

(funding of CSA grantees), 1068 (grantee financial management), 1069 (grantee personnel management), 1070 (grantee public affairs), 1076 (economic development programs).

Regulatory Procedures

Executive Order 12866

This final rule has been reviewed pursuant to Executive Order 12866. Executive Order 12866 requires that regulations be reviewed for consistency with the priorities and principles set forth in the Executive Order. ACF has determined that this rule is consistent with these priorities and principles. Most specifically, it responds directly to the President's new Regulatory Reinventor Initiative by cutting obsolete regulations. It entails no increase in cost or burden on State and local governments or other entities.

Regulatory Flexibility Act

Consistent with the Regulatory Flexibility Act (Pub. L. 96-354), which requires the Federal government to anticipate and reduce the impact of rules and paperwork requirements on small businesses and other small entities, the Department certifies that this rule has no significant effect on a substantial number of small entities. Therefore, a regulatory flexibility analysis is not required.

Paperwork Reduction Act

This regulation contains no information collection requirements which are subject to review and approval by OMB under the Paperwork Reduction Act of 1980 (44 U.S.C. section 3500 et seq.).

List of Subjects

45 CFR Part 1010

Administrative practice and procedures, Civil rights, Community activities programs, Community Services Offices, Grant programs—social programs.

45 CFR Part 1050

Administration practice and procedures, Civil rights, Community activities programs, Community Services Offices, Grant programs—social programs, Government procedures, Report and recordkeeping, Charity bonds.

45 CFR Part 1060

Administrative practice and procedures, Civil rights, Community activities programs, Community Services offices, Grant programs—social programs.

45 CFR Part 1061

Aged, Community Services Offices, Energy, Family planning, Nutrition, Recreation and recreation activities, Reporting and recordkeeping.

45 CFR Part 1064

Administrative practice and procedures, Civil rights, Community activities programs, Community Services Offices, Grant programs—social programs.

45 CFR Part 1067

Administrative practice and procedures, Civil rights, Community activities programs, Community Services Offices, Grant programs—social programs, Accounting.

45 CFR Part 1068

Administrative practice and procedures, Civil rights, Community activities programs, Community Services Offices, Grant programs—social programs, Accounting, Income taxes, Social security.

45 CFR Part 1069

Civil disorders, Community Services Offices, Lobbying, Political activities (government employees), Social security, Travel.

45 CFR Part 1070

Administrative practice and procedures, Civil rights, Community activities programs, Community Services Offices, Grant programs—social programs, News media.

45 CFR Part 1076

Administrative practice and procedures, Civil rights, Community activities programs, Community Services Offices, Grant programs—social programs, Credit unions, Loan programs—social programs, Rural areas and small businesses.

(Catalog of Federal Domestic Assistance Program Number 93.569, Community Services Block Grant) (42 U.S.C. 9912)

Dated: April 25, 1995.

Mary Jo Bane,
Assistant Secretary for Children and Families.

For the reasons set forth in the preamble and under the authority of 42 U.S.C. 9912, Chapter X of title 45 is amended by removing parts 1010, 1050, 1060, 1061, 1064, 1067, 1068, 1069 1070, and 1076.

[FR Doc. 95-11912 Filed 5-16-95; 8:45 am]
BILLING CODE 4184-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 24

[GEN Docket No. 90-314, ET Docket No. 92-100, FCC 95-92]

Personal Communications Services

AGENCY: Federal Communications Commission (FCC).

ACTION: Correction to final rules.

SUMMARY: This document contains corrections to the final rules which were published Wednesday, March 15, 1995, (60 FR 13915). The rules related to the ownership attribution of licenses in view of the Commission's decisions to use a multiplier when assessing indirect ownership interests.

EFFECTIVE DATE: March 15, 1995.

FOR FURTHER INFORMATION CONTACT: Michael Wack, Policy Division, Wireless Telecommunications Bureau, (202) 418-1310.

SUPPLEMENTARY INFORMATION: On March 3, 1995, the Commission released the full text of a Memorandum Opinion and Order (Order) in the captioned matter (FCC 95-92). However, there are several errors in the appendix to the Order, "Appendix A: Final Rules," as released and as subsequently published in the **Federal Register**, on March 15, 1995, at 60 FR 13915. There is a need for correction because these rules contain errors which may prove misleading and are in need of clarification. The final rules that are the subject of these corrections supersede §§ 24.101(b) and 24.229(c) on the effective date of publication in the **Federal Register** and affect nationwide narrowband PCS licenses and certain other PCS licensees that are institutional investors.

Accordingly, the publication on March 15, 1995 of the final regulations, which were the subject of FR Doc. 95-6488, is corrected as follows:

§ 24.101 [Corrected]

1. On page 13917, first column, in § 24.101, in paragraph (b), line one, the word "had" is removed and the words "applies for a license after August 16, 1994 or has a license transferred to it after that date, and the party has" are added in its place.

§ 24.229 [Corrected]

2. On page 13917, third column, in § 24.229, paragraph (c) is corrected to read as follows:

§ 24.229 Frequencies.

* * * * *

(c) PCS licensees shall not have an ownership interest in frequency blocks

that total more than 40 MHz and serve the same geographic area. For purposes of this section, PCS licensees are:

(1) Any institutional investor, as defined in § 24.720(h), with an ownership interest of 10 or more percent in a broadband PCS license; and

(2) Any other entities having an ownership interest of 5 or more percent or other attributable ownership interest, as defined in § 24.204(d), in a PCS license.

Example 1: Company A, which is a rural telephone company with no cellular interests, buys a 7 percent stake in a 30 MHz BTA that constitutes 8 percent of the population in MTA 1, which encompasses BTA 1. It is then offered an opportunity to buy 8 percent of the equity in a 30 MHz license in MTA 1. It cannot accept this offer because it would be over the 5 percent threshold on two overlapping PCS licenses. Its status as a rural telephone company has no impact on the 5 percent threshold for PCS licensees.

Example 2: (1) Company A has two investors, Company B and Company C. Company B owns 15 percent of Company A. Company C, a rural telephone company, owns 25 percent of Company A. Company B and Company C do not have any interests in each other.

(2) Company B has 100 percent ownership of cellular license 1 that covers 20 percent of the pops in BTA 1 and 6 percent of the pops in MTA 1. Company C owns 25 percent of cellular license 2 that covers 20 percent of the pops in BTA 2 and 6 percent of the pops in MTA 1. Company A has no separate cellular interests. MTA 1 encompasses both BTA 1 and BTA 2.

(3) Company A cannot purchase 30 MHz of spectrum in BTA 1. Such a purchase would put Company B over the aggregation limit of 40 MHz in BTA 1 because it would have over 5 percent ownership of the PCS license in addition to its cellular license.

(4) Company A can, however, purchase 30 MHz in BTA 2 or MTA 1 because Company C is a rural telephone company, and thus Company C's interest in cellular license 2 falls below the 40 percent threshold and is

not counted against the spectrum cap. If Company C were not a rural telephone company, then Company A could not acquire 30 MHz in BTA 2 or MTA 1 because its partners in those licenses would be over the spectrum cap.

(5) Company B can also buy 30 MHz in BTA 2 or MTZ 1 as long as Company A does not also buy 30 MHz in BTA 2 or MTA 1 because Company B and Company C have no joint ownership.

(6) Company C can also buy 30 MHz in BTA 1 or 2 or MTA 1 as long as Company A does not also buy in the region where Company C buys. If Company A were to buy a 30 MHz MTA 1 license, then Company B and Company C would be prohibited from acquiring either of the BTAs because they would be over the 5 percent threshold for PCS spectrum in the same region.

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Federal Communications Commission.

William F. Caton,

Acting Secretary.

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