

Dated: October 26, 1999.

James Jones,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346(a) and 371.

§ 180.284 [Amended]

2. In section 180.284, by amending paragraph (b) by changing the date for the commodities potatoes, sugar beet (roots), and sugar beet (tops) "5/1/00" to read "12/31/01".

[FR Doc. 99-29770 Filed 11-12-99; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[IB Docket No. 96-111; FCC 99-325]

Common Carrier Services: Satellite Communications—Earth Stations Operating with Non-U.S. Licensed Space Stations; Application Requirements

AGENCY: Federal Communications Commission.

ACTION: Final rule; reconsideration.

SUMMARY: In this First Order on Reconsideration, the Commission streamlines the process it established in the 1997 DISCO II Order. First, the First Order on Reconsideration permits the operators of in-orbit non-U.S. satellites to request authority to provide space segment capacity service to licensed earth stations in the United States. Under DISCO II, this request can only be made by an earth station operator. Second, the Order permits earth station licensees to access a particular non-U.S. satellite to provide fixed-satellite service in the conventional C- or Ku-bands without further regulatory approval, once that non-U.S. satellite is authorized to serve the United States. The actions here are intended to simplify procedures for foreign entry into the U.S. market for fixed-satellite services, thereby enhancing competition. The Commission expects enhanced competition to provide consumers more alternatives in choosing communications providers and services, reduce prices, and facilitate technological innovation.

DATES: The amendments to § 25.137 contain information collection requirements and are not effective until OMB approval is received. The Commission will publish a document in the **Federal Register** announcing the effective date. Public comments on the modified information collection requirements are due on or before December 15, 1999. OMB comments are due January 14, 2000.

ADDRESSES: A copy of any comments on the information collection requirements should be submitted to Judy Boley, Federal Communications Commission, Room 1-C804, 445 12th Street, SW, Washington, DC, 20554, or via the Internet to jboley@fcc.gov, and to Virginia Huth, OMB Desk Officer, Room 10236, 725-17th Street, NW, Washington, DC 20503 or via the Internet to VHuth@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: Steven Spaeth, Satellite Policy Branch, Satellite and Radiocommunication Division, International Bureau, (202) 418-1539. For additional information concerning the collections contained in this document, contact Judy Boley at (202) 418-0214, or via the Internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's First Order on Reconsideration, adopted October 28, 1999, and released October 29, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center, Room CY-A257, 445 12th St., SW, Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, 1231 20th St., NW, Washington, DC 20036.

Paperwork Reduction Act

The decision contained herein has been analyzed with respect to the Paperwork Reduction Act of 1995, Public Law 104-13, and has been found to contain new or modified information collection requirements that are subject to Office of Management and Budget ("OMB") review. As part of the Commission's continuing effort to reduce paperwork burdens, we invite the general public and OMB to take this opportunity to comment on the information collections contained in this decision, as required by the Paperwork Reduction Act of 1995. Comments should address: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission,

including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Public comments on the information collection requirements are due on or before December 15, 1999; OMB comments are due January 14, 2000. A copy of any comments on the information collection requirements should be submitted to Judy Boley, Federal Communications Commission, Room 1-C804, 445 12th Street, SW, Washington, DC, 20554, or via the Internet to jboley@fcc.gov, and to Virginia Huth, OMB Desk Officer, Room 10236, 725-17th Street, NW, Washington, DC 20503 or via the Internet to VHuth@omb.eop.gov.

OMB Approval Number: 3060-0678.

Title: Commission's Rules and Regulations for Satellite Application and Licensing Procedures.

Type of Review: Revision of an existing collection.

Respondents: Business and for-profit entities; not-for-profit entities.

Number of Respondents: 1,270.

Estimated Time per Response: 2 hours.

Frequency of Response: On occasion filing requirements and third-party disclosure requirements.

Total Estimated Annual Burden to Respondents: 2,540 hours.

Total Estimated Annual Cost to Respondents: \$9,457,000.

Needs and Uses: The information accounted for in this collection is used by the Commission staff in carrying out its duties under the Communications Act and the WTO Basic Agreement. A non-U.S. licensed entity is required to provide the requested information when seeking to provide satellite service in the United States. U.S.-licensed satellite space and earth station applicants and licensees providing or seeking to provide service in conjunction with part 25 of the Commission's rules will continue to be required to submit the information requested therein. The information is used by the Commission to determine whether the entity is qualified, legally, technically, and financially to provide service and compete in the U.S. market and whether the requested authority is in the public interest. Without such information, the Commission could not determine whether to permit the respondent to provide telecommunication services in the United States and therefore fulfill its

statutory and responsibilities in accordance with the Communications Act of 1934, as amended, and the obligations imposed on parties to the WTO Basic Agreement.

Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act ("RFA"), 5 U.S.C. 603, as amended by the Contract With America Advancement Act of 1996, Public Law 104-121, 110 Stat. 847 (1996) (CWAAA), and the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), the Commission incorporated an Initial Regulatory Flexibility Analysis ("IRFA") in the Notice in this docket, 61 FR 32399 (June 24, 1996). In the DISCO II Order, the Commission prepared a Final Regulatory Flexibility Analysis ("FRFA") of the possible significant economic impact this order might have on small entities, in conformance with the RFA. We hereby incorporate the FRFA herein, and nothing in this Order on Reconsideration requires us to revisit any of our conclusions in the FRFA.

Ordering Clauses

Accordingly, *It is ordered*, pursuant to sections 1, 2, 4(i), 303(r), 308, 309, and 310 of the Communications Act, 47 U.S.C. 151, 152, 154(i), 303(r), 308, 309, 310, and 47 CFR 1.108, the policies, rules, and requirements discussed herein *are adopted* and 47 CFR Part 25, *is amended*.

It is further ordered, pursuant to 47 CFR 1.2, that non-U.S. satellite operators may request access to the United States to provide fixed-satellite services in the conventional C- and Ku-bands by submitting a Request for a Declaratory Ruling, accompanied by the information required in 47 CFR 25.114 and 25.137, for the non-U.S. satellite.

It is further ordered that the Commission will make public a list of non-U.S. satellites providing fixed-satellite services in the conventional C- and Ku-bands that have been approved to provide space segment capacity service in the United States, together with any applicable conditions or limitations on that access.

It is further ordered that earth stations licensed before the effective date of this Order that are authorized to access "ALSAT" as points of communications may access any satellite on the Permitted Space Station list, including any subsequent revisions to the list, when this Order becomes effective, provided that operations comply with its license and any applicable conditions or limitations placed on communications with the non-U.S. satellite providing fixed-satellite services in the conventional C- and Ku-bands.

It is further ordered that the amendments to Part 25 of the Commission's rules, 47 CFR Part 25, and the policies, rules, and requirements discussed herein shall take effect upon OMB approval of the information collection requirements. The Commission will publish a document in the **Federal Register** announcing the effective date and notifying parties that this rule has become effective. Public comments on the modified information collection requirements are due on or before December 15, 1999. OMB comments are due January 14, 2000.

List of Subjects in 47 CFR Part 25

Satellites.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

For the reasons discussed in the preamble, the Federal Communications

Commission amends 47 CFR part 25 as follows:

PART 25—SATELLITE COMMUNICATIONS

1. The authority citation continues to read as follows:

Authority: 47 U.S.C. 701-744. Interprets or applies sec. 303, 47 U.S.C. 303. 47 U.S.C. sections 154, 301, 302, 303, 307, 309, and 332, unless otherwise noted.

2. In § 25.137, revise paragraph (a) introductory text and paragraph (b) to read as follows:

§ 25.137 Application requirements for earth stations operating with non-U.S. licensed space stations.

(a) Earth station applicants or entities filing a "letter of intent" or "Petition for Declaratory Ruling" requesting authority to operate with a non-U.S. licensed space station to serve the United States must attach an exhibit with their FCC Form 312 application with information demonstrating that U.S.-licensed satellite systems have effective competitive opportunities to provide analogous services in:

* * * * *

(b) Earth station applicants, or entities filing a "letter of intent," or "Petition for Declaratory Ruling," requesting authority to operate with a non-U.S. licensed space station must attach to their FCC Form 312 an exhibit providing legal, financial, and technical information for the non-U.S. licensed space station in accordance with part 25 and part 100 of this chapter.

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