

§ 52.2020 Identification of plan.

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(101) Revisions to the State Implementation Plan submitted by the Pennsylvania Department of Environmental Resources regarding RACT requirements for two Stroehmann Bakeries, Inc. facilities located in Lycoming and Bradford Counties, submitted on February 24, 1995.

(i) Incorporation by reference.

(A) Letter of February 24, 1995 from the Pennsylvania Department of Environmental Resources submitting a revision to the State Implementation Plan.

(B) Plan Approval Nos. PA-41-0001 and PA-08-0001 and Operating Permit Nos. OP-41-0001A and OP-08-0001A, issued and effective February 9, 1995.

(ii) Additional material.

(A) Remainder of the State Implementation Plan revision request submitted by the Pennsylvania Department of Environmental Resources on February 24, 1995, pertaining to the Plan Approvals and Operating Permits listed above.

[FR Doc. 95-19742 Filed 8-9-95; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 15**

[GEN Docket No. 91-1; FCC 95-309]

Television Closed-Caption Decoding Circuitry

AGENCY: Federal Communications Commission.

ACTION: Final rule; Order.

SUMMARY: This order deletes the requirement for television receivers to incorporate closed-caption decoder circuitry that is compatible with a cable television copy protection system developed by Eidak Corporation. This change was requested by the Consumer Electronics Group of the Electronic Industries Association. This action will relieve electronics manufacturers and consumers of the burden involved in incorporating special circuitry in television receivers for a technology that is not used by cable systems.

EFFECTIVE DATE: August 10, 1995.

FOR FURTHER INFORMATION CONTACT: John A. Reed, Office of Engineering and Technology, (202) 776-1627.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Order* in GEN Docket No. 91-1, adopted July 25, 1995, and released August 3, 1995.

The complete text of this *Order* is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC, and also may be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Paperwork Reduction

This action will not modify the information collection requirements contained in the current regulations.

Summary of the Order

1. The Commission is granting a request by the Consumer Electronics Group of the Electronic Industries Association (EIA) for partial relief of the Commission's closed-caption decoder circuitry requirements for television receivers. Specifically, this action deletes the requirement that television receivers, manufactured after January 1, 1995, incorporate closed-caption decoder circuitry that is compatible with a cable television copy protection system developed by Eidak Corporation. This action will relieve electronics manufacturers and consumers of the burden involved in incorporating special circuitry in television receivers for a technology that is not used by cable systems.

2. 47 CFR 15.119 requires that all television broadcast receivers with screen sizes equal to, or greater, 33 cm (13 inches) that were manufactured or imported on or after July 1, 1993 must be capable of receiving and displaying closed-captions. These rules also specify technical standards for the reception and display of such captioning. Previously, in the *Memorandum Order and Opinion* in this proceeding, 57 FR 19093, May 4, 1992, the Commission observed that existing closed-caption decoders may not function when the television signals are processed by some security systems designed to prevent unauthorized reception of cable service. It therefore adopted an additional requirement that the closed-caption circuitry of television receivers must function properly when receiving signals from all commonly known and used cable security systems designed and marketed prior to April 5, 1991.

3. Shortly prior to April 5, 1991, Eidak designed and marketed a copy protection system that was intended to prevent the video taping of certain programs carried by cable television systems or broadcast stations. The Eidak system dynamically changes the number of lines and the timing of the television picture. While these changes are not

readily apparent to television viewers, video tape recorders, dependent on accurate and consistent timing, cannot copy Eidak-protected material. However, the Eidak system also interferes with the ability of existing closed-caption decoders to locate line 21 of the television broadcast signal, the line on which closed-caption information is carried. Thus, existing closed-caption decoders do not function properly when closed-caption information is processed by the Eidak system. For this reason, television receiver manufacturers would need to develop and incorporate in their products special circuitry that is only necessary for compatibility with Eidak-processed signals. Recognizing that the Eidak system was not widely used, the Commission provided television receiver manufacturers with additional time, until January 1, 1995, to incorporate Eidak compatibility within their closed-caption circuitry.

4. On September 29, 1994, EIA submitted a *Petition for Rule Making* and a *Petition for Partial Waiver* requesting relief from § 15.119(l) as it applies to Eidak's copy protection system. In these petitions, EIA states that no cable systems are using the Eidak technology. EIA further states that Eidak's copy protection system is a technology that has never been, is not now, and is not ever likely to be used by a cable system. EIA asks that the Commission either amend or waive § 15.119(l) with respect to the Eidak systems to relieve manufacturers and purchasers of television receivers of the expense and burden that is no longer necessary. On October 13, 1994, the Commission issued a Public Notice requesting comments on the EIA petitions. All of the commenting parties support EIA's request for relief.

5. Prior to receipt of the petitions from EIA, the Commission, on June 6, 1994, contacted the current holder of the rights to the Eidak technology, Mr. Richard Leghorn, to determine whether or not this technology was being employed by cable systems. In response, we were informed by Mr. Leghorn that "there are no cable systems using the Eidak technology." Mr. Leghorn indicated that the Eidak copy protection capability currently is incorporated in a cable satellite network with equipment in cable head-ends and in "a pay-per-view Colorado test site jointly operated by TCI, AT&T and U.S. West." He added that "it would be unfortunate if the option which the industry has to avail [itself] of Eidak's copy protection capabilities were to be removed by deletion of the requirements of § 15.119(l) of the Commission's rules."

6. We generally agree with Mr. Leghorn that maintaining regulations that require closed-caption reception to be compatible with copy protection systems is beneficial to consumers. However, we note that the Eidak system had not been implemented or used as an actual cable security system prior to April 5, 1991. Now, four years after the implementation of the closed-caption decoding requirements, the Eidak system has still not been widely implemented by cable systems or other industries. In view of the fact that the Eidak system has not achieved any significant acceptance by the cable industry, we now find that it is not necessary to require that the closed-caption circuitry of TV receivers be capable of functioning when receiving signals encoded with the Eidak technology.

7. Accordingly, it is ordered, that the provisions of § 15.119(l) of the regulations for providing closed-caption compatibility do not apply to the Eidak system. This action provides the relief sought in the *Petition for Partial Waiver* and the *Petition for Rule Making* filed by the Electronic Industries Association. The authority for this action is contained in sections 4(i), 302, 303(e), 303(f), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. sections 154(i), 302, 303(r). In accordance with 5 USC 553(b), a Notice of Proposed Rule Making is unnecessary since this action is an interpretation of the existing regulations.

List of Subjects in 47 CFR Part 15

Radio.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-19702 Filed 8-9-95; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 93-295; RM-8362]

Radio Broadcasting Services; San Clemente, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document deletes FM Channel 285A at San Clemente, California, in response to a Commission directive, based upon the unavailability of a transmitter site on non-military property for use by a fully spaced station at that community. See 58 FR 65155, December 13, 1993. With this action, the proceeding is terminated.

EFFECTIVE DATE: September 18, 1995.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MM Docket No. 93-295, adopted July 26, 1995, and released August 4, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, located at 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 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: Secs. 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 California, is amended by removing Channel 285A at San Clemente.

Federal Communications Commission.

Andrew J. Rhodes,

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

[FR Doc. 95-19751 Filed 8-9-95; 8:45 am]

BILLING CODE 6712-01-F

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

49 CFR Part 390

[FHWA Docket No. MC-93-17]

RIN 2125-AD14

Federal Motor Carrier Safety Regulations; General; Intermodal Transportation

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule; petitions for reconsideration of effective date; final determination.

SUMMARY: Several petitioners requested an extension of the effective date of, and

certain exemptions from, the final rule implementing the Intermodal Safe Container Transportation Act of 1992. On May 25, 1995 (60 FR 27700), the FHWA requested comments on the major issues raised by these petitioners. The FHWA has determined that a further extension is warranted and, therefore, is extending the effective date of the final rule until September 1, 1996 to allow the intermodal transportation industry sufficient time to comply by means of electronic data interchange and to allow the FHWA, the intermodal transportation industry, and other parties enough time to inform affected domestic and foreign entities of their responsibilities.

EFFECTIVE DATE: September 1, 1996.

FOR FURTHER INFORMATION CONTACT: Mr. Peter C. Chandler, Office of Motor Carrier Research and Standards, HCS-10, (202) 366-5763; or Mr. Charles E. Medalen, Office of the Chief Counsel, HCC-20, (202) 366-1354, Federal Highway Administration, 400 Seventh Street SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

On December 29, 1994, the FHWA published a final rule which implemented the requirements of the Intermodal Safe Container Transportation Act of 1992 (the Act) (Pub. L. 102-548, 106 Stat. 3646, partly codified at 49 U.S.C. 5901-5907 (formerly 49 U.S.C. 501 and 508)). The original effective date of the final rule was June 27, 1995. The final rule requires any person who presents a container or trailer with a gross cargo weight of more than 4,536 kilograms or 10,000 pounds to an initial carrier for intermodal transportation to provide a certification to such carrier. Motor carriers are prohibited from accepting a loaded container or trailer prior to receiving a tangible certification. Motor carriers, rail carriers, water carriers, ocean common carriers, and intermediaries that receive a certification in the course of intermodal transportation must forward the certification to a subsequent carrier transporting the loaded container or trailer. The objective of the final rule is to reduce the number of overweight motor vehicles transporting intermodal containers or trailers by improving communication between shippers and motor carriers.