments, 62 FR 18074 (April 14, 1997) ("Notice of Proposed Rulemaking"). The Bureau found that good cause existed to grant a 45-day extension of time to file initial comments.

DATES: Comments are now due on or before June 27, 1997 and Reply Comments are now due on or before July 28, 1997.

ADDRESSES: Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Elizabeth W. Beaty, Cable Services Bureau, (202) 418-7200, TTY (202) 418-7172.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Cable Services Bureau's *Order*, CS Docket No. 97-98, DA 97-894, adopted April 28, 1997 and released April 29, 1997, in the Notice of Proposed Rulemaking. The full 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 20554, and may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 1919 M Street, NW., Washington, DC 20554. For copies in alternative formats, such as braille, audio cassette, or large print, please contact Sheila Ray at International Transcription Service.

Synopsis of the Order

1. On March 14, 1997, the Commission commenced a rulemaking proceeding to propose modifications to the Commission's rules relating to the maximum just and reasonable rates utilities may charge for attachments to a pole, duct, conduit or right-of-way. Comments are due May 12, 1997, and reply comments are due June 12, 1997.

2. On April 4, 1997, AEP Service Corporation, Commonwealth Edison Company, Duke Power Company, Florida Power and Light Company and Northern States Power Company ("Utilities") filed a Motion for Extension of Time ("Motion") to file comments and reply comments. The Utilities request that the Commission grant a 60-

day extension to file initial comments and request that the reply period be increased from 30 to 45 days. The Utilities contend that the rulemaking addresses a complex subject matter which affects not only utilities, but telecommunications carriers and cable operators, and that an extensive review of the accounting systems used to compute a reasonable pole attachment rate may be necessary.

3. It is the policy of the Commission that extensions of time are not routinely granted. In view of the complexity of the issues presented, and in order to facilitate the development of a complete record in this proceeding, we find that good cause exists to grant an extension of time. We do not agree, however, that a 60-day extension of time to file initial comments and an increase from 30 to 45 days to file reply comments is warranted. Thus, we will grant a 45-day extension of time in which to file initial comments and will adjust the due date for reply comments accordingly, but we will not increase the length of the reply comment period. Thus, initial comments are due by June 27, 1997, and reply comments are due by July 28, 1997.

Ordering Clauses

4. Accordingly, *it is Ordered*, pursuant to Sections 0.321 and 1.46 of the Commission's rules, 47 CFR §§ 0.321 and 1.46, that the Motion for Extension of Time filed by AEP Service Corporation, Commonwealth Edison Company, Duke Power Company, Florida Power and Light Company and Northern States Power Company is *Granted* to the extent indicated herein and is *Denied* in all other respects.

5. *It is further Ordered* that all interested parties may file comments on the matters discussed in the Commission's Notice of Proposed Rulemaking by June 27, 1997, and reply comments by July 28, 1997.

List of Subjects in 47 CFR Part 1

Administrative practice and procedures, Communications common carriers, Investigations, Lawyers, Penalties, Reporting and recordkeeping requirements, Telecommunications.

Federal Communications Commission.

Meredith J. Jones,

Chief, Cable Services Bureau.

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