

Final Regulatory Flexibility Analysis (FRFA) of the expected impact of the proposed rule changes on small entities.

I. *Reason for Action.* This *Report and Order* eliminates the restrictions contained in Sections 90.603(c) and 90.703(c) of the Commission's rules that prohibit wireline telephone common carriers from holding licenses in the SMR service and commercial 220 MHz band. The *Report and Order* also permits all CMRS providers to offer dispatch service in competition with SMR systems. The record in this proceeding demonstrates that these restrictions are no longer necessary and should be repealed.

II. *Objectives.* The Commission intends to promote competition, growth and innovation at a time when the mobile services marketplace is undergoing regulatory changes.

III. *Legal Basis.* The action is authorized under Sections 3(n), 4(i), 303(r), 332(c) and 332(d) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 153(n), 154(i) and 303(r), 332(c) and 332(d).

IV. *Reporting, Recordkeeping and Other Compliance Requirements.* None.

V. *Federal Rules Which Overlap, Duplicate or Conflict With Rules.* None.

VI. *Description, Potential Impact, and Number of Small Entities Involved.*

Many small entities could be affected by the rule changes contained in the *Report and Order*. We expect that several small entities will benefit by eliminating the wireline restrictions and dispatch prohibition because it will provide these entities and additional opportunity to participate in the provision of these services.

VII. *Significant Alternatives Minimizing the Impact on Small Entities Consistent with the Stated Objectives.* The *Notice* in this proceeding solicited comments on whether to eliminate the wireline eligibility restrictions and the dispatch prohibition. No significant alternatives were presented in the comments.

37. *Ordering Clauses.* Accordingly, IT IS ORDERED, that Part 22 of the Commission's Rules ARE AMENDED as set forth below and are effective April 24, 1995. It is further ordered that Part 90 of the Commission's Rules are amended as set forth below and are effective upon March 24, 1995.³

38. It is further ordered that the Petitions for Waiver filed by

Southwestern Bell, Bell Atlantic, US West, RAM Mobile, Cass Cable, and API are dismissed as moot.

List of Subjects

47 CFR Part 22

Public mobile services; Radio.

47 CFR Part 90

Private land mobile services; Radio.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

Amendatory Text

Parts 22 and 90 of Chapter I of Title 47 of the Code of Federal Regulations are amended as follows:

PART 22—PUBLIC MOBILE SERVICE

1. The authority citation for part 22 continues to read as follows:

Authority: Sections 4, 303, 307, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, 307 and 332, unless otherwise noted.

2. Section 22.577 is amended by revising the heading, the introductory text, the introductory text of paragraph (a) and paragraphs (a)(1), (a)(2), (b) and (d), to read as follows:

§ 22.577 Dispatch service.

Carriers licensed under this subpart may provide dispatch service in accordance with the rules in this section.

(a) *Installation without prior FCC approval.* A station licensee may install or remove dispatch points for subscribers without obtaining prior FCC approval. A station licensee may install or remove dispatch transmitters for subscribers without applying for specific authorization, provided that the following conditions are met.

(1) Each dispatch transmitter must be able to transmit only on the mobile channel that is paired with the channel used by the base station.

(2) The antenna of the dispatch transmitter must not exceed the criteria in § 17.7 of this chapter that determine whether the FAA must be notified of the proposed construction.

* * * * *

(b) *Notification.* Licensees must notify the FCC (FCC Form 489) whenever a dispatch transmitter is installed pursuant to paragraph (a) of this section. The notification must include the name and address of the subscriber(s) for which the dispatch transmitter was installed, the location of the dispatch transmitter, the height of antenna structure above ground and above mean

sea level, the channel(s) used, and the call sign and location of the base station.

* * * * *

(d) *Dispatch transmitters requiring authorization.* A dispatch transmitter that does not meet all of the requirements of paragraph (a) of this section may be installed only upon grant of an application for authorization therefor (FCC Form 600).

* * * * *

3. Section 22.901 is amended by revising paragraph (c) to read as follows:

§ 22.901 Cellular service requirements and limitations.

* * * * *

(c) *Dispatch service.* Cellular systems may provide dispatch service.

* * * * *

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

4. The authority citation for part 90 continues to read as follows:

Authority: Sections 4, 303, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303 and 332, unless otherwise noted.

5. Section 90.603(c) is revised to read as follows:

§ 90.603 Eligibility.

* * * * *

(c) Any person eligible under this part and proposing to provide on a commercial basis base station and ancillary facilities as a Specialized Mobile Radio Service System operator, for the use of individuals, federal government agencies and persons eligible for licensing under subparts B, C, D, or E of this part.

6. 47 CFR 90.703(c) is revised to read as follows:

§ 90.703 Eligibility.

* * * * *

(c) Any person eligible under this part proposing to provide on a commercial basis, station and ancillary facilities for the use of individuals, federal government agencies and persons eligible for licensing under subparts B, C, D, or E of this part.

[FR Doc. 95-7295 Filed 3-23-95; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 64

[CC Docket No. 91-281; FCC 95-119]

Calling Party Telephone Number; Privacy

AGENCY: Federal Communications Commission.

³ We note that the Administrative Procedure Act allows the rules to become effective immediately because we are relieving a restriction rather than imposing one. See 5 U.S.C. 553(d)(1). We believe that it is appropriate for these rules to take effect immediately upon publication in the **Federal Register** in light of the pending requests for waiver, discussed *infra*.

ACTION: Stay of effective date of Order establishing final rule.

SUMMARY: This *Order* stays the effective date of the *Report and Order and Further Notice of Proposed Rulemaking*, April 18, 1994, which adopted the Commission's rules regarding privacy and other requirements for Calling Party Telephone Numbers.

EFFECTIVE DATE: March 17, 1995.

FOR FURTHER INFORMATION CONTACT:

Robert E. Kimball, (202) 634-7150, Domestic Services Branch, Domestic Facilities Division, Common Carrier Bureau.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order in CC Docket No. 91-281, FCC 95-119, adopted March 17, 1995, released March 17, 1995. The item is available for inspection and copying during normal hours in the Commission's FCC Reference Center (room 230), 1919 M St., NW., Washington, D.C., or a copy may be purchased from the duplicating contractor, International Transcription Service, Inc. (202) 857-3800, 2100 M St., NW., Suite 140, Washington, D.C. 20037. The *Order* will be published in the FCC Record.

Analysis of Proceeding

In the process of reviewing petitions for reconsideration of the Commission's Rules governing passage of Calling Party Number (CPN) on interstate telephone calls, we have decided on our own motion that the public interest would best be served by temporarily staying effectiveness of 47 CFR 64.1601 and 64.1603. Interested parties have persuasively argued that no matter how the issues raised in the petition for reconsideration are resolved, and even if the Commission adheres to its original decision in every material respect, compliance will not be possible by April 12, 1995, the effective date specified in the March 29, 1994 *Report and Order Further Notice of Proposed Rulemaking*, 59 FR 18318.

Ordering Clauses

Accordingly, it is ordered, pursuant to Sections 1, 4(i) of the Communications Act, 47 U.S.C. 1 and 154(i), that effectiveness of §§ 64.1601 and 64.1603 of the Commission's Rules IS STAYED until further notice.

It is further ordered that this order is effective upon adoption.

List of Subjects in 47 CFR Part 64

Calling party number identification, Privacy, Telephone.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-7297 Filed 3-23-95; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 94-15; RM-8411]

Radio Broadcasting Services; Ravenswood and Elizabeth, West Virginia

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of MediaCom, Inc., reallocates Channel 291A from Ravenswood to Elizabeth, West Virginia, as that community's first local aural transmission service, and modifies Station WRZZ(FM)'s license accordingly. See 59 FR 10607, March 7, 1994. Channel 291A can be allotted to Elizabeth in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 291A at Elizabeth are 39-03-48 and West Longitude 81-23-43. Since Elizabeth is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government has been obtained. With this action, this proceeding is terminated.

EFFECTIVE DATE: May 4, 1995.

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 94-15, adopted March 14, 1995, and released March 21, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, D.C. 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: Sections 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under West Virginia, is amended by removing Channel 291A at Ravenswood and adding Elizabeth, Channel 291A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-7299 Filed 3-23-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 94-143]

Television Broadcasting Services; Albion, Nebraska

AGENCY: Federal Communications Commission.

ACTION: Final Rule.

SUMMARY: This document allots UHF Channel 24+ to Albion, Nebraska, in order to permit Citadel Communications Co., Inc. to amend its pending application (File No. BPCT-930726KH) for Channel 18 at Albion to specify operation on Channel 24+ without loss of cut-off protection. See 60 FR 91, published January 3, 1994. The reference coordinates for Channel 24+ at Albion, Nebraska, are 41-55-58 and 98-17-23. With this action, the proceeding is terminated.

EFFECTIVE DATE: May 4, 1995.

FOR FURTHER INFORMATION CONTACT: Robert Hayne, Mass Media Bureau, (202) 776-1654.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 94-143, adopted March 13, 1995, and released March 21, 1995. The full text of this decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW, Washington, D.C. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street, NW, Washington, D.C. 20037.

List of Subjects in 47 CFR Part 73

Television broadcasting.