

organizations. U.S. Department of Commerce, Bureau of the Census, 1992, Table 6 (special Tabulation of data under contract of the Office of Advocacy of the U.S. Small Business Administration). Because the Interstate TRS Fund is the only entity affected by the *Declaratory Ruling*, we conclude that a “substantial number” of small entities will not be affected by the *Declaratory Ruling*.

Therefore, we certify that the requirements of this *Declaratory Ruling* will not have a significant economic impact on a substantial number of small entities. The Commission will send a copy of the *Declaratory Ruling*, including a copy of this Final Regulatory Flexibility Certification, in a report to Congress pursuant to the Congressional Review Act. *See* 5 U.S.C. 801(a)(1)(A). In addition, the *Declaratory Ruling* and this final certification will be sent to the Chief Counsel for Advocacy of the SBA, and will be published in the **Federal Register**. *See* 5.U.S.C. 605(b).

#### Ordering Clauses

Accordingly, *it is ordered* that, pursuant to the authority contained in sections 1,2, and 225 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152 and 225, this *Declaratory Ruling* is adopted.

*It is further ordered* that WorldCom's *Petition for Clarification* is granted to the extent indicated herein.

*It is further ordered* that the waivers requested by WorldCom in its *Petition for Clarification*, regarding certain of the minimum standards for TRS contained in 47 CFR 64.604, *ARE GRANTED*, to the extent indicated herein.

*It is further ordered* that the Administrator of the Interstate Fund, the National Exchange Carriers Association, *shall* upon release of this *Declaratory Ruling* by the Commission, pay eligible providers of IP Relay the costs of providing IP Relay using the PSTN-based TRS formula rate per minute.

*It is further ordered* that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this *Declaratory Ruling*, including the Final Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration

Federal Communications Commission.

**Marlene H. Dortch,**

Secretary.

[FR Doc. 02-14677 Filed 6-10-02; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

**[DA 02-1153; MM Docket No. 00-245; RM-9971, 10185, 10186]**

#### Radio Broadcasting Services; Alberta and Dinwiddie, VA and Whitakers and Garysburg, NC

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In response to a *Notice of Proposed Rule Making*, 65 FR 79327 (December 19, 2000), this document allots Channel 276A to Garysburg, North Carolina as its first local aural transmission service, substitutes Channel 299A for Channel 276A at Alberta, Virginia, and modifies Station WSMY-FM's authorization accordingly. This document denies a request by Dinwiddie Radio Company that Channel 299A be allotted to Dinwiddie, Virginia and that Channel 276A be retained at Alberta. This document also denies a request by Station WSMY-FM to substitute Channel 276C3 for Channel 276A at Alberta, Virginia, and to reallot Channel 276C3 from Alberta, Virginia to Whitakers, North Carolina. The coordinates for Channel 276A at Garysburg, North Carolina are 36°26'30" North Latitude and 77°35'00" West Longitude.

**DATES:** Effective July 8, 2002.

**FOR FURTHER INFORMATION CONTACT:** R. Barthen Gorman, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 00-245, adopted May 8, 2002, and released May 17, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW, Washington, DC. This document may also be purchased from the Commission's duplicating contractors, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail: [qualexint@aol.com](mailto:qualexint@aol.com).

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

Radio broadcasting.

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

## PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 reads as follows:

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

### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under North Carolina, is amended by adding Garysburg, Channel 276A.

3. Section 73.202(b), the Table of FM Allotments under Virginia, is amended by adding Channel 299A at Alberta and removing Channel 276A at Alberta.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Office of Broadcast License Policy, Media Bureau.*

[FR Doc. 02-14653 Filed 6-10-02; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

**[DA 02-1249; MM Docket No. 01-69; RM-10081]**

#### Radio Broadcasting Services; Parker, AZ

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In response to a *Notice of Proposed Rule Making*, 66 FR 17843 (April 4, 2001), this document allots Channel 247C3 to Parker, Arizona, and provides Parker with its fourth local aural transmission service. The coordinates for Channel 247C3 at Parker are 34°03'11" North Latitude and 114°17'18" West Longitude.

**DATES:** Effective July 8, 2002.

**FOR FURTHER INFORMATION CONTACT:** R. Barthen Gorman, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 01-69, adopted May 8, 2002, and released May 17, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. The document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail: [qualexint@aol.com](mailto:qualexint@aol.com).

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

Radio broadcasting.

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

**PART 73—RADIO BROADCAST SERVICES**

1. The authority citation for Part 73 reads as follows:

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

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Arizona, is amended by adding Channel 247C3 at Parker.

Federal Communications Commission.

**John A. Karousos,**

Assistant Chief, Audio Division, Office of Broadcast License Policy, Media Bureau.

[FR Doc. 02-14672 Filed 6-10-02; 8:45 am]

**BILLING CODE 6712-01-P**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****50 CFR Part 16**

**RIN 1018-AE34**

**Injurious Wildlife Species; Brushtail (*Trichosurus vulpecula*)**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** The U.S. Fish and Wildlife Service adds the brushtail possum (*Trichosurus vulpecula*) to the list of injurious live mammals. By this action, the Service prohibits the importation into or transportation between the continental United States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, or any territory or possession of the United States of any live brushtail possum. The best available information indicates that this action is necessary to protect the interests of forestry, human health and safety, and wildlife and wildlife resources from adverse effects that may result from purposeful or accidental introduction and subsequent establishment of the brushtail possum populations in the ecosystems of the United States. Live brushtail possums can only be imported by permit for scientific, medical, educational, or zoological purposes, or without a permit by Federal agencies solely for their own use; permits will also be required for the interstate transportation of live brushtail possums currently held in the United States for scientific, medical,

educational, or zoological purposes. However, this action prohibits interstate transportation of live brushtail possums currently held in the United States for purposes not listed above.

**DATES:** This rule is effective July 11, 2002.

**FOR FURTHER INFORMATION CONTACT:** Kari Duncan, Division of Environmental Quality, Branch of Invasive Species at (703) 358-2464 or [kari\\_duncan@fws.gov](mailto:kari_duncan@fws.gov).

**SUPPLEMENTARY INFORMATION:****Background***Summary of Actions Taken and Comments*

The Service published a request for information in the January 24, 1996 (61 FR 1893), **Federal Register** as the result of a letter that we received from the Texas Animal Health Commission requesting that the Service prohibit the importation of *T. vulpecula* into the United States. The request for information included the entire *Trichosurus* genus, to ensure that all members of the genus that might pose a threat were covered. We received 11 responses, all indicating the extreme injurious nature of *T. vulpecula*. However, due to limited data on the injurious nature of the other species in the genus, we developed a proposed rule for the brushtail possum only. The proposed rule (64 FR 59149, November 2, 1999) invited comments for 60 days ending January 3, 2000. The Humane Society of the United States (HSUS) submitted the only comment received during this period. The HSUS supported the proposed rule but did not submit additional information as to why brushtail possums should be listed as injurious. Consequently, our decision to develop this final rule is based on the scientific information that we used for the proposed rule.

*Description of the Final Rule*

The regulations contained in 50 CFR part 16 implement the Lacey Act (18 U.S.C. 42) as amended. Under the terms of that law, the Secretary of the Interior is authorized to prescribe by regulation those nonindigenous wild animals or viable eggs thereof, that are deemed to be injurious or potentially injurious to the health and welfare of human beings, the interests of agriculture, forestry, and horticulture, or the welfare of and survival of wildlife or wildlife resources of the United States. The lists of injurious wildlife species are at 50 CFR 16.11–15. By adding brushtail possums to the list of injurious wild mammals, their importation into and

transportation between, States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States by any means whatsoever is prohibited, except by permit for zoological, educational, medical, or scientific purposes, or by Federal agencies without a permit solely for their own use upon filing a written declaration with the District Director of Customs and the U.S. Fish and Wildlife Service Inspector at the port of entry. No live brushtail possums or progeny thereof, imported or transported under a permit may be sold, donated, traded, loaned, or transferred to any person or institution unless such person or institution has a permit issued by the Director of the Service. The interstate transportation of any live brushtail possum or viable gametes thereof currently held in the United States for any purpose not permitted is prohibited.

**Biology**

Brushtail possums (*Trichosurus vulpecula*) belong to the Order Diprotodontia, superfamily Phalangeroidea, and family Phalangeridae. They are also known as the common brushtail possum, silver-grey possum, and phalanger. Native to Australia, the brushtail possum is the most familiar and abundant of the Australian possums, frequently cohabiting with humans. Head and body length range from 350 to 550 mm; tail length ranges from 250 to 400 mm. Females weigh between 1,500 and 3,500 grams, and males between 2,000 and 4,500 grams. They are generally silver-grey above, white to pale grey below. They have long, oval ears (50–60 mm); the tail is bushy with a naked area under the tip.

The brushtail possum occurs in most areas of Australia where there are trees, especially open forests and woodlands. A nocturnal animal, it spends the day in a den in a hollow dead branch, tree trunk, fallen log, or even on the ground. In urban areas, almost any dark recess may be utilized, the space between a ceiling and a roof being commonly favored. Although it travels extensively on the ground, it is an arboreal (tree-dwelling) animal, climbing by means of its sharp claws, the opposable first toe of the hindfoot, and a moderately prehensile (grasping) tail. Although their diet consists mainly of vegetation such as leaves, bark, fruits, buds, flowers, fungi, and tree sprouts, brushtail possums may eat some insects, eggs, and small animals (Grzimek's Animal Encyclopedia).

Communication is by sound and scent. Deep guttural coughs and sharp