

**FOR FURTHER INFORMATION:** Any member of the public wishing further information on the meeting should contact Judy Heckman at (214) 665-7231. Members of the public may submit written comments of any length prior to the meeting. Time has been set aside for public comments on Tuesday, July 25 between 4:45 and 5:15 p.m. and on Wednesday, July 26 between 10:15 and 10:45 a.m. Each individual or group making an oral statement will be limited to one presentation totaling five minutes.

Dated: June 26, 1995.

**Meg Kelly,**

*Designated Federal Officer.*

[FR Doc. 95-16180 Filed 6-29-95; 8:45 am]

BILLING CODE 6560-50-P

---

## FEDERAL COMMUNICATIONS COMMISSION

[Gen. Docket No. 90-119; DA 95-1395]

### Florida Public Safety Plan Amendment

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** Deputy Chief, Office of Engineering and Technology and the Chief, Private Wireless Division released this Order amending the Public Safety Radio Plan for Florida (Region 9). As a result of accepting the amendment for the Plan for Region 9, the interests of the eligible entities within the region will be furthered.

**FOR FURTHER INFORMATION CONTACT:** Deborah A. R. Behlin, Wireless Telecommunications Bureau, Private Wireless Division (202) 418-0680.

#### Order

Adopted: June 19, 1995

Released: June 27, 1995

By the Deputy Chief, Office of Engineering and Technology and the Chief, Private Wireless Division, Wireless Telecommunications Bureau:

1. By letter dated July 28, 1994, Region 9 (Florida) proposed to amend the Region 9 Public Safety Radio Plan that was accepted under delegated authority, by the Commission on November 8, 1989, 4 FCC Red 8352 (1989). The proposed amendment would revise the current channel allotments.

2. On October 28, 1994, the Commission placed the proposed amendment on Public Notice. No comments were received concerning the proposed amendment to the Region 9 Plan.

3. We have reviewed the proposed amendment to the Region 9 Plan and, having received no comments to the contrary, conclude it furthers the interest of the eligible Public Safety entities within the Region.

4. Accordingly, IT IS ORDERED, THAT the Public Safety Radio Plan for Region 9 IS AMENDED, as set forth in the Region's letter of July 28, 1994. This Amendment is effective immediately.

5. For further information, contact Deborah A. Behlin at (202) 418-0680.

Federal Communications Commission.

**Robert H. McNamara,**

*Chief, Private Wireless Division.*

[FR Doc. 95-16115 Filed 6-29-95; 8:45 am]

BILLING CODE 6712-01-M

---

[CC Docket No. 95-93; DA 95-1362]

**TeleCable of Piedmont, Inc., Cencom Cable Income Partners, II, L.P., Cencom Cable Entertainment, Inc., and Cencom Cable Television, Inc., TeleCable of Spartanburg, Inc. and TeleCable of Greenville, Inc., v. Duke Power Company**

**AGENCY:** Federal Communications Commission.

**ACTION:** Hearing Designation Order.

**SUMMARY:** The Chief, Common Carrier Bureau, pursuant to delegated authority, has designated for hearing the pole attachment complaints filed by TeleCable of Piedmont, Inc., Cencom Cable Income Partners, II, L.P., Cencom Cable Entertainment, Inc., and Cencom Cable Television, Inc., TeleCable of Spartanburg, Inc. and TeleCable of Greenville, Inc., v. Duke Power Company. This action is being done to expedite the resolution of these complaints.

**ADDRESSES:** Federal Communications Commission, 1919 M Street, N.W. Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Timothy Peterson, Common Carrier Bureau, Accounting and Audits Division, (202) 418-0847.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Order in CC Docket No. 95-93, adopted June 15, 1995 and released June 15, 1995. The complete text of this Order is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, N.W., Washington, D.C., and may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., at 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, or call (202) 857-3800.

## Synopsis of Order

1. This Order designates for hearing the pole attachment complaints filed by TeleCable of Piedmont, Inc. (Piedmont), Cencom Cable Income Partners, II, L.P., Cencom Cable Entertainment, Inc., and Cencom Cable Television, Inc. (collectively, Cencom), TeleCable of Spartanburg, Inc. and TeleCable of Greenville, Inc. (Spartanburg/Greenville), v. Duke Power Company (Duke). The Piedmont complaint concerns the pole attachment rate Duke has charged Piedmont since July 1, 1990. The Cencom and Spartanburg/Greenville complaints concern the rates Duke has charged those complainants since those complaints were filed.

2. The Order directs the presiding administrative law judge to require the parties to meet prior to hearing to determine whether the case can be settled. In the event a settlement is not reached, the Order directs the presiding law judge to, if possible, resolve the case on a paper record. If unable to do so, the Order directs the presiding law judge to conduct such further proceedings as may be necessary to resolve the complaint.

3. This Order also directs parties to file any exceptions to the administrative law judge's decision to the Commission rather than to the Review Board.

4. The Order was effective upon release.

## Ordering Clauses

5. Accordingly, it is ordered, pursuant to Sections 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), & 224, and Sections 0.91 and 0.291 of the Commission's rules, 47 CFR §§ 0.91 & 0.291, that the complaints of TeleCable of Piedmont, Inc., Cencom Cable Income Partners, II, L.P., Cencom Cable Entertainment, Inc., Cencom Cable Television, Inc., TeleCable of Spartanburg, Inc. and TeleCable of Greenville, Inc. against Duke Power Company filed November 15, 1990, January 8, 1991, and January 15, 1991, respectively, are granted to the extent indicated and are denied to the extent indicated in Parts III and IV of this Order, and to the extent neither granted nor denied, are referred to an Administrative Law Judge.

6. It is further ordered, pursuant to Sections 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), & 224, and Sections 0.91 and 0.291 of the Commission's rules, 47 CFR §§ 0.91 & 0.291, that Duke shall pay refunds with interest thereon to Piedmont for July 1, 1990 through August 29, 1990 as

indicated in paragraphs 7–10 of this Order.

7. It is further ordered, pursuant to Sections 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), & 224, and Sections 0.91 and 0.291 of the Commission's rules, 47 CFR §§ 0.91 & 0.291, that the above-captioned complaint proceeding is designated for hearing in a proceeding to be held before an Administrative Law Judge at a time and place to be specified in a subsequent order upon the following issues:

1. To determine the refunds due Piedmont, including interest, for July 1, 1990 through August 29, 1990.

2. To determine whether Duke charged Piedmont, Cencom, and Spartanburg/Greenville pole attachment rates that exceeded the maximum amounts allowable under Commission rules during the periods since the complaints were filed.

3. If Duke has charged Complainants excessive pole attachment rates during the periods since the complaints were filed, to determine the amounts of the refunds Duke must pay Complainants for those periods.

4. To determine, in view of the evidence adduced on issues 2 and 3, above, whether Complainants are entitled to interest on any refund amounts for the periods since the complaints were filed and, if so, the amount of that interest.

8. It is further ordered, that the burden of proof and the burden of proceeding with the introduction of evidence shall be upon Complainants.

9. It is further ordered, that the designated parties may avail themselves of an opportunity to be heard by filing with the Commission a Notice of Appearance in accordance with Section 1.221 of the Rules, 47 CFR § 1.221, within twenty (20) days of the mailing of this Order.<sup>1</sup>

10. It is further ordered, that Duke and the Complainants shall file the information set both in paragraphs 25 and 26, above, within thirty (30) days of the mailing of this Order.

11. It is further ordered, that the parties shall address any exceptions to the ALJ's decision in this proceeding to the Commission.

Federal Communications Commission.

**Kathleen M.H. Wallman,**

*Chief, Common Carrier Bureau.*

[FR Doc. 95–16114 Filed 6–29–95; 8:45 am]

BILLING CODE 6712–01–M

[CC Docket No. 95–95; DA 95–1364]

**American Cablesystems of Florida, Ltd., d/b/a Continental Cablevision of Broward County, and Continental Cablevision of Jacksonville, Inc. v. Florida Power and Light Company**

**AGENCY:** Federal Communications Commission.

**ACTION:** Hearing Designation Order.

**SUMMARY:** The Chief, Common Carrier Bureau, pursuant to delegated authority, has designated for hearing a pole attachment complaint filed by American Cablesystems of Florida, Ltd., d/b/a/ Continental Cablevision of Broward County, and Continental Cablevision of Jacksonville, Inc. v. Florida Power and Light Company. This action is being done to expedite the resolution of this complaint.

**ADDRESSES:** Federal Communications Commission, 1919 M Street, N.W. Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Thaddeus Machcinski, Common Carrier Bureau, Accounting and Audits Division, (202) 418–0808.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Order in CC Docket No. 95–95, adopted June 15, 1995 and released June 15, 1995. The complete text of this Order is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, N.W., Washington D.C., and may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., at 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, or call (202) 857–3800.

**Synopsis of Order**

1. This Order designates for hearing a pole attachment complaint filed by American Cablesystems of Florida, Ltd., d/b/a/ Continental Cablevision of Broward County, and Continental Cablevision of Jacksonville, Inc. (collectively, Continental) v. Florida Power and Light Company (Florida Power). The complaint concerns the pole attachment rates Florida Power has charged Continental TCA since August 4, 1992.

2. The Order directs the presiding administrative law judge to require the parties to meet prior to hearing to determine whether the case can be settled. In the event a settlement is not reached, the Order directs the presiding law judge to, if possible, resolve the case on a paper record. If unable to do so, the Order directs the presiding law judge to conduct such further proceedings as

may be necessary to resolve the complaint.

3. This Order also directs parties to file any exceptions to the administrative law judge's decision to the Commission rather than to the Review Board.

4. The Order was effective upon release.

**Ordering Clauses**

5. Accordingly, It Is Ordered, pursuant to Sections 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), 224, and Sections 0.91 and 0.291 of the Commission's Rules, 47 CFR 0.91 and 0.291, that the complaint American Cablesystems of Florida, Ltd., and Continental Cablevision of Jacksonville, Inc. filed August 4, 1992, against Florida Power and Light Company Is Granted to the extent indicated in Paragraph 10 of this Order, and to the extent not granted, Is Referred to an Administrative Law Judge.

6. It is Further Ordered, pursuant to Sections 4(i), 4(j), and 224 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), & 224, and Sections 0.91 and 0.291 of the Rules, 47 CFR 0.91 and 0.291, that the above-captioned complaint proceeding Is Designated For Hearing in a proceeding to be held before an Administrative Law Judge at a time and place to be specified in a subsequent order upon the following issues:

1. To determine whether Florida Power charged Continental pole attachment rates that exceeded the maximum amounts allowable under Commission rules during the period covered by the complaint.

2. If Florida Power has charged Continental excessive pole attachment rates during the period covered by the complaint, to determine the amounts of the refunds Florida Power must pay Continental.

3. To determine, in view of the evidence adduced on the foregoing issues, whether Continental is entitled to interest on any refund amounts and, if so, the amount of that interest.

7. It is Further Ordered, that the burden of proof and the burden of proceeding with the introduction of evidence Shall Be Upon Complainants.

8. It is Further Ordered, that the designated parties may avail themselves of an opportunity to be heard by filing with the Commission a Notice of Appearance in accordance with Section 1.221 of the Rules, 47 CFR 1.221, within twenty (20) days of the mailing of this Order.<sup>1</sup>

9. It is Further Ordered, that Florida Power and Continental Shall File the

<sup>1</sup> The separated trial staff will file an appropriate Notice of Appearance before participating in the proceedings before the presiding ALJ.

<sup>1</sup> If the Bureau intends to participate in the proceedings before the presiding ALJ, the Bureau shall file an appropriate Notice of Appearance.