

entrants are not analogous to traditional commercial negotiations in which each party owns or controls something the other party desires. Under section 251, monopoly providers are required to make available their facilities and services to requesting carriers that intend to compete directly with the incumbent LECs for their customers and, consequently, incumbents have strong incentives to resist such obligations. Our national rules serve the critical role of equalizing bargaining power by establishing certain baseline principles that will "reduce delay and lower transaction costs"—burdens that we have found "impose particular hardships for small entities that are likely to have less of a financial cushion than larger entities." A stay would undermine that critical role at a most important time, disproportionately harming the competition that the statute contemplates from new entrants.

31. Moreover, Congress made clear that *it* wants our rules to be in place at this critical time. Congress specifically ordered the Commission to "complete all actions necessary to establish regulations to implement the requirements" of section 251 by August 8, 1996. It explained that it is "important that the Commission rules to implement new section 251 be promulgated within six months after the date of enactment, so that potential competitors will have the benefit of being informed of the Commission's rules in requesting access and interconnection before the statutory window in new section 271(c)(1)(B) shuts." Section 271(c)(1)(B) authorizes a Bell Operating Company (BOC) to apply for approval to offer in-region interLATA telecommunications services if it does not receive a request for access and interconnection from a facilities-based competitor within seven months after enactment. In section 252(c)(1), Congress further ordered state arbitrators resolving interconnection disputes and imposing conditions on telecommunications companies to "ensure that such resolution and conditions meet the requirements of section 251, including the regulations prescribed by the Commission." Under the statute, those state arbitrators must "conclude the resolution of any unresolved issues not later than 9 months after the date on which the local exchange carrier received the [interconnection] request." Because many LECs requested interconnection shortly after the enactment of the 1996 Act on February 8, 1996 (with the consequence that arbitration of such requests must be completed soon), a

stay of our rules would frustrate implementation of the procedure established by Congress. As a matter of mathematical certainty, the arbitrations cannot be completed on the timetable established by Congress—with the arbitrators ensuring that the agreements reflect the regulations prescribed by the Commission, as Congress directed in section 252(c)(1)—if the regulations are stayed.

#### IV. Ordering Clauses

32. Accordingly, *it is ordered* that the joint motion for stay filed by GTE Corporation and the Southern New England Telephone Company is denied.

33. *It is further ordered* that the motion for stay filed by U S West, Inc., is denied.

#### List of Subjects in 47 CFR Part 51

Communications common carriers, Telephone.

Federal Communications Commission.

William F. Caton,

*Acting Secretary.*

[FR Doc. 96-26517 Filed 10-16-96; 8:45 am]

BILLING CODE 6712-01-P

#### 47 CFR Part 73

[MM Docket No. 96-44; RM-8745]

#### Television Broadcasting Services; Woodward, OK

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Channel 35 Broadcasters, allots UHF TV Channel 35+ to Woodward, OK, as the community's second local and first commercial television service. See 61 FR 10978, March 18, 1996. Channel 35+ can be allotted to Woodward in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 36-26-12 NL; 99-23-26 WL. This allotment is not affected by the Commission's temporary freeze on new television allotments in certain metropolitan areas. See *Order*, 52 FR 28346, July 29, 1987. With this action, this proceeding is terminated.

**DATES:** Effective November 12, 1996. The period for filing applications will open on November 12, 1996. If no acceptable applications are filed by December 13, 1996, there will be no additional opportunity to file applications for this channel allotment.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 96-44, adopted September 20, 1996, and released September 27, 1996. 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 Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

#### List of Subjects in 47 CFR Part 73

Television broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

#### § 73.606 [Amended]

2. Section 73.606(b), the Table of Television Allotments under Oklahoma, is amended by adding Channel 35+ at Woodward.

Federal Communications Commission.

John A. Karousos,

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 96-26519 Filed 10-16-96; 8:45 am]

BILLING CODE 6712-01-F

#### DEPARTMENT OF TRANSPORTATION

#### Surface Transportation Board

#### 49 CFR Parts 1070 and 1071

[STB Ex Parte No. 557]

#### Removal of Obsolete Regulations Concerning Water Carriers

**AGENCY:** Surface Transportation Board, Transportation.

**ACTION:** Final rule.

**SUMMARY:** The Surface Transportation Board (Board) is removing from the Code of Federal Regulations obsolete regulations exempting certain water carrier operations.

**EFFECTIVE DATE:** October 17, 1996.

**FOR FURTHER INFORMATION CONTACT:** Beryl Gordon, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]