

may maintain its then existing rates. After exceeding the 15,000 subscriber limit, any further rate adjustments shall not reflect increases in external costs, inflation or channel additions until the system has re-established initial permitted rates in accordance with some other method of rate regulation prescribed in this subpart.

[FR Doc. 97-27151 Filed 10-14-97; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 285

[I.D. 100797B]

#### Atlantic Tuna Fisheries; Atlantic Bluefin Tuna General Category

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Opening of the New York Bight fishery.

**SUMMARY:** NMFS opens the Atlantic bluefin tuna (ABT) General category New York Bight fishery. This action is being taken to extend the season for the General category, provide for fishing opportunities in the New York Bight area, and ensure additional collection of biological assessment and monitoring data.

**DATES:** Effective October 9, 1997, 1 a.m. local time until December 31, 1997, or until the date, published in the **Federal Register**, that the set-aside quota is determined to have been taken.

**FOR FURTHER INFORMATION CONTACT:** Sarah McLaughlin, 301-713-2347, or Pat Scida, 508-281-9260.

**SUPPLEMENTARY INFORMATION:**

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) governing the harvest of ABT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 285. Section 285.22 subdivides the U.S. quota recommended by the International Commission for the Conservation of Atlantic Tunas among the various domestic fishing categories.

Implementing regulations for the Atlantic tuna fisheries at 50 CFR 285.22 provide for a subquota of 72 mt of large medium and giant ABT to be harvested from the regulatory area by vessels permitted in the General category during the period beginning October 1 and ending December 31. Due to an

overharvest of 1 mt in the September period subquota, and the transfer of 70 mt from other categories (62 FR 51608, October 2, 1997), the October-December period subquota was adjusted to 141 mt. The October-December subquota is divided into a coastwide subquota of 131 mt and 10 mt for the traditional fall New York Bight set-aside area, defined as the waters south and west of a straight line originating at a point on the southern shore of Long Island at 72°27' W. long. (Shinnecock Inlet) and running SSE 150° true, and north of 38°47' N. lat. (Delaware Bay).

NMFS previously announced the closure of the General category fishery for the October-December time period effective October 5, 1997, which published in the **Federal Register** on October 9, 1997. After tallying the landings following the closure, NMFS has determined the remaining unharvested coastwide quota (approximately 10 mt) is insufficient to warrant a reopening of the coastwide General category because daily catch rates in September and October have averaged 30 mt.

The New York Bight set-aside of 10 mt will open effective Thursday, October 9, at 1 a.m. local time. Upon the effective date of the New York Bight set-aside, persons aboard vessels permitted in the General category may fish for, retain, possess, or land large medium and giant ABT only in the New York Bight set-aside area specified above, until the set-aside quota for that area has been harvested. ABT harvested from waters outside the defined set-aside area may not be brought into the set-aside area. Vessels permitted in the Charter/Headboat category, when fishing for large medium and giant ABT, are subject to the same rules as General category vessels when the General category is open.

The announcement of the closure date will be filed with the Office of the Federal Register, and further communicated through the Highly Migratory Species (HMS) Fax Network, the HMS Information Line, NOAA weather radio, and Coast Guard Notice to Mariners. Although notification of closure will be provided as far in advance as possible, fishermen are encouraged to call the HMS Information Line to check the status of the fishery before leaving for a fishing trip. The phone numbers for the HMS Information Line are (301) 713-1279 and (508) 281-9305. Information regarding the Atlantic tuna fisheries is also available toll-free through NextLink Interactive, Inc., at (888) USA-TUNA.

## Classification

This action is taken under 50 CFR 285.22 and is exempt from review under E.O. 12866.

**Authority:** 16 U.S.C. 971 *et seq.*

Dated: October 8, 1997.

**Gary C. Matlock,**

*Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 660

[Docket No. 961227373-6373-01; I.D. 092497C]

#### Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Nontrawl Sablefish Mop-Up Fishery; Announcement of Extension

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Nontrawl sablefish mop-up fishery and delay of the limited entry daily trip limit fishery; announcement of extension.

**SUMMARY:** NMFS announces the extension of and new ending date for the mop-up fishery for nontrawl limited entry sablefish. This action will delay the beginning of the October limited entry daily trip limit fishery. This action is taken in response to unusually bad coastwide weather during the first week of the mop-up fishery. This action is intended to increase safety while providing for harvest of the remainder of the 1997 limited entry nontrawl allocation for sablefish.

**DATES:** This action is effective on October 9, 1997. The nontrawl sablefish mop-up fishery began at 1201 hours local time (l.t.), October 1, 1997, and will end at 1200 hours l.t., October 22, 1997, at which time the limited entry daily trip limit fishery resumes. The daily trip limits for the nontrawl sablefish fishery will remain in effect until the effective date of the 1998 annual specifications and management measures for the Pacific coast groundfish fishery, which will be published in the **Federal Register**. Comments will be accepted through October 22, 1997.

**ADDRESSES:** Comments on these actions should be sent to William Stelle, Jr.,