comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by February 6, 1995.

ADDRESSES: Written comments on this action should be addressed to Thomas J. Maslany, Director, Air Radiation, and Toxics Division (3AT00), U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air, Radiation, and Toxics Division, U.S. Environmental Protection Agency, Region III, 841 Chestnut Building, Philadelphia, Pennsylvania 19107 and the Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland, 21224.

FOR FURTHER INFORMATION CONTACT: Maria A. Pino, (215) 597–9337.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final action of the same title, pertaining to revisions to Maryland's category-specific VOC RACT regulations, including Stage I, which is located in the Rules and Regulations Section of this **Federal Register**.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401–7671q.

Dated: October 19, 1994.

Peter H. Kostmayer,

Regional Administrator, Region III.

[FR Doc. 95–287 Filed 1–5–95; 8:45 am]

BILLING CODE 6560–50–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 61 and 69

[CC Docket No. 91–213, FCC No. 94–325]

Transport Rate Structure and Pricing

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: On December 22, 1994, the Commission released a Supplemental Notice of Proposed Rulemaking inviting comments from interested parties on proposals to stimulate the resale and sharing of network facilities by common carriers through the use of ''split billing.'' Split billing is a billing arrangement that enables multiple customers to share or resell entrance facilities and direct-trunked transport facilities. Implementing procedures for common carriers to provide split billing will enable smaller customers to better obtain the benefits of, and contribute to, the Commission's goal of more efficient use of network facilities by allowing pricing to reflect costs, by permitting a rate structure which is conducive to competition, and by encouraging the development of full and fair competition.

DATES: Comments must be received on or before February 1, 1995; reply comments must be received on or before February 16, 1995.

ADDRESSES: Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554; one copy shall also be filed with the Commission's copy contractor, International Transcription Services, Inc. (ITS, Inc.), 2100 M Street, N.W., Suite 140, Washington, D.C. 20037 (202) 857–3800.

FOR FURTHER INFORMATION CONTACT: Debra Sabourin, Common Carrier Bureau, (202) 418–1530.

SUPPLEMENTARY INFORMATION:

1. Summary of Transport Rate Structure and Pricing

On December 22, 1994, the Commission released a Supplemental Notice of Proposed Rulemaking in its Transport Rate Structure and Pricing proceeding, CC Docket No. 91–213, FCC No. 94–325. In this Order, the Commission tentatively concludes that it is in the public interest to require local exchange carriers (LECs) to offer split billing for their transport service, and that it is also in the public interest to require these carriers to include in their tariffs procedures for offering transport split billing. Split billing is a billing arrangement that enables multiple customers to share or resell entrance facilities and direct-trunked transport facilities.

Proposed rule. Through LEC split billing and shared network arrangements, customers can reap the maximum benefit from the restructured transport rates. LEC split billing would help smaller interexchange carriers (IXCs) reduce their access costs by enabling them to resell the services of other IXCs or by utilizing network sharing arrangements with other carriers to transmit and terminate interstate calls. It could also solve the practical billing problems that have arisen regarding Feature Group A and B access services. Finally, split billing could permit more efficient deployment and use of transport facilities, a primary goal of the transport restructure. The Commission therefore tentatively concludes that split billing for transport service is in the public interest. It further tentatively concludes that it should require the LECs to include in their tariffs procedures for offering transport split billing. The Commission seeks comment on these conclusions.

Implementation. As the record on this issue indicates, the parties strongly disagree on how best to implement split billing. Although the industry's Ordering and Billing Forum (OBF) has made progress, it has not yet been able to reach final closure on an access charge split billing prototype after 11 months of consideration. The Commission therefore seeks comment on how best to implement the proposed split billing requirement.

First, the Commission seeks comment on a proposal offered by CompTel in the transport tariff review proceeding. CompTel urges the Commission to adopt the following affirmative steps to make resale and sharing feasible: (1) require the LECs to permit switched and special access facilities to be combined at the customer POP, LEC serving wire centers, or any other designated hubbing locations; (2) require the LECs to permit multiple carriers of record for DS3 and DS1 entrance and interoffice facilities; (3) require the LECs to offer ''split billing'' for multiplexing equipment located at a hub; and (4) require the LECs to permit the IXC to specify (i) the type and grade of switched access service as well as the code at the terminating hub, and (ii) the customer premises location associated with special access channels. The Commission seeks comment on whether it should adopt any of these proposed requirements.

Second, the Commission seeks comment on whether a split billing charge levied on multiple customers of record using a single high-capacity facility should be set to recover the cost of unused as well as used capacity. For example, should a LEC be allowed to charge an end-user customer for its use of a high-capacity facility at a rate computed by dividing total flat charges for the entrance and interoffice facilities by the number of end-users whose traffic is carried over that facility, with a pro rata allocation of the costs of unused capacity in that rate? Commenters should address the issue of which entity would be responsible for determining the allocation, the service design and capability and the circuit facility assignment under such an

arrangement. In addition, commenters should discuss whether this form of split billing should be available to resellers of access service, or should be limited to customers seeking to share dedicated facilities for their own use. Commenters should also address methods to ensure that Feature Group A and B users are not double-billed for their use of the same facilities.

In addition, the Commission seeks comment on whether the type of split billing and shared network arrangements offered by NYNEX and Southwestern Bell adequately address customer needs for such arrangements. It also invites parties to comment on whether similar or modified arrangements should be offered by all LECs. Commenters should specifically address whether the ''host/secondary customer of record'' arrangement, under which a single IXC serves as the ''host'' customer of record, and is responsible for service arrangement and control, would satisfy the access customers' needs for sharing and resale of dedicated transport facilities. Commenters should also discuss how such offerings could be expanded or improved to meet customer needs. Commenters advocating that there be a single, host customer of record for the access service should specifically discuss how this split billing arrangement would apply to voice-grade access for Feature Group A and B services.

Finally, the Commission seeks comment on any other form of split billing that commenters believe would achieve the goals it has identified. Of particular interest would be any split billing prototype under consideration by the industry's OBF. Commenters who do not support a requirement that the LECs include in their tariffs procedures for offering split billing and shared network configurations should discuss alternative ways to satisfy LEC provision of these arrangements.

The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc.

2. Procedural Matters

Ex Parte. This is a non-restricted notice and comment rulemaking. *Ex parte* presentations are permitted, except during the Sunshine period, provided they are disclosed as provided in the Commission's rules. See generally, 47 CFR 1.1202, 1.1203, and 1.1206(a).

Notice and Comment Provision. Notice is given of the proposed changes in the Commission's policies regarding split billing. Comment is invited on the proposals pursuant to Sections 1, 4 (i) and (j), 201–205, 218, and 403 of the Communications Act as amended, 47 U.S.C. §§ 151.1 54(i) and (j), 201–205, 218, and 403. To file formally in this proceeding, parties must file an original and five copies of all comments, reply comments, and supporting comments. Parties wanting each Commissioner to receive a personal copy of their comments must file an original plus nine copies. All comments and reply comments should be sent to the Office of the Secretary. In addition, parties should file two copies of any such pleadings with the Tariff Division, Common Carrier Bureau, Room 518, 1919 M Street, N.W., Washington, DC 20554. 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.

Regulatory Flexibility Act. The Regulatory Flexibility Act of 1980 does not apply to this rulemaking proceeding because the proposed rule amendments, if promulgated, would not have a significant economic impact on a substantial number of small business entities, as defined by Section 601(3) of the Regulatory Flexibility Act. Carriers providing interstate transport services directly subject to the proposed rule amendment do not qualify as small businesses since they are dominant in their field of operation. The Commission will, however, take appropriate steps to ensure that the special circumstances of the smaller local exchange carriers are carefully considered in resolving those issues. The Secretary shall send a copy of this Supplemental Notice of Proposed Rulemaking, including the certification, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act. Pub.L. No. 96–354, 94 Stat. 1164, 5 U.S.C. Section 601 et seq. (1981).

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95–267 Filed 1–5–95; 8:45 am]

BILLING CODE 6712–01–M

INTERSTATE COMMERCE COMMISSION

49 CFR Chapter X

[Ex Parte No. MC–214]

Petition for Rulemaking—Interlining by Motor Contract Carriers

AGENCY: Interstate Commerce Commission.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Commission issues an advance notice of proposed rulemaking to examine restrictions against interlining between common and contract motor carriers. The Commission will consider whether there is a need for revisions in present rules and what revisions can be made in view of statutory restrictions. This proceeding is instituted in response to a petition asking the Commission to remove the present restrictions. Following receipt of public comments, the Commission will decide whether any changes to the present rules are warranted. If so, a notice of proposed rulemaking will be issued. Otherwise, the proceeding will be discontinued.

DATES: Any person interested in participating in this proceeding as a party of record may file comments by March 7, 1995.

ADDRESSES: Send an original and 10 copies of pleadings referring to Ex Parte No. MC–214 to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, NW., Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927–5660. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: For a more detailed discussion of the current statutes and regulations, the issues raised by the petition and comments, and the information that is needed to go forward, see the Commission's separate decision in this proceeding issued today. To obtain a copy of the full decision, write to, call, or pick up in person from: Office of the Secretary, room 2215, Interstate Commerce Commission, 1201 Constitution Avenue, NW., Washington, DC 20423. Telephone: (202) 927–7428. [Assistance for the hearing impaired is available through TDD services: (202) 927–5721.]

Regulatory Flexibility

Because this is not a notice of proposed rulemaking within the meaning of the Regulatory Flexibility