

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Airbus Industries: Docket 95–NM–78–AD.

Applicability: Model A300–600 series airplanes on which Airbus Modification No. 6146 has not been installed, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (f) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alternation, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent reduced structural integrity of the horizontal stabilizer cutout longeron due to fatigue cracking, accomplish the following:

(a) Prior to the accumulation of 18,000 total landings, or within 2,000 landings after the effective date of this AD, whichever occurs later: Perform a visual and an eddy current inspection to detect cracks and/or corrosion of Areas 1 and 2 of the lower horizontal stabilizer cutout longeron, as defined in Airbus Service Bulletin A300–53–6042, Revision 1, and dated February 20, 1995. Perform the inspections in accordance with the service bulletin.

(b) Perform a visual and an eddy current inspection to detect cracks and/or corrosion of Area 3 of the lower horizontal-stabilizer cutout longeron, as defined in Airbus Service Bulletin A300–53–6042, Revision 1, dated February 20, 1995. Perform these inspections in accordance with the service bulletin, at the later of the times specified in paragraph (b)(1) and (b)(2) of this AD.

(1) Prior to the accumulation of 24,000 total landings, but not before the accumulation of 18,000 total landings; or

(2) Prior to the accumulation of 2,000 landings after the effective date of this AD.

(c) If no cracking is detected during any inspection required by this AD: Prior to further flight, cold work and ream the vacated fastener holes, in accordance with

Airbus Service Bulletin A300–53–6042, Revision 1, dated February 20, 1995; and perform the requirements of paragraph (c)(1) or (c)(2) of this AD, as applicable.

(1) For airplanes on which no cracking is found in Area 1 or 2: Repeat the inspections required by paragraph (a) of this AD thereafter at intervals not to exceed 6,000 flight cycles.

(2) For airplanes on which no cracking is found in Area 3: Perform the various follow-on actions in accordance with the service bulletin. (The follow-on actions include installing a new corner fitting, installing a new longeron and performing a cold working procedure.) After accomplishment of these follow-on actions, no further action is required by this AD.

(d) If any cracking is detected during any inspection required by this AD, perform the requirements of paragraph (d)(1) or (d)(2) of this AD, as applicable.

(1) If any cracking is found in Area 1 or 3 that is within the limits specified in Airbus Service bulletin A300–53–6042, Revision 1, dated February 20, 1995: Prior to further flight, repair in accordance with the service bulletin.

(2) If any cracking is found in Area 2, or if any cracking is found in any area and that cracking is beyond the limits described in Airbus Service Bulletin A300–53–6042, Revision 1, dated February 20, 1995: Prior to further flight, repair in accordance with a method approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(e) If any corrosion is detected during any inspection required by this AD, prior to further flight, repair the corrosion in accordance with Airbus Service Bulletin A300–53–6042, Revision 1, dated February 20, 1995.

(f) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(g) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on December 6, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–30212 Filed 12–11–95; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 64 and 68

[CC Docket No. 87–124; FCC 95–474]

Access to Telecommunications Equipment and Services by Persons With Disabilities (Hearing Aid Compatibility)

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: On November 28, 1995, the Commission adopted a Notice of Proposed Rulemaking (NPRM) regarding hearing aid compatibility of wireline telephones. Rules proposed in the NPRM would require that all wireline telephones in the workplace, confined settings (e.g., hospitals, nursing homes) and hotels and motels eventually would be hearing aid compatible and have volume control. This NPRM contains proposed or modified information collections subject to the Paperwork Reduction Act of 1995 (PRA). It has been submitted to the Office of Management and Budget (OMB) for review under Section 3507(d) of the PRA. OMB, the general public, and other Federal agencies are invited to comment on the proposed or modified information collections contained in this proceeding.

DATES: Written comments by the public on the NPRM and on the proposed and/or modified information collections are due on or before January 12, 1996, and reply comments are due on or before February 16, 1996. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before February 12, 1996.

ADDRESSES: Office of the Secretary, Room 222, Federal Communications Commission, 1919 M Street, NW, Washington, DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, N.W., Washington, DC 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725–17th Street, N.W., Washington, DC 20503 or via the Internet to fain-t@al.eop.gov.

FOR FURTHER INFORMATION CONTACT: Greg Lipscomb, Attorney, 202/418–2340, Fax 202/418–2345, TTY 202/418–0484, glipscom@fcc.gov, Network Services

Division, Common Carrier Bureau. For additional information concerning the information collections contained in this NPRM contact Dorothy Conway at 202-418-0217, or via the Internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION: This summarizes the Commission's Notice of Proposed Rulemaking in the matter of Access to Telecommunications Equipment and Services by Persons With Disabilities, (CC Docket 87-124, adopted November 28, 1995, and released November 28, 1995). The file is available for inspection and copying during the weekday hour of 9 a.m. to 4:30 p.m. in the Commission's Reference Center, Room 239, 1919 M Street, N.W., or copies may be purchased from the Commission's duplicating contractor, ITS, Inc., 2100 M Street, N.W., Suite 140, Washington D.C. 20037, phone 202/857-3800.

Paperwork Reduction Act of 1995

This NPRM contains either a proposed or modified information collection. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collections contained in this NPRM, as required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13. Public and agency comments are due at the same time as other comments on this NPRM; OMB comments are due 60 days from date of publication of this NPRM in the Federal Register. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

OMB Approval Number: NA.

Title: Access to Telecommunications Equipment and Services by Persons With Disabilities, CC Docket No. 87-124.

Form No.: NA.

Type of Review: New Collection.

Respondents: Businesses or other for profit.

Number of Respondents: 806,100.

Estimated Time per Response: 2 hours.

Total Annual Burden: 1,635,000 hours.

Needs and Uses: The manufacturing date stamp on telephone equipment is needed for, and will be used for, determining whether a particular telephone is hearing aid compatible. The designation of emergency use hearing aid compatible telephones is needed to provide access to workplace emergency telephones for persons with hearing disabilities until workplaces are required to provide that all workplace telephones are hearing aid compatible. The equipment packaging and instructions information is needed to alert consumers in cases where a packaged telephone is not hearing aid compatible.

Analysis of Proceeding: In 1992, the Commission adopted rules implementing the Hearing Aid Compatibility Act of 1988, 47 U.S.C. § 610 (HAC Act). In 1993, the Commission suspended portions of the 1992 rules because petitions filed by establishments affected by the regulations stated that the establishments were encountering serious difficulties in their attempts to comply. On March 27, 1995, the Commission announced that an advisory committee, the Hearing Aid Compatibility Negotiated Rulemaking Committee (Committee), would consider whether the rule suspension should be lifted and whether new rules should be proposed. (See 59 FR 60343 (Nov. 23, 1994); 58 FR 1539 (March 27, 1995); and 60 FR 27945 (May 26, 1995). The Committee represented the views and interests of all interested parties, including those of the Commission, telephone equipment manufacturers, employers, hospitals, nursing homes, hotels and motels, and persons with disabilities. The Committee's recommendations, adopted by unanimous consent, were filed with the Commission in the Committee's Final Report of August, 1995. The NPRM reflects the recommendations of the Committee.

The NPRM seeks comment first, on the Committee's proposal to require hearing aid-compatible telephones in: (1) The non-common areas of the workplace; (2) the patient and residential rooms of confined settings, such as hospitals and nursing homes; and (3) the guest rooms of hotels and motels. Second, the NPRM seeks comment on a proposal that all replacement telephones and all newly purchased telephones should be equipped with volume control, in addition to having electro-magnetic coil hearing aid-compatibility. The NPRM also seeks comment on a proposed rule that would require that all telephones manufactured or imported for use in the

United States have a volume control feature, and includes a proposed technical specification for volume control. Third, the NPRM seeks comment on a proposal to modify our rules governing telephone equipment labelling requirements. Fourth, the NPRM seeks comment on proposals to implement additional recommendations of the Committee regarding consumer education. Finally, the NPRM seeks comment on proposed amendments to existing hearing aid compatibility rules for the purpose of clarification.

The proposed rules provide, in general, that all wireline telephones in the workplace, in confined settings, and in hotels and motels eventually would be hearing aid compatible, as defined at 47 C.F.R. Section 68.316 (electromagnetic coil compatibility). The proposed rules would require no testing or retrofitting of existing workplace telephones. Instead, the proposed rules set deadlines that are beyond the normal life-cycle times for the telephones in these establishments to be replaced. The proposed rules also would require volume control for newly acquired and replacement telephones in these establishments, once the Commission's technical standards and implementation rules for volume control are in place. Replacement or retrofitting for volume control also would not be required, and existing inventories of telephones would not be affected by the volume control requirement. The NPRM states that the volume control feature could assist many telephone users, whether they have hearing disabilities, and whether they rely on telephones that are hearing aid compatible. The rules are necessary to implement the Hearing Aid Compatibility Act of 1988. If adopted, the proposed rules would increase access by persons with hearing disabilities to telephones provided for emergency use.

Under the proposed rules, most workplace telephones would be required to be hearing aid compatible by January 1, 2000. In harmony with the provisions of the Americans With Disabilities Act of 1990, establishments with fewer than fifteen employees would be exempt from these requirements. After the applicable date for having hearing aid compatible telephones, employers could presume that their telephones were hearing aid compatible. Any person legitimately on the premises could challenge this presumption with a good faith request for a hearing aid compatible telephone. Upon receipt of such a request, the employer would have fifteen working days to replace any particular telephone

that turns out not to be hearing aid compatible.

For confined settings, the proposed rules would require that establishments with fifty or more beds make their telephones hearing aid compatible within one year of the Commission's implementing Order, while those with fewer than fifty beds would have to comply within two years. Telephones in all confined setting establishments would be exempt if alternate signalling devices were available, monitored and working, or if a resident brought in and maintained his or her own telephone equipment.

The proposed rules would require that hotels and motels with eighty or more guest rooms be required to provide hearing aid compatible telephones within two years of the Commission's implementing Order, while those with fewer than eighty guest rooms would have three years to do so. Upon the effective date of these proposed rules, generally twenty percent of guest rooms must have telephones that are hearing aid compatible.

The proposed rules do not address wireless telephone hearing aid compatible issues, because those are being addressed by the Commission's Wireless Telecommunications Bureau.

Initial Regulatory Flexibility Analysis

As required by Section 603 of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601 *et seq.*, the Commission has prepared an Initial Regulatory Flexibility Analysis ("IRFA") of the expected impact on small entities of the proposals suggested in this document. The IRFA is set forth in Appendix C of the NPRM. Written public comments are requested in the IRFA. These comments must be filed in accordance with the same filing procedures as other comments in this proceeding, but they also must have a separate and distinct heading designating them as responses to the Initial Regulatory Flexibility Analysis.

Reason for Action: The NPRM responds to the recommendations of the Hearing Aid Compatibility Negotiated Rulemaking Committee. Pursuant to the Negotiated Rulemaking Act, the Commission is obligated to initiate this rulemaking proceeding.

Objectives: The objective of this proposal is to provide greater access to the telephone network by persons with hearing disabilities, while at the same time balancing the needs of establishments that must provide hearing aid-compatible telephones.

Legal Basis: The proposed action is authorized under Sections 1, 201-205, and 218 of the Communications Act of

1934, as amended, 47 U.S.C. Sections 151, 154, 201-205, and 218.

Reporting, Record Keeping and Other Compliance Requirements: The proposed rules would require manufacturers and importers of telephones for use in the United States to provide volume control with their equipment after a certain date. Such telephone equipment manufacturers and importers also would be required to display on their equipment the date of manufacture. In addition, workplaces with fifteen or more employees, confined setting establishments and hotels and motels would have to provide hearing aid-compatible telephones after certain dates.

Federal Rules Which Overlap, Duplicate, or Conflict with These Rules: None.

Description, Potential Impact and Number of Small Entities Involved: The proposals set forth in this Notice may have an economic impact on workplaces with fifteen or more employees, confined setting establishments and hotels and motels. These establishments eventually may be required to replace some or all of their existing telephones with telephones that are hearing aid-compatible, including telephones that have volume control. These proposals also may make it easier for these establishments to acquire employees and generate business.

Any Significant Alternatives Minimizing the Impact on Small Entities, Consistent with Stated Objectives: None.

List of Subjects

47 CFR Part 64

Communications common carriers, Handicapped, Telephone, Hearing aid compatibility.

47 CFR Part 68

Administrative practice and procedure, Communications common carriers, Communications equipment, Reporting and recordkeeping requirements, Telephone, Hearing aid compatibility, Volume control.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-30374 Filed 12-11-95; 8:45 am]

BILLING CODE 6712-01-P

47 CFR Part 73

[MM Docket No. 95-175; RM-8707]

Radio Broadcasting Services; Ada, Newcastle, Watonga, OK

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Tyler Broadcasting Corporation requesting the reallocation of Channel 227C1 from Ada, OK, to Newcastle, OK, as the community's first local aural broadcast service, and the modification of Station KTLS' license to specify Newcastle as its community of license. To accommodate the allotment at Newcastle, the Commission also proposes the substitution of Channel 230A for Channel 228A at Watonga, OK, and the modification of Station KIMY's license to specify the alternate Class A channel. Channel 227C1 can be allotted to Newcastle in compliance with the Commission's minimum distance separation requirements with a site restriction of 7.5 kilometers (4.7 miles) south, at coordinates 35-10-44 NL; 97-36-03 WL, to accommodate petitioner's desired transmitter site. Channel 230A can be allotted to Watonga at Station KIMY's licensed transmitter site, at coordinates 35-54-17 NL; 98-23-09 WL.

DATES: Comments must be filed on or before January 29, 1996, and reply comments on or before February 13, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Gary S. Smith, Esq., Smithwick & Belendiuk, P.C., 1990 M Street, NW., Suite 510, Washington, DC 20036 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-175, adopted November 21, 1995, and released December 6, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC 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 contractor, International Transcription Services, Inc., (202) 857-