

Unfunded Mandates

OSM has determined and certifies under the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*) that this rule will not impose a cost of \$100 million or more in any given year on local, state, or tribal governments or private entities.

List of Subjects in 30 CFR Part 913

Intergovernmental relations, Surface mining, Underground mining.

Dated: August 10, 1999.

Charles E. Sandberg,

Acting Regional Director, Mid-Continent Regional Coordinating Center.

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POSTAL SERVICE**39 CFR Part 111****Standards Governing the Design of Curbside Mailboxes**

AGENCY: Postal Service.

ACTION: Notice of intent to establish a Consensus Committee and notice of first meeting.

SUMMARY: The Postal Service intends to establish a Consensus Committee to develop recommendations for revision of USPS STD 7A, which governs the design of curbside mailboxes. The committee will develop and adopt its recommendations through a consensus process. The committee will consist of persons who represent the interests affected by the proposed rule, including mailbox manufacturers, mailbox accessory manufacturers, and postal customers. The purpose of this Notice is to apprise the public of the intent to establish the committee; provide the public with information regarding the committee and the issues to be addressed; solicit public comment on the proposal to establish the committee, the issues to be addressed, and the proposed membership and procedures of the committee; explain how persons may apply or nominate others for membership on the committee; and announce the tentative date of the first committee meeting.

DATES: The Postal Service must receive written comments, requests for representation or membership on the committee, and nominations for membership on the committee no later than September 14, 1999. The first committee meeting is tentatively scheduled for September 15 and 16, 1999.

ADDRESSES: The first committee meeting is tentatively scheduled to be held at

U.S. Postal Service Headquarters, 475 L'Enfant Plaza, SW, Washington, DC 20260. Mail comments and all other communications regarding the committee to Annamarie Gildea, Room 7142, at the same address. Committee documents will be available for public inspection and copying between 9:00 a.m. and 4:00 p.m. weekdays at the address above.

FOR FURTHER INFORMATION CONTACT: Annamarie Gildea, (202) 268-3558.

SUPPLEMENTARY INFORMATION:**I. Background**

U.S. Postal Service Standard, Mailboxes, City and Rural Curbside, USPS STD 7A, governs the design of curbside mailboxes. The current standard, adopted in 1992, prescribes design limitations in terms that are no longer consistent with the operational requirements of the Postal Service. Primary issues to be addressed by the committee will include increasing design flexibility within the Postal Service's operational requirements; simplification and clarification of the standard; revising provisions on secure mailboxes; and adding provisions on accessories and electronic technologies. The committee may also consider other issues at its discretion and within the scope set forth in paragraph II.

II. Scope of the Rule

The contents of the new standard will be limited to regulations on curbside mailbox and accessory design characteristics that affect the operations of the Postal Service. Other issues, including but not limited to design characteristics relating to roadside safety, are not within the scope of the new standard.

III. Consensus Process

In a consensus process, representatives of interests that would be substantially affected by the new rule meet as an advisory committee to negotiate among themselves and with the agency to reach a consensus on a proposed rule. As part of the consensus process, the agency agrees to use the committee's recommendation as the basis of the proposed rule, and each private interest agrees to support the committee's recommendation and the proposed rule to the extent that it reflects the recommendation.

A feasibility study, performed by a neutral convenor, and using the Negotiated Rulemaking Act, 5 U.S.C. 561 *et seq.* as a guide, recommended that the Postal Service initiate a consensus process. In reaching this recommendation, the convenor determined that: (1) There is a need for

the rule; (2) there are a limited number of identifiable interests significantly impacted by the rule; (3) a committee can be created with balanced representation which can represent the identified interests and can negotiate in good faith; (4) consensus on the issues appears likely; (5) the consensus process will not unduly delay the issuance of the rule; (6) the agency has resources and is willing to assist the consensus process; and (7) the agency, within the constraints of the law, will use the advisory committee's consensus as the basis of the rule for notice and comment.

IV. Participants

The committee will include a representative from the Postal Service and representatives, to be selected by the Postal Service, from persons and/or organizations that will be significantly affected by this rule. Each representative may also name an alternate who may attend all committee meetings and will serve in place of the primary representative if necessary. The designated Postal Service representative will be authorized to represent the agency in the committee, and will participate in its activities, discussions, and deliberations.

The convenor has recommended that the Postal Service invite the following organizations to participate in the consensus process. The convenor has contacted these organizations, which have indicated their willingness to serve on the committee. The Postal Service proposes to invite the following organizations to participate in the consensus process:

1. At Ease Technologies, Inc.
2. Cutler Manufacturing Corporation
3. Imperial Mail Box Systems, Inc.
4. Janzer Corporation
5. Magazine Publishers of America
6. National Association of Homebuilders
7. Parcel Shippers Association
8. Steel City Corporation
9. Step 2 Corporation
10. Rubbermaid, Inc.
11. The Solar Group

It is expected that these organizations would represent the following interests:

-Mailbox manufacturers

—Larger general manufacturers
Steel City Corporation
The Solar Group

—Specialty manufacturers—metal
Cutler Manufacturing Corporation
Imperial Mail Box Systems, Inc.
Janzer Corporation

—Specialty manufacturers—non-metal
Step 2 Corporation
Rubbermaid, Inc.

-Accessory manufacturers
At Ease Technologies, Inc.
-Mailers
Magazine Publishers of America
Parcel Shippers Association
-Consumers/Mailbox purchasers
National Association of Homebuilders

I. Tentative Schedule

The first committee meeting is tentatively scheduled for September 15 and 16, 1999 at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, SW, Washington, DC. Subsequent meetings will be scheduled by the committee, at the same location, and are expected to occur approximately four weeks apart through approximately January 2000.

II. Nominations and Applications

Persons and organizations that will be significantly affected by this rule may apply for membership on the committee or nominate another person or organization for membership. Each nomination or application should include: (1) The name of the applicant or nominee and a description of the interests that person or organization represents; (2) evidence that the applicant or nominee is authorized to represent the interests the person proposes to represent; (3) the reasons the applicant or nominator believes its interests or those of its nominee are sufficiently different from those of organizations listed above that those interests would not be adequately represented by the members of the committee as proposed. All nominations and applications must be received by the Postal Service at the address above no later than September 14, 1999. The Postal Service reserves the right to refuse nominations and applications that do not fulfill these requirements. The Postal Service, with the advice of the convenor, will select committee members that provide adequate representation of each significantly affected interest rather than representatives of every individual and organization affected by the rule.

III. Procedures and Guidelines

(A) Facilitator

The Postal Service has selected a neutral, impartial facilitator to serve as chairman of the committee meetings. The facilitator will assist committee members conduct discussions, help committee members define issues and reach consensus, and manage the minutes, agendas, and other records of the committee.

(B) Good Faith

Committee members must be committed to negotiate in good faith and

be authorized by the individuals and/or organization(s) they represent to do so. Therefore, senior individuals within each interest group should be designated to serve on the committee. Also, committee members must commit to support the final consensus recommendation of the committee.

(C) Administrative Support

Administrative support will be provided by the Postal Service at its headquarters offices.

(D) Consensus

"Consensus" is defined for the purposes of this rulemaking as the unanimous concurrence among the committee members unless the committee explicitly adopts a different definition.

(E) Committee Procedures

Under the general guidance of the facilitator, and subject to legal requirements, the committee will establish procedures and ground rules.

(F) Records

The facilitator will prepare minutes of all committee meetings. These minutes will be placed in the public docket for this rulemaking.

Stanley F. Mires,

Chief Counsel, Legislative.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 20

[WT Docket No. 97-207; DA 99-1566]

Calling Party Pays Service Offering in the Commercial Mobile Radio Services

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking; extension of comment period.

SUMMARY: This document extends the time for filing comments and reply comments in this proceeding to the close of business on September 17, 1999, and October 18, 1999, respectively. A modest extension has been granted to allow interested parties more time to provide more substantive and complete comments on the issues associated with Calling Party Pays (CPP).

DATES: Comments are due on or before September 17, 1999 and reply comments are due on or before October 18, 1999.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Joseph Levin or David Siehl, Policy Division, Wireless Telecommunications Bureau (202) 418-1310.

SUPPLEMENTARY INFORMATION: The following synopsis contains the text in chief of the Order Extending Comment and Reply Comment Periods, DA 99-1566, adopted August 6, 1999, and released August 6, 1999, in the proceeding on Calling Party Pays Service Offering in the Commercial Mobile Radio Services, WT Docket No. 97-207. The complete text of the entire released document containing the Order is available for inspection and copying during normal business hours in the FCC Reference Information Center (Courtyard level), 445 12th Street, SW, Washington, DC 20554, and also may be purchased from the Commission's copy contractor, International Transcription Services (ITS, Inc.), (202) 857-3800, 445 12th Street, SW, CY-B400, Washington, DC 20054.

Synopsis of Order Extending Comment and Reply Comment Periods

1. This document extends the time for filing comments and reply comments in the captioned proceeding to the close of business on September 17, 1999, and October 18, 1999, respectively.

2. On July 7, 1999, the Commission released a Notice of Proposed Rulemaking (NPRM) in this proceeding that invited interested parties to comment no later than August 18, 1999, and to reply to filings by other parties no later than September 8, 1999. 64 FR 38396, July 16, 1999.

3. On August 2, 1999, the Personal Communications Industry Association (PCIA) requested an extension of the comment and reply comment dates until September 30, 1999, and October 22, 1999, respectively. PCIA cites the need for additional time to enable it to reflect in its comments the results of studies it is conducting on CPP use in other countries, and on technical and billing issues associated with CPP implementation in the United States.

4. The Policy Division, Wireless Telecommunications Bureau, agrees with PCIA that a modest extension of the comment and reply comment deadlines would enable them and other interested parties to provide more substantive and complete comments on the many issues associated with CPP. Consequently, the grant of an extension of the comment deadlines will enhance the overall quality of the comments and reply comments, and will provide a more complete record for consideration.