

no longer meets the criteria for approving the waiver. If the waiver is rescinded, the agency has 6 months from the date of the rescission notice to meet the requirement that had been waived.

4. Section 433.139 is amended by revising paragraphs (b), (d)(1), (d)(2), and (e) to read as follows:

**§ 433.139 Payment of claims.**

\* \* \* \* \*

(b) *Probable liability is established at the time claim is filed.* Except as provided in paragraph (e) of this section—

(1) If the agency has established the probable existence of third party liability at the time the claim is filed, the agency must reject the claim and return it to the provider for a determination of the amount of liability. The establishment of third party liability takes place when the agency receives confirmation from the provider or a third party resource indicating the extent of third party liability. When the amount of liability is determined, the agency must then pay the claim to the extent that payment allowed under the agency's payment schedule exceeds the amount of the third party's payment.

(2) The agency may pay the full amount allowed under the agency's payment schedule for the claim and then seek reimbursement from any liable third party to the limit of legal liability if the claim is for labor and delivery and postpartum care. (Costs associated with the inpatient hospital stay for labor and delivery and postpartum care must be cost-avoided.)

\* \* \* \* \*

(d) *Recovery of reimbursement.* (1) If the agency has an approved waiver under paragraph (e) of this section to pay a claim in which the probable existence of third party liability has been established and then seek reimbursement, the agency must seek recovery of reimbursement from the third party to the limit of legal liability within 60 days after the end of the month in which payment is made unless the agency has a waiver of the 60-day requirement under paragraph (e) of this section.

(2) Except as provided in paragraph (e) of this section, if the agency learns of the existence of a liable third party after a claim is paid, or benefits become available from a third party after a claim is paid, the agency must seek recovery of reimbursement within 60 days after the end of the month it learns of the existence of the liable third party or benefits become available.

\* \* \* \* \*

(e) *Waiver of requirements.* (1) The agency may request initial and continuing waiver of the requirements in paragraphs (b)(1), (d)(1), and (d)(2) of this section, if it determines that the requirement is not cost-effective. An activity would not be cost-effective if the cost of the required activity exceeds the third party liability recoupment and the required activity accomplishes, at the same or at a higher cost, the same objective as another activity that is being performed by the State.

(i) The agency must submit a request for waiver of the requirement in writing to the HCFA regional office.

(ii) The request must contain adequate documentation to establish that to meet a requirement specified by the agency is not cost-effective. Examples of documentation are costs associated with billing, claims recovery data, and a State analysis documenting a cost-effective alternative that accomplishes the same task.

(iii) The agency must agree, if a waiver is granted, to notify HCFA of any event that occurs that changes the conditions upon which the waiver was approved.

(2) HCFA will review a State's request to have a requirement specified under paragraph (e)(1) of this section waived and will request additional information from the State, if necessary. HCFA will notify the State of its approval or disapproval determination within 30 days of receipt of a properly documented request.

(3) HCFA may rescind the waiver at any time that it determines that the State no longer meets the criteria for approving the waiver. If the waiver is rescinded, the agency has 6 months from the date of the rescission notice to meet the requirement that had been waived.

(4) An agency requesting a waiver of the requirements specifically concerning either the 60-day limit in paragraph (d)(1) or (d)(2) of this section must submit documentation of written agreement between the agency and the third party, including Medicare fiscal intermediaries and carriers, that extension of the billing requirement is agreeable to all parties.

(Catalog of Federal Domestic Assistance Program No. 93.778—Medical Assistance Program)

Dated: June 28, 1995.

**Bruce C. Vladeck,**  
Administrator, Health Care Financing  
Administration.

[FR Doc. 95-16806 Filed 7-7-95; 8:45 am]

BILLING CODE 4120-01-P

**FEDERAL COMMUNICATIONS  
COMMISSION**

**47 CFR Part 0**

[FCC 95-213]

**Changes in the Delegated Authority of  
Various Bureaus**

**AGENCY:** Federal Communications  
Commission.

**ACTION:** Final rule.

**SUMMARY:** This Order amends Part 0 of the Commission's rules to reflect the establishment of the Wireless Telecommunications Bureau (WTB) and changes to the delegated authority of the various Bureaus. Changes to Part 0 include authority delegated to the WTB, Common Carrier Bureau (CCB) and International Bureau (IB) to resolve common carrier forfeiture proceedings involving \$80,000 or less and authority delegated to the WTB, IB, Mass Media Bureau and Cable Services Bureau to issue subpoenas. A conforming edit is also made to the Compliance and Information Bureau's subpoena power. This Order is intended to create a more effective organization in which to consolidate and administer the Commission's policies.

**EFFECTIVE DATE:** July 10, 1995.

**FOR FURTHER INFORMATION CONTACT:**  
Kathleen O'Brien Ham, Wireless  
Telecommunications Bureau, (202) 418-  
0660.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Order adopted May 30, 1995 and released June 9, 1995. The full text of Commission decisions are available for inspection and copying during normal business hours in the FCC Docket 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, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Washington, DC 20037.

**Synopsis of the Order**

1. In order to create an effective organization in which to consolidate and administer the Commission's policies, programs and rules governing domestic wireless telecommunications, the Commission recently established the new Wireless Telecommunications Bureau. Specifically, the Commission merged the Private Radio Bureau and a portion of the Common Carrier Bureau to create the Wireless Telecommunications Bureau. The rule amendments contained in this Order make changes to Part 0 of the

Commission's Rules to reflect the creation of the new Bureau, describe its functions, and explain the extent and nature of the authority delegated by the Commission to the Chief of the Wireless Telecommunications Bureau. In addition to any new functions or authority delegated below, the Wireless Telecommunications Bureau assumes the functions and delegated authority that had been granted to the Private Radio Bureau as set forth below. Also, certain functions and delegated authority provisions of the Common Carrier Bureau are transferred to the Wireless Telecommunications Bureau. Additionally, the Commission makes certain other revisions to the functions and authority of the Common Carrier Bureau, the International Bureau, the Mass Media Bureau, the Cable Services Bureau and the Compliance and Information Bureau (formerly the Field Operations Bureau) as set forth below. In particular, the Commission grant additional delegated authority regarding forfeitures and subpoenas.<sup>1</sup>

2. The amendments adopted herein pertain to agency organization, procedure and practice. Consequently, the requirement of notice and comment rule making contained in 5 U.S.C. 553(b) and the effective date provisions of 5 U.S.C. 553(d) of the Administrative Procedure Act do not apply. Authority for the amendments adopted herein is contained in section 4(i), 5(b), 5(c)(1), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 155(b), (c)(1) and 303(r).

3. *It is hereby ordered*, effective upon publication of this Order in the **Federal Register**, that Part 0 of the Commission's Rules, set forth in Title 47 of the Code of Federal Regulations, is amended as set forth in the "Final Rules."

4. *It is further ordered*, That the Chief, Wireless Telecommunications Bureau is granted delegated authority to make any additional conforming amendments to the Commission's Rules, in particular to Parts 0, 1, 13, 17, 19-25, 80, 87, 90, 94, 95 and 97 of Title 47 of the Code of Federal Regulations, that are not included herein and are necessary to reflect the establishment of the Wireless Telecommunications Bureau. As applicable, the conforming amendments will be coordinated with other Commission Bureaus and Offices.

5. *It is further ordered*, That authority delegated to the Chief of the Common Carrier Bureau in the Third Report and

Order, GN Docket No. 93-252, PR Docket Nos. 93-144 and 89-553, 9 FCC Rcd 7988(1994) at ¶ 416, 59 FR 59945 (Nov. 21, 1994), concerning the development of forms for licenses to comply with the spectrum aggregation limit is hereby transferred to the Chief, Wireless Telecommunications Bureau.

6. *It is further ordered*, That authority delegated to the appropriate Bureau in the Fifth Report and Order, PP Docket No. 93-253, FCC 94-285, 10 FCC Rcd 403 (1994) at ¶ 142, 59 FR 63210 (Dec. 7, 1994), concerning the revision of FCC Forms 175, 401 (and any successor forms) to ensure that Personal Communications Service applicants are in compliance with the Commission's Rules, is hereby granted to the Chief, Wireless Telecommunications Bureau.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

**List of Subjects in 47 CFR Part 0**

Organization and functions (Government agencies)

**Amendatory Text**

Part 0 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 0—COMMISSION ORGANIZATION**

1. The authority citation for Part 0 continues to read as follows:

**Authority:** Secs. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155, 223, unless otherwise noted.

2. Section 0.5 is amended by revising paragraph (a)(12) to read as follows:

**§ 0.5 General description of Commission organization and operations.**

(a) \* \* \*  
(12) Wireless Telecommunications Bureau.

3. Section 0.51 is amended by revising paragraphs (p) and (q) and adding a new paragraph (r) to read as follows:

**§ 0.51 Functions of the Bureau.**

(p) To advise the Chairman on priorities for international travel and develop, coordinate, and administer the international travel plan;

(q) To develop, recommend, and administer policies, rules, and regulations implementing the Commission's oversight responsibilities regarding COMSAT's participation in INTELSAT and INMARSAT;

(r) To exercise authority to issue non-hearing related subpoenas for the attendance and testimony of witnesses

and the production of books, papers, correspondence, memoranda, schedules of charges, contracts, agreements, and any other records deemed relevant to the investigation of matters within the jurisdiction of the International Bureau. Before issuing a subpoena, the International Bureau shall obtain the approval of the Office of General Counsel.

4. Section 0.61 is amended by revising paragraph (a) and adding a new paragraph (h) to read as follows:

**§ 0.61 Functions of the Bureau.**

(a) Process applications for authorizations in radio and television services, including conventional and auxiliary broadcast services (other than international broadcast services) and multi-point and multi-channel multi-point distribution services.

(h) To exercise authority to issue non-hearing related subpoenas for the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, schedules of charges, contracts, agreements, and any other records deemed relevant to the investigation of matters within the jurisdiction of the Mass Media Bureau. Before issuing a subpoena, the Mass Media Bureau shall obtain the approval of the Office of General Counsel.

5. Section 0.91 is amended by revising the introductory text, paragraphs (a), (c), (i) and (j) to read as follows:

**§ 0.91 Functions of the Bureau.**

The Common Carrier Bureau develops, recommends, and administers policies and programs for the regulation of services, facilities and practices of entities which furnish interstate communications service or interstate access service for hire—whether by wire, radio or cable—and of ancillary operations related to the provision of such services (excluding public coast stations in the maritime mobile services and multi-point and multi-channel multi-point distribution services and excluding matters pertaining exclusively to the regulation and licensing of wireless telecommunications services and facilities). The Bureau also regulates the rates, terms and conditions for cable television pole attachments, where such attachments are not regulated by a state and not provided by railroads or governmentally or cooperatively owned utilities. The Bureau also develops, recommends, and administers policies and programs for the regulation of rates, terms, and conditions under which communications entities furnish

<sup>1</sup> We also note that the Wireless Telecommunications Bureau, as well as other recently created Bureaus, have delegated authority to act on petitions for reconsideration of decisions of their predecessor Bureaus on matters within the scope of their relevant delegated authority.

interstate communications service, interstate access service, and (in cooperation with the International Bureau) foreign communications service for hire—whether by wire, cable or satellite. The Bureau also performs the following functions: (a) Advises and makes recommendations to the Commission, or acts for the Commission under delegated authority, in matters pertaining to the regulation and licensing of communication common carriers and ancillary operations (other than matters pertaining exclusively to the regulation and licensing of wireless telecommunications services and facilities). This includes: Policy development and coordination; adjudicatory and rule making proceedings, including rate and service investigations; determinations regarding lawfulness of carrier tariffs; action on applications for service and facility authorizations; review of carrier performance; economic research and analysis; administration of Commission accounting and reporting requirements; compliance and enforcement activities; and any matters concerning wireline carriers that also affect wireless carriers in cooperation with the Wireless Telecommunications Bureau.

\* \* \* \* \*

(c) Advises and assists the public, other government agencies and industry groups on wireline common carrier regulation and related matters.

\* \* \* \* \*

(i) Administers the Telecommunications Service Priority System with the concurrence of the Field Operations Bureau, and resolves matters involving assignment of priorities and other issues pursuant to part 64 of this chapter.

(j) Acts upon matters involving telecommunications relay services complaints and certification.

\* \* \* \* \*

6. Section 0.131 and its preceding centered heading are revised to read as follows:

#### **Wireless Telecommunications Bureau**

##### **§ 0.131 Functions of the Bureau.**

The Wireless Telecommunications Bureau develops, recommends and administers the programs and policies for the regulation of the terms and conditions under which communications entities offer domestic wireless telecommunications services and of ancillary operations related to the provision of such services (satellite communications excluded). These functions include all wireless telecommunications service providers' and licensees' activities. The Bureau

also performs the following specific functions:

(a) Advises and makes recommendations to the Commission, or acts for the Commission under delegated authority, in all matters pertaining to the licensing and regulation of wireless telecommunications, including ancillary operations related to the provision or use of such services; and any matters concerning wireless carriers that also affect wireline carriers in cooperation with the Common Carrier Bureau. These activities include: policy development and coordination; conducting rulemaking and adjudicatory proceedings, including licensing and complaint proceedings; acting on waivers of rules; acting on applications for service and facility authorizations; compliance and enforcement activities; determining resource impacts of existing, planned or recommended Commission activities concerning wireless telecommunications, and developing and recommending resource deployment priorities.

(b) Develops and recommends policy goals, objectives, programs and plans for the Commission on matters concerning wireless telecommunications, drawing upon relevant economic, technological, legislative, regulatory and judicial information and developments. Such matters include meeting the present and future wireless telecommunications needs of the Nation; fostering economic growth by promoting efficiency and innovation in the allocation, licensing and use of the electromagnetic spectrum; ensuring choice, opportunity and fairness in the development of wireless telecommunications services and markets; promoting economically efficient investment in wireless telecommunications infrastructure and the integration of wireless communications networks into the public telecommunications network; enabling access to national communications services; promoting the development and widespread availability of wireless telecommunications services. Reviews and coordinates orders, programs and actions initiated by other Bureaus and Offices in matters affecting wireless telecommunications to ensure consistency of overall Commission policy.

(c) Serves as the Commission's principal policy and administrative staff resource with regard to spectrum auctions. Administers all Commission spectrum auctions. Develops, recommends and administers policies, programs and rules concerning auctions of spectrum for wireless

telecommunications. Advises the Commission on policy, engineering and technical matters relating to auctions of spectrum used for other purposes. Administers procurement of auction-related services from outside contractors. Provides policy, administrative and technical assistance to other Bureaus and Offices on auction issues.

(d) Regulates the charges, practices, classifications, terms and conditions for, and facilities used to provide, wireless telecommunications services. Develops and recommends consistent, integrated policies, programs and rules for the regulation of commercial mobile radio services and private mobile radio services.

(e) Develops and recommends policy, rules, standards, procedures and forms for the authorization and regulation of wireless telecommunications facilities and services, including all facility authorization applications involving domestic terrestrial transmission facilities. Coordinates with and assists the International Bureau regarding frequency assignment, coordination and interference matters.

(f) Develops and recommends responses to legislative, regulatory or judicial inquiries and proposals concerning or affecting wireless telecommunications.

(g) Develops and recommends policies regarding matters affecting the collaboration and coordination of relations among Federal agencies, and between the Federal government and the states, concerning wireless telecommunications issues. Maintains liaison with Federal and state government bodies concerning such issues.

(h) Develops and recommends policies, programs and rules to ensure interference-free operation of wireless telecommunications equipment and networks. Coordinates with and assists other Bureaus and Offices, as appropriate, concerning spectrum management, planning, and interference matters and issues, and in all compliance and enforcement activities. Studies technical requirements for equipment for wireless telecommunications services in accordance with standards established by the Chief, Office of Engineering and Technology.

(i) Advises and assists consumers, businesses and other government agencies on wireless telecommunications issues and matters relating thereto.

(j) Obtains from entities subject to the Commission's jurisdiction and from other available sources, the information

relating to wireless telecommunications services necessary to enable the Bureau to perform the duties and carry out the objectives for which it was created.

(k) Coordinates with and assists the International Bureau with respect to treaty activities and international conferences concerning wireless telecommunications.

(l) Exercises such authority as may be assigned, delegated or referred to it by the Commission.

(m) Certifies frequency coordinators; considers petitions seeking review of coordinator actions; and engages in oversight of coordinator actions and practices.

(n) Administers the Commission's commercial radio operator (part 13 of this chapter) and amateur radio programs (part 97 of this chapter) and the program for construction, marking and lighting of antenna structures (part 17 of this chapter).

(o) Exercises authority to issue non-hearing related subpoenas for the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, schedules of charges, contracts, agreements, and any other records deemed relevant to the investigation of wireless telecommunications operators for any alleged violation or violations of the Communications Act of 1934, as amended, or the Commission's rules and orders. Before issuing a subpoena, the Wireless Telecommunications Bureau shall obtain the approval of the Office of General Counsel.

7. Section 0.261 is amended by revising paragraphs (a)(4) and (a)(10) and paragraphs (b)(5) and (b)(6) to read as follows:

**§ 0.261 Authority delegated.**

(a) \* \* \*

(4) To act upon applications for international and domestic satellite systems and earth stations pursuant to part 25 and part 100 of this chapter;

\* \* \* \* \*

(10) To act upon applications for closure of public coast stations in the maritime service under part 63 of this chapter and to coordinate its efforts with the Wireless Telecommunications Bureau.

\* \* \* \* \*

(b) \* \* \*

(5) To designate for hearing any applications except:

(i) Mutually exclusive applications for radio facilities filed pursuant to parts 23, 25, 73, or 100 of this chapter; and

(ii) Applications for facilities where the issues presented relate solely to whether the applicant has complied

with outstanding precedents and guidelines; or

(6) To impose, reduce, or cancel forfeitures pursuant to section 203 or section 503(b) of the Communications Act of 1934, as amended, in amounts of more than \$80,000 for common carrier providers and \$20,000 for non-common carrier providers.

8. Section 0.291 is amended by revising paragraphs (a)(1), (d) and (e), removing paragraph (h), and redesignating paragraph (j) as (h) to read as follows:

**§ 0.291 Authority delegated.**

\* \* \* \* \*

(a) \* \* \* (1) The Chief, Common Carrier Bureau shall not have authority to act on any formal or informal common carrier applications or section 214 applications for common carrier services which are in hearing status.

\* \* \* \* \*

(d) *Authority to designate for hearing.* The Chief, Common Carrier Bureau, shall not have authority to designate for hearing any formal complaints which present novel questions of fact, law, or policy which cannot be resolved under outstanding precedents or guidelines. The Chief, Common Carrier Bureau, shall not have authority to designate for hearing any applications except applications for facilities where the issues presented relate solely to whether the applicant has complied with outstanding precedents and guidelines.

(e) *Authority concerning forfeitures.* The Chief, Common Carrier Bureau shall not have authority to impose, reduce or cancel forfeitures pursuant to Section 203 or Section 503(b) of the Communications Act of 1934, as amended, in amounts of more than \$80,000.

\* \* \* \* \*

**§ 0.301 [Removed]**

9. Section 0.301 is removed and reserved.

10. Section 0.302 is revised to read as follows:

**§ 0.302 Record of actions taken.**

The application and authorization files in the appropriate central files of the Common Carrier Bureau are designated as the Commission's official records of actions by the Chief, Common Carrier Bureau pursuant to authority delegated to the Chief.

11. Section 0.311 is amended by revising paragraph (f) to read as follows:

**§ 0.311 Authority delegated.**

\* \* \* \* \*

(f) The Chief, Field Operations Bureau, is authorized to issue non-

hearing related subpoenas for the production of books, papers, correspondence, memoranda, and other records deemed relevant in the investigation of an alleged violation or violations of Section 301 (unlicensed operation) or 302a (illegal marketing of radio frequency devices) of the Communications Act of 1934, as amended. Before issuing a subpoena, the Bureau shall obtain the approval of the Office of General Counsel.

\* \* \* \* \*

12. Section 0.321 is amended by adding a new paragraph (a)(7) to read as follows:

**§ 0.321 Authority delegated.**

\* \* \* \* \*

(a) \* \* \*

(7) To issue non-hearing related subpoenas for the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, schedule of charges, contracts, agreements, and any other records deemed relevant to the investigation of matters within the jurisdiction of the Cable Services Bureau. Before issuing a subpoena, the Cable Services Bureau shall obtain the approval of the Office of General Counsel.

\* \* \* \* \*

13. Section 0.331 and its preceding centered heading are revised to read as follows:

**Wireless Telecommunications Bureau**

**§ 0.331 Authority delegated.**

The Chief, Wireless Telecommunications Bureau, is hereby delegated authority to perform all functions of the Bureau, described in § 0.131, subject to the following exceptions and limitations.

(a) *Authority concerning applications.*

(1) The Chief, Wireless Telecommunications Bureau shall not have authority to act on any radio applications that are in hearing status.

(2) The Chief, Wireless Telecommunications Bureau shall not have authority to act on any complaints, petitions or requests, whether or not accompanied by an application, when such complaints, petitions or requests present new or novel questions of law or policy which cannot be resolved under outstanding Commission precedents and guidelines.

(b) *Authority concerning forfeitures and penalties.* The Chief, Wireless Telecommunications Bureau, shall not have authority to impose, reduce, or cancel forfeitures pursuant to the Communications Act of 1934, as amended, and imposed under

regulations in this Chapter in amounts of more than \$80,000 for commercial radio providers and \$20,000 for private radio providers. Payments for bid withdrawal, default or to prevent unjust enrichment that are imposed pursuant to Section 309(j) of the Communications Act of 1934, as amended, and regulations in this Chapter implementing Section 309(j) governing auction authority, are excluded from this restriction.

(c) *Authority concerning applications for review.* The Chief, Wireless Telecommunications Bureau shall not have authority to act upon any applications for review of actions taken by the Chief, Wireless Telecommunications Bureau pursuant to any delegated authority, except that the Chief may dismiss any such application that does not comply with the filing requirements of § 1.115 (d) and (f) of this chapter.

(d) *Authority concerning rulemaking proceedings.* The Chief, Wireless Telecommunications Bureau shall not have authority to act upon notices of proposed rulemaking and inquiry, final orders in rulemaking proceedings and inquiry proceedings, and reports arising from any of the foregoing except such orders involving non-substantive revisions to the rules, or orders making ministerial conforming amendments to rule parts, or orders conforming any of the applicable rules to formally adopted international convention or agreement where novel questions of fact, law or policy are not involved. Also, the addition of new Marine VHF frequency coordinating committee(s) to § 80.514 of this chapter need not be referred to the Commission if they do not involve novel questions of fact, policy or law.

14. Section 0.332 is amended by revising the introductory text, removing paragraph (g) and redesignating paragraph (h) as (g) to read as follows:

**§ 0.332 Actions taken under delegated authority.**

In discharging the authority conferred by § 0.331, the Chief, Wireless Telecommunications Bureau, shall establish working relationships with other bureaus and staff offices to assure the effective coordination of actions taken in the following areas of joint responsibility:

\* \* \* \* \*

**§ 0.333 [Removed]**

15. Section 0.333 is removed and reserved.

**§ 0.335 [Removed]**

16. Section 0.335 is removed and reserved.

**§ 0.337 [Removed]**

17. Section 0.337 is removed and reserved.

18. Section 0.401 is amended by revising paragraph (a)(3)(i) and the fifth sentence in paragraph (b)(1) and its note to read as follows:

**§ 0.401 Location of Commission offices.**

\* \* \* \* \*

(a) \* \* \*

(3) \* \* \*

(i) The address of the Wireless Telecommunications Bureau's licensing facilities are:

(A) Federal Communications Commission, 1270 Fairfield Road, Gettysburg, PA 17325-7245; and

(B) Federal Communications Commission, Wireless Telecommunications Bureau, Washington, DC 20554.

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \* In all other cases, applications and filings submitted by mail should be sent to the addresses listed in the appropriate fee rules.

**Note:** Wireless Telecommunications Bureau applications that require frequency coordination by certified coordinators must be submitted to the appropriate certified frequency coordinator before filing with the Commission. After coordination, the applications are filed with the Commission as set forth herein. (See §§ 90.127 and 90.175 of this chapter.)

\* \* \* \* \*

19. Section 0.406 is amended by revising the third and fourth sentences of paragraph (b) introductory text and the eighth sentence of paragraph (b)(2) to read as follows:

**§ 0.406 The rules and regulations.**

\* \* \* \* \*

(b) \* \* \* Parts 20-29 and 80-109 of this chapter have been reserved for provisions pertaining to the wireless telecommunications services. In the rules pertaining to common carriers, parts 20-25 and 80-99 of this chapter pertain to the use of radio; \* \* \*

(2) \* \* \* Part 1, subpart F, of this chapter contain rules applicable to applications for licenses in the Wireless Telecommunications Bureau services, including the forms to be used, the filing requirements, the procedures for processing and acting on such applications, and certain other matters. \* \* \*

\* \* \* \* \*

20. Section 0.453 is amended by removing paragraphs (a)(4), (a)(5), (a)(6) and (a)(7), by revising paragraph (m)(1) and by adding a new paragraph (n) to read as follows:

**§ 0.453 Public reference rooms.**

\* \* \* \* \*

(m) \* \* \*

(1) Satellite and earth station applications files and related materials under parts 25 and 100 of this chapter;

\* \* \* \* \*

(n) *The Cable Services Bureau Reference Center.* The following documents, files and records are available for inspection at this location.

(1) All complaints regarding cable programming rates, all documents filed in connection therewith, and all communications related thereto, unless the cable operator has submitted a request pursuant to § 0.459 that such information not be made routinely available for public inspection.

(2) All cable operator requests for approval of existing or increased cable television rates for basic service and associated equipment over which the Commission has assumed jurisdiction, all documents filed in connection therewith, and all communications related thereto, unless the cable operator has submitted a request pursuant to § 0.459 that such information not be made routinely available for public inspection.

(3) Special relief petitions and files pertaining to cable television operations.

(4) Cable television system reports filed by operators pursuant to § 76.403 of this chapter.

[FR Doc. 95-16200 Filed 7-7-95; 8:45 am]

BILLING CODE 6712-01-M

**47 CFR Parts 2, 63, 80 and 90**

[FR Docket No. 92-257, FCC 95-178]

**Maritime Communications**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission has adopted a *First Report and Order* which provides an economically competitive and spectrally efficient maritime regulatory environment. Specifically, the Commission adopts amendments to its rules to reclassify international public coast stations as non-dominant common carriers, and allow certain private land mobile services that meet interference protection criteria to operate on public correspondence channels within the marine VHF band. These amendments were necessary in order to subject international public coast stations to a less burdensome regulatory scheme concerning tariff and closure procedures and to provide relief from private land mobile congestion within the VHF band.