

the effective date will also allow the industry more time to prepare to comply with the new regulations, and that in turn will help reduce the number of errors or other problems that might occur as a result of transition to the new rules. The phase-in of implementation over 12-months, rather than a single date, will allow for a more manageable distribution of work for the regional offices, fiscal intermediaries, and hospitals. (As noted earlier, implementation by cost reporting periods means that a provider with a cost reporting period starting after January 10, 2001, would not be affected by the new regulations until the start of its next cost reporting period. Thus, a provider with an April 1 cost period would not be affected until April 1, 2001, a provider with a July 1 cost period would not be affected until July 1, 2001, and so on.) We expect to issue further clarification of administrative, procedural, and technical issues as soon as possible.

To provide for uniform and consistent application of the "good faith" exception to periods before the revised date, we are revising § 413.65(i)(2) to state that the exception will be available only for main provider cost reporting periods beginning on or after January 10, 2001 or, in the case of a facility or organization paid as a provider-based entity, for that entity's cost reporting periods beginning on or after January 10, 2001.

In October 2000, we plan to host a town hall meeting to discuss specific aspects of the provider-based regulations at our headquarters in Baltimore, Maryland. The subjects of this meeting will be the ways in which a facility or organization can demonstrate that it serves the same patient population as the main provider (§ 413.65(d)(7)(i)), and the applicability of provisions on management contracts (§ 413.65(f)) to certain on-campus hospital departments. We will make further details regarding the town hall meeting available on our website, [www.hcfa.gov](http://www.hcfa.gov).

### III. Impact Statement

In the April 2000 final rule, we discussed the impact of the provider-based regulations on providers and beneficiaries. Because we are delaying the implementation of the final rule, the current provider-based criteria, as stated in HCFA program manuals, will remain in effect for an additional period of time. We believe that any impact on small entities would be positive because the delay in effective date will allow more time for them to come into compliance with the new regulations,

and also permit the new regulations to be implemented in a more clear and consistent manner.

### Correction of Errors

In FR Doc. 00-8215 of April 7, 2000 (65 FR 18434), make the following correction:

### Regulations Text

#### § 413.65 [Corrected]

On page 18540, in column 3, § 413.65 (i)(2) is corrected to read as follows:

#### § 413.65 Requirements for a determination that a facility or an organization has provider-based status.

\* \* \* \* \*

(i) \* \* \*

(2) *Recovery of overpayments.* If HCFA finds that payments for services at the facility or organization have been made as if the facility or organization were provider-based, even though HCFA had not previously determined that the facility or organization qualified for provider-based status, HCFA will recover the difference between the amount of payments that actually were made and the amount of payments that HCFA estimates should have been made in the absence of a determination of provider-based status. Recovery will not be made for any main provider cost reporting periods beginning before January 10, 2001 or, in the case of a facility organization paid as a provider-based entity, for that entity's cost reporting periods beginning before January 10, 2001 if, during all of those periods, the management of the facility or organization made a good faith effort to operate it as a provider-based facility or organization, as described in paragraph (h)(3) of this section.

\* \* \* \* \*

(Authority: Section 1888(t) of the Social Security Act (42 U.S.C. 1395yy(t))

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 19, 2000.

**Nancy-Ann Min DeParle,**

*Administrator, Health Care Financing Administration.*

Dated: September 22, 2000.

**Donna E. Shalala,**

*Secretary.*

[FR Doc. 00-25373 Filed 9-29-00; 12:41 pm]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 00-2207, MM Docket No. 00-103; RM-9878]

### Digital Television Broadcast Services; Killeen, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of White Knight Broadcasting of Killeen License Corporation, licensee of TV station KAKW(TV), substitutes DTV Channel 13 for DTV Channel 23 at Killeen, Texas. See 65 FR 37752, June 16, 2000. DTV Channel 13 can be allotted to Killeen at coordinates (30-43-33 N. and 97-59-24 W.) with a power of 39.4, HAAT of 553 meters, and with a DTV service population of 1307 thousand.

With this action, this proceeding is terminated.

**DATES:** Effective November 16, 2000.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 00-103, adopted September 29, 2000, and released October 2, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW., Washington, DC 20036.

### List of Subjects in 47 CFR Part 73

Television, Digital television broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

### PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

#### § 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Texas, is amended by removing DTV Channel 23 and adding DTV Channel 13 at Killeen.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Services Division, Mass Media Bureau.*

[FR Doc. 00-25358 Filed 10-2-00; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 00-2206, MM Docket No. 00-98; RM-9811]

#### Digital Television Broadcast Services; Thomasville, GA

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of WCTV Licensee Corporation, licensee of TV Station WCTV-TV, substitutes DTV Channel 46 for DTV Channel 52 at Thomasville, Georgia. See 65FR 36808, June 12, 2000. DTV Channel 46 can be allotted to Thomasville at coordinates (30-40-13 N. and 83-56-26 W.) with a power of 1000, HAAT of 619 meters, and with a DTV service population of 832 thousand.

With this action, this proceeding is terminated.

**DATES:** Effective November 16, 2000.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 00-98, adopted September 29, 2000, and released October 2, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, S.W., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

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

Television, Digital television broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

#### 47 CFR PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336.

#### § 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Georgia, is amended by removing DTV Channel 52 and adding DTV Channel 46 at Thomasville.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Services Division, Mass Media Bureau.*

[FR Doc. 00-25360 Filed 10-2-00; 8:45 am]

BILLING CODE 6712-01-U

## ENVIRONMENTAL PROTECTION AGENCY

**48 CFR Parts 1511, 1515, 1517, 1519, 1523, 1528, 1535, 1542, 1545 and 1552**

[FRL-6878-9]

#### Acquisition Regulation; Administrative Amendments

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Interim rule with request for comments.

**SUMMARY:** EPA is issuing this interim rule amending the EPA Acquisition Regulation (EPAAR) to add clauses to the EPAAR which have been repeatedly used in EPA procurements but which have not formally been incorporated into the EPAAR, make other administrative changes, and remove from the EPAAR unnecessary coverage that duplicates existing Federal Acquisition Regulation (FAR) coverage.

**DATES:** Effective Date: October 3, 2000.

**Comment Date:** Interested parties should submit written comments to the address shown below on or before December 4, 2000 to be considered in the formulation of a final rule.

**ADDRESSES:** Submit written comments to: U.S. Environmental Protection Agency, Office of Acquisition Management, 1200 Pennsylvania Avenue, NW., Attention: Paul Schaffer, Mail Code (3802R), Washington, DC 20460. Comments and data may also be submitted electronically by sending electronic mail (E-mail) to: Schaffer.Paul@epa.gov. Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments and data will also be accepted on disks in Corel WordPerfect format or ASCII file format. No confidential business information (CBI) should be submitted through e-mail. Electronic comments on this rule may be filed on-line at many Federal Depository Libraries.

**FOR FURTHER INFORMATION CONTACT:** Paul Schaffer, U.S. EPA, Office of Acquisition Management, Mail Code (3802R), 1200 Pennsylvania Avenue, NW, Washington, DC 20460, Telephone: (202) 564-4366.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

This interim rule amends the EPA Acquisition Regulation (EPAAR) (48 CFR Chapter 15) to publish for public comment EPA contract clauses which have not previously undergone formal Agency rulemaking subject to public review and comment because of the necessity of complying with FAR policies and procedures on a timely basis. As a result of recent procurement reform and streamlining initiatives, EPA has undertaken an extensive review of its procurement regulations. As part of this effort, EPA identified a number of clauses it has regularly used in its solicitations and contracts which had not previously undergone formal Agency rulemaking subject to public review and comment and which had not been incorporated into the EPAAR. This rulemaking action is to incorporate these existing EPA clauses into the EPAAR. EPA does not anticipate any adverse comments because, as stated above, these clauses have been regularly used in EPA solicitations and contracts for some time now without any objections or questions raised by entities responding to EPA procurements and/or contracting with the Agency.

##### B. Executive Order 12866

This interim rule is not a significant regulatory action for the purposes of Executive Order 12866; therefore, no review is required by the Office of Information and Regulatory Affairs within the Office of Management and Budget (OMB).

##### C. Paperwork Reduction Act

The information collection requirement in 1552.245-73, Government Property, is covered by OMB clearance number 9000-0075. The Paperwork Reduction Act does not apply to any other clause herein because this interim rule does not contain any new information collection requirements that require the approval of OMB under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

##### D. Regulatory Flexibility Act (RFA), as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 *et seq.*

The RFA generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice