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[FR Doc. 95-7596 Filed 3-28-95; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[FCC 95-1]

Filing of Documents

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This order will clarify the Commission's rule regarding the filing of documents by including language stating that, unless otherwise provided in this Title, by Public Notice, or by decision of the Commission or Commission staff acting on delegated authority, documents are deemed filed when they are received by the Commission. This order is intended to provide guidance to the public and avoid any potential uncertainty.

EFFECTIVE DATE: March 29, 1995.

FOR FURTHER INFORMATION CONTACT: Donna Viert, Office of General Counsel, (202) 418-1720.

SUPPLEMENTARY INFORMATION:

Order

In the matter of: Amendment of the Commission's Rules of Practice and Procedure.

Adopted: January 3, 1995.

Released: February 21, 1995.

By the Commission:

1. On September 26, 1994, Multinational Legal Services, P.C. (MLS) filed a Petition for Reconsideration or Clarification of the Commission's *Order*, FCC 94-210, released August 24, 1994, 59 Fed. Reg. 44340 (1994), by which the Commission promulgated new section 1.7 of its Rules, 47 CFR 1.7. In adopting section 1.7, the *Order* formalized a Commission practice of accepting documents as filed when they are received at a location designated by the Commission. The *Order* may have created some confusion, and to address this, we grant MLS's petition and clarify the language of section 1.7. See 59 FR 44340.

2. In its petition, MLS argues that section 1.7 may create uncertainty about the filing deadline for time-critical applications at the lockbox facility of the Mellon Bank in Pittsburgh, Pennsylvania. In accordance with procedural rules adopted in connection with our fee collection program, applications submitted to the lockbox facility by the next business day after an official filing deadline are considered timely filed.¹ This procedural rule allowing additional time is not, however, codified in the Code of Federal Regulations. MLS notes that this rule may therefore conflict with the newly promulgated section 1.7 which states that:

Unless otherwise provided in this Title [47], pleadings and other documents are considered to be filed with the Commission upon their receipt at the location designated by the Commission.

3. To avoid potential confusion, we will adopt MLS's recommendation (with one minor change) and clarify section 1.7 by including language stating that, unless otherwise provided in this Title, by Public Notice, or by decision of the Commission or Commission staff acting on delegated authority, documents are deemed filed when they are received by the Commission.

4. In view of the foregoing and pursuant to the authority contained in sections 4(i), 4(j), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), and 303(r), it is ordered that the Petition for Reconsideration or Clarification filed by Multinational Legal Services, P.C. is granted.

5. It is further ordered that Part 1 of the Commission's Rules is amended in the manner indicated below to be effective upon publication in the **Federal Register**.

List of Subjects in 47 CFR Part 1

Administrative practice and procedure.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

Rule Change

Part 1 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

¹ *Fee Collection Program*, 5 FCC Rcd 3558, 3565 (1990); *Public Notice, Filing of Time Critical Feeable Applications*, 67 Rad. Reg (P&F) 2d 1127 (1990); see *GAF Broadcasting Company*, 8 FCC Rcd 1742, 1744 (Aud. Serv. Div. 1993) (application received at the lockbox facility the day after the official deadline considered timely filed).

PART 1—PRACTICE AND PROCEDURE

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

Authority: 47 U.S.C. 154, 303, 503(b)(5); 5 U.S.C. 552; 21 U.S.C. 853a, unless otherwise noted.

2. Section 1.7 is revised to read as follows:

§ 1.7 Documents are filed upon receipt.

Unless otherwise provided in this Title, by Public Notice, or by decision of the Commission or of the Commission's staff acting on delegated authority, pleadings and other documents are considered to be filed with the Commission upon their receipt at the location designated by the Commission.

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47 CFR Part 15

[DH 95-581]

Closed Captioning Requirements for Computer Systems Used as Television Receivers

AGENCY: Federal Communications Commission.

ACTION: Interpretation.

SUMMARY: The FCC's Office of Engineering and Technology is issuing this document interpreting the requirements of the Television Decoder Circuitry Act of 1990 and the FCC rules implementing that Act, as they apply to computer systems. These requirements specify that all devices designed to receive television service must be equipped with built-in decoder circuitry designed to display closed-captioned television transmissions when the picture size of such a device is 33 cm (13 inches) or greater in size. This interpretation is intended to provide guidance for computer manufacturers and vendors with regard to the application of the closed caption circuitry requirements to computers and other related equipment that provide the capability to receive television transmissions.

ADDRESSES: Federal Communications Commission, 1919 M Street NW., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Richard Engelman, Office of Engineering and Technology, (202) 776-1626.