

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.

Petitions

During April and May 1995, the FHWA received letters from several companies and industry groups petitioning for an extension of the effective date of the final rule. Among those requesting an extension were APL Land Transport Services, Inc.; the European Shippers' Councils; "K" Line America, Inc.; the Intermodal Safe Container Coalition (Coalition); the National Industrial Transportation League; the Steamship Association of Southern California; and, Warren & Associates, a law firm representing two freight conferences.

On May 16, 1995 (60 FR 26001), the FHWA administratively extended the June 27, 1995, effective date until September 27, 1995, to allow the agency sufficient time to consider public comment on whether a further extension was warranted. On May 25, 1995 (60 FR 27700), the FHWA requested comments on whether an extension of the effective date of the final rule beyond September 27, 1995, was necessary. As a part of the second publication, the FHWA requested comments on a petition filed by the American Trucking Associations, Inc. (ATA) to exempt three types of motor carrier operations from the rule.

General Discussion of the Comments

Forty-six comments were received in response to the May 25, 1995, publication. Of these, twenty-two were from companies connected with intermodal transportation, nineteen from industry associations, two from individuals, and one each from a safety organization, a public association, and a port.

Comments Regarding Effective Date

Three parties supported a further extension, but recommended no specific effective date. One party recommended an effective date one year after publication of the final determination of the petitions. Seven parties supported a January 1, 1996, effective date. Seventeen parties supported a May 1, 1996, effective date. One party supported an effective date in the spring of 1996. Five parties supported a June 1, 1996, effective date. One party supported a September 1, 1996, effective date. Of the parties who supported a specific date, three stated that an additional extension may be necessary. Two parties opposed a further extension.

Electronic Data Interchange

The intermodal transportation industry relies heavily on electronic data interchange (EDI). In order to

forward certifications by EDI, the intermodal transportation industry, in particular rail and water carriers, need to complete the following steps: The development of standards; preliminary analysis and design; computer programming; field testing and coordination; training; and final computer programming. The Union Pacific System and the Coalition commented that the American National Standards Institute and the Intermodal Association of North America have incorporated the necessary changes in their EDI Standard 3050 to accommodate a certification. The Coalition commented that EDI standard 3050 will be available in July, 1995, but Union Pacific and the Coalition stated that this standard will not become effective for the railroad industry until September 1, 1995. Union Pacific and the Association of American Railroads (AAR) explained further that railroads must be able to receive information via this standard by this date, but are not required to be able to send information via this standard until September 1, 1996. The Coalition and the AAR stated that one year from the effective date of a new standard is normally allowed for full implementation because of the complexity of the process. The Coalition explained that any company using a standard previous to EDI standard 3050 must modify the previous standard to accommodate a certification. Burlington Northern Railroad commented that programming the new or modified EDI standard will take until May, 1996 and that testing the standard and assisting their customers in the transition to the standard will take until September, 1996.

Based on the information submitted by the commenters, the FHWA has determined that a further extension of the effective date of the final rule is warranted. The FHWA extends the effective date of the final rule until September 1, 1996 to allow the intermodal transportation industry sufficient time to complete the necessary steps to achieve compliance with the final rule through the use of EDI.

Education

Several commenters to the May 25, 1995, publication asserted that a further extension of the effective date is necessary to provide sufficient time to educate affected parties in their responsibilities. Some commenters stated that there is a widespread lack of knowledge of the Act and the implementation of regulations outside the United States and expressed concern about the difficult task of educating

foreign entities. Some commenters also made suggestions about the FHWA's educational efforts. Several stressed that the agency should make educational materials available prior to the effective date. The FHWA agrees that additional time is needed to educate affected domestic and foreign entities in order to avoid large disruptions in trade and commerce which may result from inadvertent failures to comply with the rule. The extension of the effective date until September 1, 1996, will enable the FHWA and cooperating entities to distribute educational materials and will also provide the intermodal transportation industry additional time to familiarize appropriate parties with their responsibilities.

Educational pamphlets, in English, which provide an overview of the final rule are now available for distribution. Individuals and companies interested in obtaining the pamphlet should contact the local FHWA Office of Motor Carriers in their area. The pamphlet will also be available in German, French, Spanish, Japanese, and Mandarin Chinese in the near future. Pamphlets will be provided to various associations for domestic and international distribution. In addition, the Department of State will assist the FHWA with the international distribution of the pamphlets. The FHWA will also request the assistance of various embassies with this task.

Petition for Exemptions by the American Trucking Associations, Inc.

On April 7, 1995, the ATA filed a petition to exempt three types of motor carrier operations from the final rule. In response to the May 25, 1995, publication, the ATA and the National Industrial Transportation League (NITL) modified the third exemption requested and stated that they would also submit by August 1, 1995, a joint petition requesting further changes to the rule. In view of these developments, the FHWA will defer until a later time any discussion of the ATA and ATA/NITL petitions, as well as the comments already submitted on the ATA's petition for three exemptions.

Rulemaking Analyses and Notices

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

The FHWA has previously determined that the final rule implementing the Intermodal Safe Container Transportation Act of 1992 is a significant regulatory action within the meaning of Executive Order 12866 and significant under Department of Transportation regulatory policies and

procedures because it affects intermodal transportation and attracts substantial public interest. As such, the final rule was reviewed by the Office of Management and Budget and the Office of the Secretary of Transportation before being published. This present action only extends the effective date of the final rule and provides clarification of the rule. It is anticipated that the economic impact of this action will be minimal; therefore, a full regulatory evaluation is not required.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601-612), the FHWA has evaluated the effects of this action on small entities. Based upon this evaluation, as well as for the reasons set forth in the previous paragraph, the FHWA hereby certifies that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12612 (Federalism Assessment)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this action does not have sufficient Federalism implications to warrant the preparation of a Federalism assessment. Nothing in this action directly preempts any State law or regulation.

Executive Order 12372 (Intergovernmental Review)

Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

Paperwork Reduction Act

The information collection requirements contained in the December 29, 1994, final rule have been approved by the Office of Management and Budget in accordance with the provisions of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.* and assigned the control number of 2125-0557 which expires on June 30, 1997. This action does not affect the recordkeeping requirements previously established.

National Environmental Policy Act

The agency has analyzed this rulemaking for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not

have any effect on the quality of the environment.

Regulation Identification Number

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects in 49 CFR Part 390

Highway safety, Highways and roads, Intermodal transportation, Motor carriers, Recordkeeping requirements.

Authority: 49 U.S.C. 5901-5907, 31132, 31136, 31502 and 31504; 49 CFR 1.48.

Issued on August 3, 1995.

Rodney E. Slater,

Federal Highway Administrator.

[FR Doc. 95-19719 Filed 8-9-95; 8:45 am]

BILLING CODE 4910-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 671, 672, 675, 676, and 677

[Docket No. 950508130-5171-02; I.D. 050195A]

RIN 0648-AH62

Limited Access Management of Federal Fisheries In and Off Alaska; Groundfish and Crab Fisheries Moratorium

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS by this final rule imposes a temporary moratorium on the entry of new vessels into the groundfish fisheries under Federal jurisdiction in the Bering Sea and Aleutian Islands (BSAI) management area, the crab fisheries under Federal jurisdiction in the BSAI Area, and the groundfish fisheries under Federal jurisdiction in the Gulf of Alaska (GOA). This action curtails increases in fishing capacity and provides industry stability while the North Pacific Fishery Management Council (Council) and NMFS prepare, review, and, if approved, implement a comprehensive management plan for these fisheries. This action is intended to promote the conservation and

management objectives of the Council and the Magnuson Fishery Conservation and Management Act (Magnuson Act).

EFFECTIVE DATES: Effective September 11, 1995 through December 31, 1998, except for the amendments to §§ 671.4, 672.4, and 675.4, and §§ 676.3 and 676.4, which will become effective on January 1, 1996, through December 31, 1998; and the amendments to Figure 1 to part 677, § 677.4, and §§ 671.2, and 671.3, which are effective September 11, 1995.

ADDRESSES: Copies of the Fishery Management Plan (FMP) amendments and the Environmental Assessment/Regulatory Impact Review/Final Regulatory Flexibility Analysis (EA/RIR/FRFA) for the moratorium may be obtained from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510. Send comments regarding the paperwork burden or any other aspect of the collection-of-information requirements contained in this rule, including suggestions for reducing the burden, to Ronald Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, 709 West 9th Street, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802, Attention: Lori J. Gravel, and to the Office of Management and Budget (OMB), Paperwork Reduction Project (0648-0206), Washington, D.C. 20503 (ATTN: NOAA Desk Officer).

FOR FURTHER INFORMATION CONTACT: Jay Ginter, 907-586-7228.

SUPPLEMENTARY INFORMATION:

Background

Domestic groundfish fisheries in the exclusive economic zone (EEZ) of the BSAI and the GOA are managed by NMFS under the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area, and the Fishery Management Plan for Groundfish of the Gulf of Alaska, respectively. The commercial harvest of king and Tanner crabs is managed under the Fishery Management Plan for the Commercial King and Tanner Crab Fisheries in the Bering Sea and Aleutian Islands Area. These FMPs were prepared by the Council under the Magnuson Act. The FMP for the GOA groundfish fisheries is implemented primarily by regulations at 50 CFR part 672. The FMP for the BSAI groundfish fisheries is implemented primarily by regulations at 50 CFR part 675. The FMP for the king and Tanner crab fisheries in the BSAI is implemented by regulations at 50 CFR part 671 and by Alaska Administrative Code regulations at title 5, chapters 34 and 35. Other Federal regulations that also affect the