

Dated: November 22, 1995.
 Jeanne M. Fox,
Regional Administrator.
 [FR Doc. 95-29245 Filed 11-29-95; 8:45 am]
 BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5336-4]

Draft Cook Inlet General NPDES Permit for Oil and Gas Exploration, Production and Development in Waters of the United States: General NPDES Permit No. AKG285100

AGENCY: Environmental Protection Agency, Region 10.

ACTION: Extension of the public comment period.

SUMMARY: On September 20, 1995, EPA provided notice of the draft general National Pollutant Discharge Elimination System (NPDES) permit no. AKG285100 for oil and gas stratigraphic and exploration wells on the Alaskan Outer Continental Shelf, in addition to exploration, production and development wells in offshore and coastal waters of the State of Alaska. The public comment period schedule was published in the notice. At the request of interested parties, EPA is today providing notice that the public comment period has been extended.

DATES: Original public notice issuance date: September 20, 1995. Extended public notice expiration date: January 29, 1996.

ADDRESSES: Public comments: Interested persons may submit written comments on the draft general NPDES permit to: Environmental Protection Agency, Attn: Laurie Mann (WD-134), 1200 Sixth Avenue, Seattle, Washington 98101. All comments should include the name, address, and telephone number of the commenter and a concise statement of comment and the relevant facts upon which it is based. Comments of either support or concern which are directed at specific, cited permit requirements are appreciated. Comments must be submitted to EPA on or before the extended expiration date of the public notice.

Administrative record: The complete administrative record for the draft permit is available for public review at the EPA Seattle address listed above; and at the U.S. EPA, Anchorage Operations Office, Room 537, Federal Building, 222 West Seventh Avenue, #19, Anchorage, Alaska 99513. Copies of the draft general NPDES permit and fact sheet are available upon request from

the Region 10 Public Information Center at 1-800-424-4EPA (4372).

FOR FURTHER INFORMATION CONTACT: Laurie Mann, EPA Region 10, at the EPA Seattle address listed above or telephone (206) 553-1583.

Dated: November 2, 1995.
 Philip G. Millam,
Acting Director, Office of Water.
 [FR Doc. 95-29246 Filed 11-29-95; 8:45 am]
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FEDERAL COMMUNICATIONS COMMISSION

[DA 95-2119]

Licensing of General Category Frequencies

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: By this Order, the Wireless Telecommunications Bureau suspends acceptance of General Category channels in the 800 MHz band. This action is taken to ensure the successful resolution of the spectrum allocation issues raised in PR Docket 93-144 are not compromised. The intended effect of this action is to freeze acceptance of new applications after the effective date.

EFFECTIVE DATE: October 4, 1995.

FOR FURTHER INFORMATION CONTACT: D'wana Speight or David Kirschner, Legal Branch, Commercial Wireless Division, Wireless Telecommunications Bureau at (202) 418-0620.

SUPPLEMENTARY INFORMATION: Adopted: October 4, 1995. Released: October 4, 1995.

By the Chief, Wireless Telecommunications Bureau:

1. On October 20, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in PR No. Docket 93-144, 59 FR 60111, November 22, 1994, which proposed a new framework for the licensing of Specialized Mobile Radio (SMR) systems in the 800 MHz band. In the context of this proceeding the Commission tentatively concluded that it should revise its eligibility rules for the General Category Channels to prohibit SMR and non-SMR applicants from applying for the same channels in the future. For the reasons stated below, we have decided to place a freeze on the filing of new applications for General Category frequencies.

2. The General Category channels are available to all eligible users in the 800 MHz band for either conventional or trunked operations. Recently, there has been a steep rise in demand for General

Category frequencies, especially by SMR applicants and licensees, as a result of regulatory actions affecting certain 800 MHz frequencies. On August 9, 1994, the Commission imposed a freeze on the acceptance of new 800 MHz applications on the 280 SMR category channels. In addition, on April 15, 1995, the Wireless Telecommunications Bureau ("Bureau") placed a freeze on the filing of new applications for inter-category sharing on all private mobile radio service frequencies in the 806-821/851-866 MHz bands.

3. We believe that the current situation warrants a freeze on new applications for General Category channels. Because of the pressure placed on the General Category channels, unless we immediately freeze new applications the successful resolution of the spectrum allocation issues raised in PR Docket No. 93-144 could be compromised. Freezing acceptance of these applications is a temporary action that would preserve the current licensing landscape of the General Category and allow resolution of the issues regarding future licensing of these channels in PR Docket No. 93-144. We anticipate that this action will be of limited duration, because the Commission intends to resolve expeditiously the issues presented in PR Docket No. 93-144. We emphasize, however, that this action is limited to new applications for General Category channels and does not affect the acceptance of new applications for other categories of 800 MHz frequencies, e.g. Public Safety, Industrial/Land Transportation, and Business Category Channels.

4. As a result of today's action, we will continue to process those new applications for General Category channels which have been received by the Bureau's Licensing Division as of 12:00 a.m. midnight on October 4, 1995. All other applications, including those which still are in the frequency coordination process, will be subject to this freeze and, thus, will be returned to the applicant upon receipt by the Bureau's Licensing Division.

5. Accordingly, *it is ordered* That the acceptance of applications for the General Category channels is suspended effective October 4, 1995.¹

¹ The imposition of this freeze is procedural in nature and therefore is not subject to the notice and comment, and effective date requirements of the Administrative Procedure Act (APA). See *Kessler v. FCC*, 326 F.2d 673 (D.C. Cir. 1963). Furthermore, good cause exists for noncompliance with these APA requirements. Adherence to the notice and comment, and effective date requirements in this matter would be contrary to the public interest, because compliance would undercut the purposes of the freeze.