

6. Amend § 69.4 by adding paragraph (d) to read as follows:

**§ 69.4 Charges to be filed.**

\* \* \* \* \*

(d) *Recovery of Contributions to the Universal Service Support Mechanisms by Incumbent Local Exchange Carriers.*

(1) Incumbent local exchange carriers may recover their contributions to the universal service support mechanisms through carriers' carrier charges.

(i) Price cap incumbent local exchange carriers may do so by exogenously adjusting the price cap indices of each basket on the basis of relative end-user revenues.

(ii) Non-price cap incumbent local exchange carriers may do so by applying a factor to their carrier common line charge revenue requirements.

(2)(i) In lieu of the carriers' carrier charges described in paragraph (d)(1), incumbent local exchange carriers may recover their contributions to the universal service support mechanisms through explicit, interstate, end-user charges that are equitable and nondiscriminatory.

(ii) To the extent that incumbent local exchange carriers choose to implement explicit, interstate, end-user charges to recover their contributions to the universal service support mechanisms, they must make corresponding reductions in their access charges to avoid any double recovery.

**§ 69.5 [Amended]**

7. In § 69.5, remove and reserve paragraph (d).

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 648**

[Docket No. 990527146-9146-01; I.D. 110199B]

**Fisheries of the Northeastern United States; Atlantic Sea Scallop and Northeast Multispecies Fisheries; Georges Bank Sea Scallop Exemption Program**

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

**ACTION:** Termination of the Georges Bank Sea Scallop Exemption Program.

**SUMMARY:** NMFS issues this announcement that the Regional Administrator, Northeast Regional Office, NMFS (Regional Administrator), has determined that the 387 metric tons (MT) of the total allowable catch (TAC) of yellowtail flounder allowed in the Georges Bank Sea Scallop Exemption Program (Exemption Program) has been projected to be caught as of 0001 hours (local time), November 2, 1999, and entry into the Exemption Program is terminated. Vessels may not declare and begin an Exemption Program trip after midnight (local time), November 2, 1999. Vessels enrolled in the Exemption Program will be required to complete their trip by November 12, 1999 or when the vessel harvests 10,000 lb (4,536.0 kg) of sea scallop meats, whichever comes first. The entire exemption area remains closed to vessels not enrolled in the Exemption Program until midnight (local time), November 12, 1999.

**DATES:** The Georges Bank Sea Scallop Exemption Program is terminated on November 2, 1999.

**FOR FURTHER INFORMATION CONTACT:** Walter J. Gardiner, Fishery Management Specialist, (978) 281-9326.

**SUPPLEMENTARY INFORMATION:** On June 10, 1999, NMFS published a final rule to implement measures contained in

Framework Adjustment 11 to the Atlantic Sea Scallop Fishery Management Plan (FMP) and Framework Adjustment 29 to the Northeast Multispecies FMP (64 FR 31144). This rule, which allows sea scallop dredge vessels access to the Exemption Program area contains a provision to ensure that the yellowtail flounder bycatch/incidental catch remains within the 387 MT total allowable catch (TAC) level established for this fishery. Section 648.58(f)(2) specifies that this mechanism is triggered when the Regional Administrator projects that 387 MT will be caught. Further, this section stipulates that NMFS will publish notification in the **Federal Register** informing the public of the date of the termination of the Exemption Program. Based on an analysis of information obtained through vessel observer reports, the Regional Administrator has determined that 387 MT was reached on November 2, 1999. Vessels may not declare and begin an Exemption Program trip after midnight (local time), November 2, 1999. Therefore, vessels will no longer be allowed to elect to fish in the Exemption Program through their Vessel Monitoring System units after midnight (local time), November 2, 1999. Vessels enrolled in the Exemption Program will be required to complete their trip by November 12, 1999, or when the vessel harvests 10,000 lb (4,536.0 kg) of sea scallop meats, whichever comes first. The entire exemption area remains closed to vessels not enrolled in the Exemption Program until midnight (local time), November 12, 1999.

**Classification**

This action is required by 50 CFR part 648 and is exempt from review under E.O. 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: November 2, 1999.

**Gary C. Matlock,**

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

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