

PART 20—[AMENDED]

1. The authority citation for part 20 continues to read as follows:

47 U.S.C. 154, 160, 251–254, 303, and 332 unless otherwise noted.

2. Section 20.12 is amended by revising paragraphs (a), (b)(1), and (c) to read as follows:

§ 20.12 Resale and roaming.

(a) *Scope of section.* This section is applicable to providers of Broadband Personal Communications Services (part 24, subpart E of this chapter), Cellular Radio Telephone Service (part 22, subpart H of this chapter), and Specialized Mobile Radio Services in the 800 MHz and 900 MHz bands (included in part 90, subpart S of this chapter) if such providers offer real-time, two-way switched voice or data service that is interconnected with the public switched network and utilizes an in-network switching facility that enables the provider to reuse frequencies and accomplish seamless hand-offs of subscriber calls. The scope of paragraph (b) of this section, concerning the resale rule, is further limited so as to exclude from the requirements of that paragraph those Broadband Personal Communications Services C, D, E, and F block licensees that do not own and control and are not owned and controlled by firms also holding cellular, A, or B block licenses.

(b) *Resale.* The resale rule is applicable as follows:

(1) Each carrier subject to paragraph (b) of this section shall not restrict the resale of its services, unless the carrier demonstrates that the restriction is reasonable.

* * * * *

(c) *Roaming.* Each carrier subject to this section must provide mobile radio service upon request to all subscribers in good standing to the services of any carrier subject to this section, including roamers, while such subscribers are located within any portion of the licensee's licensed service area where facilities have been constructed and service to subscribers has commenced, if such subscribers are using mobile equipment that is technically compatible with the licensee's base stations.

[FR Doc. 00–24964 Filed 9–28–00; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[DA No. 00–1208, MM Docket No. 97–116; RM 9050 and RM 9123]

Radio Broadcasting Services; Everglades City, LaBelle, Key West, and Estero, FL; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: The Federal Communications Commission published in the **Federal Register** of June 16, 2000, a document concerning Radio Broadcasting Services in Everglades City, LaBelle, Key West, and Estero, FL. This document contains a correction to that rule.

DATES: Effective July 17, 2000.

FOR FURTHER INFORMATION CONTACT: Orlando Ardon, Office of Managing Director, 202–418–0310.

SUPPLEMENTARY INFORMATION: This document corrects FR Doc. 00–15261, published on June 16, 2000, (65 FR 37709).

On page 37709, in the third column, in § 73.202(b), amendatory instruction No. 2 is corrected to read as follows:

PART 73—[CORRECTED]**§ 73.202 [Corrected]**

2. Section 73.202(b), the Table of FM Allotments under Florida, is amended by removing LaBelle, Channel 223A and adding Estero, Channel 223C3 and by removing Channel 223C1 and adding Channel 224C1 at Key West.

Federal Communications Commission.

William F. Caton,

Deputy Secretary.

[FR Doc. 00–25173 Filed 9–28–00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Federal Railroad Administration****49 CFR Part 240****FRA Docket No. RSOR–9, Notice 13**

[RIN 2130–AA74]

Qualification and Certification of Locomotive Engineers; Corrections

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Final rule; corrections.

SUMMARY: FRA published in the **Federal Register** of November 8, 1999, (64 FR

60966), a document making miscellaneous amendments to its requirements for the qualification and certification of locomotive engineers (49 CFR part 240). Inadvertently, mistakes were made in four different items in that publication.

First, in § 240.7, a revised definition of locomotive is missing a parenthesis.

Second, in § 240.7, an added definition of service has one misplaced quotation mark.

Third, a new § 240.309(e)(6) was published without describing the amendment as a revision of the existing paragraph (e)(6). Without a correction, the section would contain two different paragraphs numbered (e)(6). This document removes the older paragraph (e)(6).

Fourth, two revisions were made to the penalty schedule regarding § 240.123 without describing the amendments. Without a correction, the penalty schedule would not be amended; instead, the revision would be published separately after the penalty schedule.

DATES: Effective on September 29, 2000.

FOR FURTHER INFORMATION CONTACT: Alan H. Nagler, Trial Attorney, Office of Chief Counsel, FRA, 400 Seventh Street, S.W., RCC–11, Mail Stop 10, Washington, DC 20590 (telephone: 202–493–6049).

SUPPLEMENTARY INFORMATION: FRA published a document in the **Federal Register** of November 8, 1999, (64 FR 60966) amending § 240.7. A revised definition of locomotive was published. However, the revision was missing a parenthesis. A second close parenthesis should have been added prior to the colon.

FRA published a document in the **Federal Register** of November 8, 1999, (64 FR 60966) amending § 240.7. A definition of service was added. However, the new definition has one misplaced quotation mark. The last sentence should only have quotation marks around the word “filing” instead of quotation marks around the phrase “filing in this section.”

FRA published a document in the **Federal Register** of November 8, 1999, (64 FR 60966) amending § 240.309. This section was amended by revising paragraphs (e), (e)(3), (e)(5), (e)(7), and (e)(8), removing paragraph (e)(10) and correcting a clerical error, which had created a second paragraph (e), by redesignating this second paragraph (e) as paragraph (h). A paragraph numbered (e)(6) was published without an explanation of how to treat it in the amendatory language. Although this mistake occurred, the preamble in that

document explained that FRA intended to revise paragraph (e)(6). This correction removes the old paragraph (e)(6) so that only the revised paragraph (e)(6) that was published on November 8, 1999, will remain part of the rule.

FRA published a document in the **Federal Register** of November 8, 1999, (64 FR 60966) amending "Appendix A to Part 240-Schedule of Civil Penalties." The appendix was amended by "adding penalty entries for §§ 240.104 and 240.231 and by revising the penalty entries for §§ 240.105, 240.111, 240.117, 240.121, 240.225, 240.229, 240.305, 240.307, 240.309 and footnote number 1." Two revisions to § 240.123 were published without any explanation of how to treat them in the amendatory language. By revising the penalty schedule for this section, the paragraph citations will match up better with the paragraphs cited to in the regulatory text. The sum total of these corrections are to change "(a)" to "(b)" and "(b)" to "(c)." Thus, only the revised penalty schedule entry for § 240.123 that was published on November 8, 1999, will remain part of the rule.

Corrections:

1. In rule FR Doc. 99-28930 published on November 8, 1999, (64 FR 60966) make the following correction. On page 60989, in the first column, item 5, add a close parenthesis to the introductory text of the revised definition of locomotive just prior to the colon, so that it reads:

* * * * *

Locomotive means a piece of on-track equipment (other than specialized roadway maintenance equipment or a dual purpose vehicle operating in accordance with § 240.104(a)(2));

* * * * *

2. In rule FR Doc. 99-28930 published on November 8, 1999, (64 FR 60966) make the following correction. On page 60989, in the second column, item 5, correct the definition of service so that the last sentence reads:

* * * * *

* * * See also the definition of "filing" in this section.

* * * * *

3. In rule FR Doc. 99-28930 published on November 8, 1999, (64 FR 60966) make the following correction. On page 60994, in the third column, item 26, add "(e)(6)," after the phrase "[s]ection 240.309 is amended by revising paragraphs (e) introductory text, (e)(3), (e)(5)."

4. In rule FR Doc. 99-28930 published on November 8, 1999, (64 FR 60966) make the following correction. On page

60995, in the third column, item 30, add "240.123," after the phrase "Appendix A to part 240 is amended by adding penalty entries for §§ 240.104 and 240.231 and by revising the penalty entries for §§ 240.105, 240.111, 240.117, 240.121."

Dated: September 21, 2000.

S. Mark Lindsey,
Chief Counsel.

[FR Doc. 00-24706 Filed 9-28-00; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 531

[Docket No. NHTSA-99-6676; Notice 2]

Passenger Automobile Average Fuel Economy Standards; Final Decision to Grant Exemption

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule.

SUMMARY: This final decision responds to a petition filed by DeTomaso Automobiles, Ltd. (DeTomaso) requesting that it be exempted from the generally applicable average fuel economy standard of 27.5 miles per gallon (mpg) for model years (MYs) 2000 and 2001 and that lower alternative standards be established. In this document, NHTSA establishes an alternative standard for DeTomaso (now operating as the Qvale Automotive Group (QAG)) of 22.0 mpg for MYs 2000 and 2001.

DATES: *Effective date:* November 13, 2000. This exemption and the alternative standards apply to QAG for MYs 2000 and 2001.

Petitions for reconsideration: Petitions for reconsideration must be received no later than November 13, 2000.

ADDRESSES: Petitions for reconsideration of this rule should refer to the docket number and notice number cited in the heading of this notice and must be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington DC 20590.

FOR FURTHER INFORMATION CONTACT: Mr. Sanjay Patel, Office of Planning and Consumer Programs, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Mr. Patel's telephone number is: (202) 366-0307.

For legal issues, you may contact Otto Matheke, Office of the Chief Counsel, NHTSA, Room 5219, 4000 Seventh

Street, SW., Washington, DC 20590. Mr. Matheke's telephone number is: 202-366-5263.

SUPPLEMENTARY INFORMATION:

Statutory Background

Pursuant to 49 U.S.C. section 32902(d), NHTSA may exempt a low volume manufacturer of passenger automobiles from the generally applicable average fuel economy standards if NHTSA concludes that those standards are more stringent than the maximum feasible average fuel economy for that manufacturer and if NHTSA establishes an alternative standard for that manufacturer at its maximum feasible level. Under the statute, a low volume manufacturer is one that manufactured (worldwide) fewer than 10,000 passenger automobiles in the second model year before the model year for which the exemption is sought (the affected model year) and that will manufacture fewer than 10,000 passenger automobiles in the affected model year. In determining the maximum feasible average fuel economy, the agency is required under 49 U.S.C. 32902(f) to consider:

- (1) Technological feasibility
- (2) Economic practicability
- (3) The effect of other Federal motor vehicle standards on fuel economy, and
- (4) The need of the United States to conserve energy.

The statute permits NHTSA to establish alternative average fuel economy standards applicable to exempted low volume manufacturers in one of three ways: (1) A separate standard for each exempted manufacturer; (2) a separate average fuel economy standard applicable to each class of exempted automobiles (classes would be based on design, size, price, or other factors); or (3) a single standard for all exempted manufacturers.

Proposed Decision and Public Comment

This final decision was preceded by a proposal announcing the agency's tentative conclusion that DeTomaso should be exempted from the generally applicable MYs 2000 and 2001 passenger automobile average fuel economy standard of 27.5 mpg, and that alternative standards of 22.0 mpg for MY 2000 and MY 2001 be established for DeTomaso. (63 FR 73476; December 30, 1999). The agency received one comment from a Mr. Lance Tunick, a consultant acting on behalf of DeTomaso, supporting the establishment of an alternative standard for DeTomaso for MYs 2000 and 2001 and informing the agency that DeTomaso, which had submitted its petition as DeTomaso Automobiles Ltd.