DATES: Comments must be filed on or before November 15, 1995, and reply comments must be filed on or before January 12, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Roger Holberg, Mass Media Bureau, Policy and Rules Division, Legal Branch, (202) 776–1653.

SUPPLEMENTARY INFORMATION:

1. On July 28, 1995, the Commission, as part of its ongoing Advanced Television rulemaking proceeding, adopted a *Fourth Further Notice of Proposed Rulemaking and Third Notice of Inquiry* (''*Fourth Further Notice*''), FCC 95–315, released August 9, 1995, 60 FR 42130 (August 15, 1995). Comments on the *Fourth Further Notice* were due on October 18, 1995, and reply comments on December 4, 1995.

2. On September 21, 1995, the Advanced Television Committee of the Electronic Industries Association (''Committee'') filed a ''Motion of the EIA/ATV Committee for Extension of Time.'' That Motion sought an extension of the comment and reply comment deadlines until November 1, 1995, and December 18, 1995, respectively. In support of that request, the Committee notes that, while it is sponsored by the Electronics Industries Association (''EIA''), its membership is not limited to EIA member companies. The current comment deadline, the Committee asserts, coincides with the EIA's annual conference, at which the Committee is next expected to meet. At this meeting, the Committee continues, it will finalize its position with respect to the issues raised in the *Fourth Further Notice*. The Committee does not believe that the brief extension it requests will prejudice any party; to the contrary, it believes that the Commission and the public will benefit ''if the comments (it files) in this proceeding reflect the broad intra- and inter industry consensus which the EIA/ATV Committee seeks to develop.''

3. Subsequently, on October 4, 1995, the Information Technology Industry Council (''ITI'') filed a request for an extension of the comment deadline until November 29, 1995. In support, it asserts that its membership is diverse, representing the computer, information technology, and consumer electronics industries, and the additional time will be necessary to determine whether a consensus exists among ITI members on some or all of the many complex issues raised in the *Fourth Further Notice*.

4. Also on October 4, 1995, the Association of America's Public Television Stations and the Public Broadcasting Service (''Public Television'') jointly filed a request for an extension of the comment deadline until December 13, 1995. While it welcomes the Commission's attention to the issue of whether to adopt special measures to facilitate noncommercial broadcasters' conversion to ATV, Public Television notes that this matter is also under consideration by Congress. Public Television seeks an extended comment period to allow its comments to reflect Congressional action, which it expects by the middle of November.

5. We are mindful that Section 1.46 of the Commission's Rules, 47 CFR § 1.46, articulates a Commission policy that extensions of time for filing comments in rulemaking proceedings are not to be routinely granted. Nevertheless, in the instant case, we find that good cause exists for extending the comment and reply comment deadlines. Allowing the various affected industry groups time to develop consensus opinions that they would submit in comments could be most helpful to us as we consider and resolve the many complicated issues raised in the *Fourth Further Notice*. In addition, there are benefits to be derived from affording other parties an adequate opportunity for reasoned replies to those comments. However, we hesitate to extend the comment date until December 13, 1995, as requested by Public Television, because we do not want to unnecessarily delay the conclusion of this lengthy proceeding. Parties can address any Congressional action that occurs after the comment date we are establishing in reply comments. If necessary, another Further Notice of Proposed Rule Making can be issued. We do not anticipate that it will be necessary to allow a further extension of the time to file comments or replies in response to the *Fourth Further Notice*. Accordingly, we will extend both the comment and reply comment deadlines for approximately one month.

6. Accordingly, it is ordered, that the Motion of the EIA/ATV Committee for Extension of Time relative to the *Fourth Further Notice of Proposed Rulemaking and Third Notice of Inquiry* in MM Docket No. 87–268, is granted. It is further ordered, that the Motion of the Information Technology Industry Council and the Request by the Association of America's Public Television Stations and the Public Broadcasting Service for an Extension of Time are granted to the extent indicated herein and, in all other respects are denied.

7. It is further ordered, that the time for filing comments in the above-captioned proceeding is extended to November 15, 1995, and the time for filing reply comments is extended to January 12, 1996.

8. This action is taken pursuant to authority found in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 303(r), and Sections 0.204(b), 0.283 and 1.45 of the Commission's Rules, 47 CFR §§ 0.204(b), 0.283 and 1.45.

Federal Communications Commission.

Roy J. Stewart,

Chief, Mass Media Bureau.

[FR Doc. 95–25814 Filed 10–17–95; 8:45 am]

BILLING CODE 6712–01–F

---

47 CFR Part 90

[PR Docket No. 92–235, DA 95–2090]

Examination of Exclusivity and Frequency Assignment Policies

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment period.

SUMMARY: On June 15, 1995, the Commission adopted a Further Notice of Proposed Rule Making that seeks to introduce market forces into the private land mobile radio (PLMR) bands below 800 MHz (60 FR 37148, July 19, 1995). On September 12, 1995, the Commission granted a request from the American Public Transit Association and granted in part and denied in part a request from the Land Mobile Communications Council (LMCC) to extend the comment period in the above captioned proceeding. On September 20, 1995, LMCC Filed a petition for reconsideration of that extension order to extend the comment period to November 20, 1995 and the reply comment period to January 5, 1996. LMCC stated that the additional time is necessary to develop an organized and effective spectrum allocation plan. This order grants the requested extension of time in which commenters have to file comments and reply comments.

DATES: Comments are to be filed on or before November 20, 1995, and reply comments are to be filed on or before January 5, 1996.

FOR FURTHER INFORMATION CONTACT: Ira Keltz of the Wireless Telecommunications Bureau at (202) 418–0616.

SUPPLEMENTARY INFORMATION:

Adopted: October 2, 1995.
Released: October 3, 1995.

Order Extending Comment and Reply Comment Period

By the Chief, Private Wireless Division:

1. On September 12, 1995, the Commission extended the comment and reply comment period in the above-captioned proceeding in response to motions filed by the American Public Transit Association (APTA) and the Land Mobile Communications Council (LMCC).[1] In that Order, the comment date was extended from September 15, 1995, to October 16, 1995, and the reply comment date was extended from October 16, 1995, to November 20, 1995. This extension was consistent with the request filed by APTA, but shorter than the LMCC request. LMCC has filed a petition for reconsideration requesting a further extension of the comment period to November 20, 1995, and the reply comment period to January 5, 1996.

2. LMCC states that a further extension of time is warranted in order that the period for filing comments in this proceeding coincides with the due date of the industry's report on radio service consolidation.[2] LMCC states that in order to develop an organized and effective spectrum allocation plan, consolidation decisions must be made in conjunction with the decisions in this proceeding.

3. Although we previously extended the comment period in this proceeding by thirty days, LMCC correctly points out that additional time is necessary because many of the issues regarding future frequency assignment policies for the private land mobile radio services are closely related to the issues concerning the consolidation of these radio services. We therefore grant LMCC's request for reconsideration to extend the time period for filing comments to and including November 20, 1995, and for filing reply comments to and including January 5, 1996. The new comment date coincides with the due date for the industry's report on radio service consolidation.

4. Accordingly, it is hereby ordered that LMCC's request for reconsideration to extend the deadline for filing comments in this proceeding is granted.

5. This action is taken pursuant to the authority provided in Section 1.46 of the Commission Rules 47 C.F.R. § 1.46.

[1] DA 95–1967, 60 Fed Reg 48490 (September 19, 1995).

[2] The Private Land Mobile Industry was given three months from the effective date of the rules adopted in the Report and Order, PR Docket No. 92–235, 60 Fed. Reg. 37152, (July 19, 1995), in which to develop and submit a consensus plan for consolidating the twenty private land mobile radio services.

Federal Communications Commission.

Herbert W. Zeiler,

Deputy Chief, Private Wireless Division, Wireless Telecommunications Bureau.

[FR Doc. 95–25762 Filed 10–17–95; 8:45 am]

BILLING CODE 6712–01–F

INTERSTATE COMMERCE COMMISSION

49 CFR Parts 1043 and 1160

[Ex Parte No. 55 (Sub-No. 96)]

Freight Operations by Mexican Motor Carriers—Implementation of North American Free Trade Agreement

AGENCY: Interstate Commerce Commission.

ACTION: Proposed rules.

SUMMARY: The purpose of this Notice is to announce implementation of the provisions of the second phase of the North American Free Trade Agreement (NAFTA) relating to land transportation, and to promulgate rules and develop an application form required to carry out the provisions. Under existing law, effective December 18, 1995, the Commission will process applications filed by Mexican motor carriers of property for operating authority to provide service across the United States-Mexico international boundary line to and from points in California, Arizona, New Mexico, and Texas, and by persons of Mexico who establish enterprises in the United States seeking to distribute international cargo in the United States.

DATES: Comments must be filed by November 7, 1995.

ADDRESSES: An original and 10 copies of comments referring to Ex Parte No. 55 (Sub-No. 96) must be sent to: Interstate Commerce Commission, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, N.W., Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Bernard Gaillard, (202) 927–5500 or Stanley M. Braverman, (202) 927–6316. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Section 6 of the Bus Regulatory Reform Act of 1982 (codified at 49 U.S.C. 10922(m)) imposed a 2-year moratorium (subject to renewal) on the Commission's issuance of new grants of operating authority to motor carriers domiciled in or owned or controlled by persons of Mexico or Canada. Under this statute, the President has the authority to remove or modify the moratorium if he determines it to be in the national interest, i.e., if overriding economic or foreign policy considerations make such an action advisable, or if a negotiated settlement with one country or the other can be reached. Under the moratorium, the President must notify Congress in writing 60 days before the date on which the removal or modification is to take effect.

Shortly after the moratorium went into effect, the President exercised his authority and removed the moratorium with respect to Canada. The President indicated in a memorandum to the United States Trade Representative that the United States and Canada had reached a bilateral understanding that would ensure fair and equitable treatment for both U.S. and Canadian motor carriers on both sides of the international boundary line. 47 FR 54053 (1982).

The moratorium remained in place for Mexican motor carriers because the Mexican Government continued to restrict U.S. motor carriers' access to Mexico. The moratorium prohibits Mexicans from seeking operating authority that carriers of other nations can obtain.[1]

NAFTA was signed on December 17, 1992. It ''entered into force'' (i.e., it took effect) on January 1, 1994. NAFTA contemplates that the moratorium on Mexican motor carriers will be lifted in phases, and that restrictions imposed by the Mexican government on U.S. carriers operating in Mexico will be similarly relaxed.[2] The phases are as follows:

1. The first phase of NAFTA granted access to Mexican charter and tour bus operators to provide international transportation service between Mexico and all points in the United States;[3]

2. Three years after signature (December 17, 1995), NAFTA provides for access by Mexican motor property carriers into United States border States, and establishment of

[1] The moratorium does not entirely bar Mexican carriers from operating in the United States. Pursuant to the provisions of 49 U.S.C. 10922(m) and 10530, Mexican carriers may operate in the United States, but only in United States border commercial zones, and only pursuant to certificates of registration known as ''MX certificates.''

[2] The NAFTA schedule of liberalization does not remove all limitations on Mexican motor carrier operations in the United States. The moratorium will remain in place for Mexican carriers in the one area that was not liberalized, namely, point-to-point carriage of domestic cargo in the United States. This means that Mexican property carriers will be able to operate only in international commerce (between points in the United States and points in Mexico), but they will not be able to engage in transportation between points in the United States.

[3] *In Passenger Operations By Mexican Carriers—NAFTA*, 9 I.C.C.2d 1258 (1993), we crafted a special authorization for international charter and tour bus service.