

Register as of December 18, 1995. (60 FR 61645, December 1, 1995) in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from McCauley Accessory Division, The Cessna Aircraft Company, 3535 McCauley Dr., Vandalia, OH 45377-0430; telephone (513) 890-5246, fax (513) 890-6001. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(j) This amendment becomes effective on April 12, 1996.

Issued in Burlington, Massachusetts, on April 1, 1996.

Jay J. Pardee,

*Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 96-8951 Filed 4-11-96; 8:45 am]

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Development Section, Air Programs Branch (AR-18J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604. Telephone: (312) 353-6680.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Transportation conformity, Hydrocarbons, Intergovernmental relations, Oxides of Nitrogen, Ozone, Volatile organic compounds.

Authority: 42 U.S.C. 7401-7671q.

Dated: March 21, 1996.

Valdas V. Adamkus,  
*Regional Administrator.*

[FR Doc. 96-9163 Filed 4-11-96; 8:45 am]

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from the Office of General Counsel, that the bureaus only be authorized to issue "non-hearing-related" subpoenas, and that the bureaus have a broad delegation of subpoena authority over matters within their jurisdiction. The Commission will amend its rules for the purpose of authorizing the Chief of the Common Carrier Bureau, with the approval of the Office of the General Counsel, to issue non-hearing related subpoenas for the attendance of witnesses and the production of documents deemed relevant by the Bureau, to add language making it consistent with the Commission's *Amendment of Part 0*.

**EFFECTIVE DATE:** April 12, 1996.

**FOR FURTHER INFORMATION CONTACT:** Heather McDowell, Enforcement Division, Common Carrier Bureau, (202) 418-0960.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's order in FCC 95-471, adopted November 27, 1995, and released February 9, 1996. The full text of the rule is available for inspection and copying during normal business hours in the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. 20554. The full text of this rule may also be purchased from the Commission's duplicating contractor, International Transcription Services, 2100 M Street, N.W., Suite 140, Washington, D. C. 20037, (202) 857-3800.

#### Summary of Order

1. In this Order on Reconsideration, the Commission addresses petitions filed by ICORE and the Personal Communications Industry Association ("PCIA") seeking reconsideration of the Commission's order ("*Subpoena Order*") (59 FR 66487, published December 27, 1994) delegating certain investigative authority to the Chief, Common Carrier Bureau ("Bureau"). For the reasons set forth below, the Commission denies both petitions. The Commission does, however, on its own motion, add several modifications to the Bureau's delegated authority to issue subpoenas.

2. In its petition, PCIA argues that the Commission should reconsider its delegation of subpoena authority to the Bureau and should instead issue a notice of proposed rulemaking to solicit comment on the proper scope of the delegation and to allow for an exploration of the concerns as well of the benefits of such a delegation. ICORE, in its petition, asserts that the delegation of subpoena authority to the Bureau is unconstitutional to the extent that it can be construed as applicable to the

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[MI40-02-7253; FRL-5456-2]

#### State of Michigan: Withdrawal of Direct Final Action

**AGENCY:** United States Environmental Protection Agency (USEPA).

**ACTION:** Withdrawal of direct final action.

**SUMMARY:** On February 14, 1996, the USEPA published a proposed rule (61 FR 5724) and a direct final rule (61 FR 5694) approving State Implementation Plan (SIP) revision for the State of Michigan which was submitted pursuant to the USEPA transportation conformity rules set forth at 40 CFR part 51 subpart T—Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Act. The USEPA is withdrawing the final rule due to adverse comments and will summarize and address all public comments received in a subsequent final rule (based upon the proposed rule cited above).

**EFFECTIVE DATE:** This withdrawal of the direct final action will be effective April 12, 1996.

**ADDRESSES:** Copies of the documents relevant to this action are available for public inspection during normal business hours at the following location: United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

**FOR FURTHER INFORMATION CONTACT:** Michael G. Leslie, Regulation

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 0

[FCC 95-471]

#### Authority To Issue Subpoenas

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; Order on Reconsideration.

**SUMMARY:** The Commission ruled on two petitions for reconsideration of its earlier order (FCC 94-319; released November 21, 1994) adopting rules to permit the Chief, Common Carrier Bureau, to issue subpoenas in matters involving allegations of unlawful conduct by common carriers under Title II of the Communications Act of 1934, as amended. One petitioner argued that the Commission should reconsider its delegation of authority and should issue a notice of proposed rulemaking to solicit comments on the proper scope of delegation. The other petitioner argued that the delegation of subpoena power is unconstitutional and that the Commission should limit the scope of subpoena power granted to the Bureau accordingly. The Commission found that the petitioners arguments were without merit. The Commission decided on reconsideration, however, that some modification of the earlier order was appropriate. On its own motion, the Commission issued an order ("*Amendment of Part 0*") delegating similar authority to other bureaus within the Commission (FCC 95-213; released June 9, 1995). This modification of the rules required that the delegation of authority to other bureaus be conditioned on an approval