

we collect annually in connection with the TRS. According to our most recent data, 30 companies reported that they were engaged in the provision of competitive access services. Although it seems certain that some of these carriers are not independently owned and operated, or have more than 1,500 employees, we are unable at this time to estimate with greater precision the number of CAPs that would qualify as small business concerns under SBA's definition. Consequently, we estimate that there are fewer than 30 small entity CAPs.

**Small Businesses (Workplaces):** Workplaces encompass establishments for profit and nonprofit, plus local, state and federal governmental entities. SBA guidelines to the SBREFA state that about 99.7 percent of all firms are small and have fewer than 500 employees and less than \$25 million in sales or assets. There are approximately 6.3 million establishments in the SBA database.

**Interexchange Carriers:** Neither the Commission nor SBA has developed a definition of small entities specifically applicable to providers of interexchange services (IXCs). The closest applicable definition under SBA rules is for telephone communications companies other than radiotelephone (wireless) companies. The most reliable source of information regarding the number of IXCs nationwide of which we are aware appears to be the data that we collect annually in connection with TRS. According to our most recent data, 97 companies reported that they were engaged in the provision of interexchange services. Although it seems certain that some of these carriers are not independently owned and operated, or have more than 1,500 employees, we are unable at this time to estimate with greater precision the number of IXCs that would qualify as small business concerns under SBA's definition. Consequently, we estimate that there are fewer than 97 small entity IXCs that may be affected by the decisions and rules proposed in the NPRM.

**Description of Projected Reporting, Recordkeeping and Other Compliance Requirements:** The rule which the Commission proposes would reduce substantially reporting and recordkeeping because non-ILEC providers of interstate exchange access services would no longer file tariffs with the Commission.

**Steps Taken to Minimize Any Significant Economic Impact on Small Entities, and Significant Alternatives Considered:** The Commission has considered, as alternatives, requiring either mandatory tariffing or permissive

detariffing. Each of these options, however, would maintain an economic burden on a substantial number of small entities. We believe that this burden would be detrimental to small carriers because they would need to expend resources to file tariffs, and we have tentatively concluded that such filings are no longer in the public interest.

**Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules:** The Commission is proposing to adopt complete detariffing for the provision of exchange access services by non-ILECs. We are aware of no rules that may duplicate, overlap, or conflict with the proposed rules. We seek comment on this conclusion.

#### **Paperwork Reduction Act**

Complete detariffing for non-ILEC providers of interstate access would eliminate requirements that these carriers file tariffs.

#### **Synopsis of Notice of Proposed Rulemaking**

The Commission tentatively concludes that complete detariffing for non-ILECs would provide the benefits identified in its June 19, 1997 Memorandum Opinion and Order adopting permissive detariffing: reduction of transaction costs for providers; reduction of administrative burdens for service providers; permitting rapid response to market conditions through elimination of costs on carriers that attempt to make new offerings; and, facilitating entry by new providers. The Commission also tentatively concludes that complete detariffing for those carriers could offer additional public interest benefits beyond those of permissive detariffing. Complete detariffing could preclude carriers from attempting to use the filed rate doctrine to nullify contractual arrangements, and remove uncertainty about the application of the doctrine to tariffed arrangements that are filed on a permissive basis. Complete detariffing could also eliminate any threat of price coordination through tariffing. Complete detariffing could also reduce the administrative burden on the Commission of maintaining the tariff filing program. Although permissive detariffing would cause some reduction in the resources expended for tariff filing, complete detariffing would eliminate administration of all but ILECs' tariffs. The Commission seeks comment on these tentative conclusions and any other potential benefits to be derived from a policy of complete detariffing. The Commission also solicits comment on whether we should require any non-ILEC providers of

interstate exchange access services subject to any degree of tariff forbearance to make rates available to the Commission and to interested persons upon request.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 97-18882 Filed 7-16-97; 8:45 am]

BILLING CODE 6712-01-P

## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 73**

[MM Docket No. 89-585; RM-7035, RM-7320]

#### **Radio Broadcasting Services; Sandy Springs, GA; and Anniston and Lineville, AL**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; application for review of denial of counterproposal.

**SUMMARY:** This document dismisses an Application for Review filed by Sapphire Broadcasting, Inc. (formerly Emerald Broadcasting of the South, Inc.) directed to an earlier *Report and Order* which denied a counterproposal for FM channel allotments to Sandy Springs, Georgia, and Anniston and Lineville, Alabama (56 FR 56490, November 5, 1991). With this action, the proceeding is terminated.

**FOR FURTHER INFORMATION CONTACT:** Robert Hayne, Mass Media Bureau, (202) 418-2177.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Memorandum Opinion and Order*, MM Docket No. 89-585, adopted June 20, 1997, and released June 27, 1997. The full text of this decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 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, (202) 857-3800, 2100 M Street, NW, Washington, DC 20037.

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

Radio broadcasting.

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

Federal Communications Commission.

**Douglas W. Webbink,**

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

[FR Doc. 97-17887 Filed 7-16-97; 8:45 am]

BILLING CODE 6712-01-U