3. In § 514.20, paragraph (d) is revised to read as follows:

§ 514.20 Retrieval.

* * * * *

(d) *Batch retrieval through database files.* Interested parties may subscribe to all tariff filings/updates received by the Commission on a daily basis. The ATFI System Administrator will create a daily subscriber data update file which will be accessible to subscribers who have prepaid the fees for daily updates. The daily updates subscriber will access the ATFI system to on-line download the tariff updates received during the previous workday and any intervening weekend/holidays, as well as any tariff updates created by the Commission (e.g., suspensions, rejections, etc.). Subscribers may request that daily updates be forwarded on tape (either 9 track, 6250 bpi or 8 mm cartridge, Exabyte 8500 compatible) when the file size indicates that the on-line download option is not cost-effective. The Commission may also send selected daily updates by first class mail (or as directed by subscribers at subscriber's expense) or make updates available at the ATFI computer center when the magnitude of the file size indicates that downloads would degrade ATFI access for other ATFI user functions. The subscriber is responsible for insuring that the Commission has received sufficient pre-paid monies before the last business day of the preceding month in order to subscribe to the next month's filings. The Commission will terminate the download capability of any accounts in arrears.

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4. In § 514.21, paragraph (j) is revised to read as follows:

§ 514.21 User charges.

* * * * *

(j) *Daily Subscriber Data (§ 514.20(d)).* (1) Persons requesting download of daily updates must pay $61 per daily update.

(2) Persons requesting daily updates on tape must supply the tapes and pay $61 per daily update.

* * * * *

By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 95–21547 Filed 8–29–95; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[CS Docket No. 95–139; DA 95–1832]

Cable Television Service; List of Major Television Markets

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission, through this action, invites comments on its proposal to amend its rules regarding the listing of major television markets, to change the designation of the Raleigh-Durham-Goldsboro television market to include the community of Fayetteville, North Carolina. This action is taken at the request of Capital Cities/ABC, Inc., licensee of television station WTVD–TV, channel 11, Durham, North Carolina; Capitol Broadcasting Company, Inc., licensee of television station WRAL–TV, channel 5, Raleigh, North Carolina; Delta Broadcasting, Inc., licensee of television station WKFT–TV, channel 40, Fayetteville, North Carolina; FSF TV, Inc., licensee of television station WRDC–TV, channel 28, Durham, North Carolina; and Paramount Stations Group of Raleigh Durham, Inc., licensee of television station WLFL–TV, channel 22, Raleigh, North Carolina and it is taken to test the proposal for market hyphenation through the record established based on comments filed by interested parties.

DATES: Comments are due on or before October 20, 1995, and reply comments are due on or before November 6, 1995.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: William H. Johnson, Cable Services Bureau, (202) 416–0800.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rulemaking, CS Docket 95–139, adopted August 15, 1995, and released August 29, 1995. The full text of this decision is available for inspection and copying during normal business hours in the FCC Reference Center (room 239), 1919 M Street NW., Washington, DC 20554, and may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857–3800, 1919 M Street NW., Washington, DC 20554.

Synopsis of the Notice of Proposed Rulemaking

1. The Commission, in response to a Petition for Rulemaking filed by the petitioner, proposed to amend Section 76.51 of the Rules to add the community of Fayetteville to the Raleigh-Durham-Goldsboro television market.

2. In evaluating past requests for hyphenation of a market, the Commission has considered the following factors as relevant to its examination: (1) The distance between the existing designated communities and the community proposed to be added to the designation; (2) whether cable carriage, if afforded to the subject station, would extend to areas beyond

its Grade B signal coverage area; (3) the presence of a clear showing of a particularized need by the station requesting the change of market designation; and (4) an indication of benefit to the public from the proposed change. Each of these factors helps the Commission to evaluate individual market conditions consistent ''with the underlying competitive purpose of the market hyphenation rule to delineate areas where stations can and do, both actually and logically, compete.''

3. Based on the facts presented, the Commission believes that a sufficient case for redesignation of the subject market has been set forth so that this proposal should be tested through the rulemaking process, including the comments of interested parties. It appears from the information before the Commission that the television stations licensed to Raleigh, Durham and Goldsboro, North Carolina do compete throughout much of the proposed combined market area, and that sufficient evidence has been presented tending to demonstrate commonality between the proposed communities to be added to the market designation and the market as a whole that ''hyphenation'' of the market should be proposed. Moreover, the petitioners' proposal appears to be consistent with the Commission's policies regarding redesignation of a hyphenated television market. Accordingly, comment is requested on the proposed addition of Fayetteville to the Raleigh-Durham-Goldsboro, North Carolina television market.

Initial Regulatory Flexibility Analysis

4. The Commission certifies that the Regulatory Flexibility Act of 1980 does not apply to this rulemaking proceeding because if the proposed rule amendment is promulgated, there will not be a significant economic impact on a substantial number of small business entities, as defined by section 601(3) of the Regulatory Flexibility Act. A few cable television system operators will be affected by the proposed rule amendment. The Secretary shall send a copy of this *Notice of Proposed Rulemaking,* including the certification, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act. Pub. L. No. 96–354, 94 Stat. 1164, 5 U.S.C. section 601 *et seq.* (1981).

Ex Parte

5. This is a non-restricted notice and comment rulemaking proceeding. *Ex parte* presentations are permitted, provided they are disclosed as provided in the Commission's Rules. *See generally* 47 CFR §§ 1.1202, 1.1203 and 1.1206(a).

Comment Dates

6. Pursuant to applicable procedures set forth in §§ 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before October 20, 1995, and reply comments on or before November 6, 1995. All relevant and timely comments will be considered before final action is taken in this proceeding. To file formally in this proceeding, participants must file an original and four copies of all comments, reply comments, and supporting comments. If participants want each Commissioner to receive a personal copy of their comments, an original plus nine copies must be filed. Comments and reply comments should be sent to the Office of the Secretary, Federal Communications Commission, Washington, DC 20554. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center (Room 239) of the Federal Communications Commission, 1919 M Street NW., Washington, DC 20554.

7. Accordingly, this action is taken by the Chief, Cable Services Bureau, pursuant to authority delegated by § 0.321 of the Commission's rules.

List of Subjects in 47 CFR Part 76

Cable television.

Federal Communications Commission.

William H. Johnson,

Deputy Chief, Cable Services Bureau.

[FR Doc. 95–21491 Filed 8–29–95; 8:45 am]

BILLING CODE 6712–01–M

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47 CFR Part 95

[WT Docket No. 95–102; FCC 95–261]

To Establish a Very Short Distance, Unlicensed, Two-Way Voice Radio Service in the Ultra High Frequency (UHF) Portion of the Radio Spectrum

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission has proposed rules to establish a new personal radio service that would permit individuals a very short distance, unlicensed, two-way voice radio service in the Ultra High Frequency (UHF) portion of the radio spectrum. This action is in response to a petition for rule making from the Radio Shack Division of Tandy Corporation (Tandy). Allowing uses of the radio spectrum in this manner would meet a burgeoning public demand for an affordable and convenient means of direct, short-range, two-way voice communication among small groups of persons.

DATES: Comments must be submitted on or before October 2, 1995 and reply comments must be filed on or before October 16, 1995.

ADDRESSES: Federal Communications Commission, 1919 M Street, N.W., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: William Cross at (202) 418–0680, Wireless Telecommunications Bureau.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, WT Docket No. 95–102, FCC 95–261, adopted June 22, 1995, and released August 2, 1995. The proposed rules are at the end of this document. The full text of this Notice of Proposed Rule Making is available for inspection and copying during normal business hours in the FCC Reference Center, Room 230, 1919 M Street, N.W., Washington, D.C. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street, Suite 140, Washington, DC 20037, telephone (202) 857–3800.

Initial Regulatory Flexibility Analysis

Reason for Action

The Commission is proposing to amend Part 95 of its rules to establish a new Family Radio Service within the CB Radio Service. This change will provide a new and innovative communication service and promote more efficient use of the radio spectrum.

Objectives

The proposed rules will encourage rapid deployment and growth of inexpensive low power communications equipment for use by groups in which members need to communicate over short distances.

Legal Basis

The proposed action is authorized under Sections 4(i), 303(b), 303(r), and 307(e) of the Communications Act, 47 U.S.C. §§ 154(i), 303(b), 303(r), and 307(e).

Report, Recordkeeping and Other Compliance Requirements

None.

Federal Rules Which Overlap, Duplicate or Conflict With These Rules

None.