

required to be filed with the Commission, the notice and comment requirements of the Administrative Procedure Act are inapplicable. Paper versions of these forms will not be accepted for filing after December 31, 2003, unless accompanied by an appropriate request for waiver of the electronic filing requirement.

4. *Informal Objections.* Applications for Experimental Radio licenses are not subject to the public notice requirements of section 309(b) of the Communications Act, of 1934, as amended, and, therefore, the proper procedure for opposing such applications is to file an informal objection. However, there is no provision in part 5 of the rules that expressly address this point. To codify this requirement, we are adding § 5.95, which will provide for the filing of informal objections that comply with the requirements set forth in §§ 1.41–1.52 of the rules. We continue to prefer the use of informal procedures in the context of part 5, which “contemplate[s] that experimental licensees will cooperate in good faith with [regular] service licensees to prevent harmful interference to the affected services, to investigate any complaints of interference, and to take appropriate measures to mitigate interference” and require that “in the event of unmitigable harmful interference, experimental operations must cease immediately.” Because this amendment merely clarifies an existing procedure and makes no substantive changes to the Commission’s rules, it also is exempt from the notice and comment requirements of the Administrative Procedure Act.

5. Pursuant to sections 4, 302, and 303 of the Communications Act of 1934, as amended, 47 U.S.C. 154, 302, and 303, this Order IS ADOPTED.

List of Subjects in 47 CFR Part 5

Radio, Reporting and recordkeeping requirements.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

Rule Changes

■ For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 5 as follows:

PART 5—EXPERIMENTAL RADIO SERVICE (OTHER THAN BROADCAST)

■ 1. The authority citation for part 5 continues to read as follows:

Authority: Secs. 4, 302, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 302, 303.

Interpret or apply sec. 301, 48 Stat. 1081, as amended; 47 U.S.C. 301.

■ 1a. Section 5.55 is amended by revising paragraphs (a) and (b) to read as follows:

§ 5.55 Filing of applications.

(a) To assure that necessary information is supplied in a consistent manner by all persons, standard forms are prescribed for use in connection with the majority of applications and reports submitted for Commission consideration. Standard numbered forms applicable to the Experimental Radio Service are discussed in § 5.59 and may be accessed electronically at the Office of Engineering and Technology Web site <https://gulfoss2.fcc.gov/prod/oet/cf/els/index.cfm>. If no standard form is applicable, the informal application procedure outlined in § 5.59(f) should be followed.

(b) Any application for radio station authorization shall be submitted electronically through the Office of Engineering and Technology Web site <https://gulfoss2.fcc.gov/prod/oet/cf/els/index.cfm> effective January 1, 2004. Any correspondence relating thereto that cannot be submitted electronically shall instead be submitted to the Commission’s Office of Engineering and Technology, Washington, DC 20554. (Applications requiring fees as set forth in part 1, subpart G of this chapter must be filed in accordance with § 0.401(b) of this chapter.)

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■ 2. Section 5.61 is amended by revising the introductory text of paragraph (c) to read as follows:

§ 5.61 Procedure for obtaining a special temporary authorization.

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(c) An application for special temporary authorization shall be filed electronically through the Office of Engineering and Technology Web site <https://gulfoss2.fcc.gov/prod/oet/cf/els/index.cfm> effective January 1, 2004 and shall contain the following information:

* * * * *

■ 3. Section 5.95 is added to read as follows:

§ 5.95 Informal objections.

A person or entity desiring to object to or to oppose an Experimental Radio application for a station license or authorization may file an informal objection against that application. The informal objection and any responsive pleadings shall comply with the

requirements set forth in §§ 1.41 through 1.52 of this chapter.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[CS Docket No. 95–184; FCC 03–9]

RIN 3060–AG02

Telecommunications Services Inside Wiring

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: The Federal Communications Commission received Office of Management and Budget (OMB) approval on April 23, 2003, for the revised public information collection, Inside Wiring, OMB Control Number 3060–0692. The Commission announces the effective date for revisions made in the rule concerning cable home run wiring published at 68 FR 13850 (March 21, 2003).

DATES: The amendments to 47 CFR 76.620, 76.802 and 76.804 published at 68 FR 13850, March 21, 2003 are effective, May 20, 2003.

SUPPLEMENTARY INFORMATION: The Federal Communications Commission released the First Order on Reconsideration and Second Report and Order (“*Order*” and “*2nd R&O*”) CS 95–184, MM 92–260, FCC 03–9 on January 29, 2003. The document revises rules the Commission adopted related to cable home run wiring and resolves issues raised by the Commission regarding exclusive and perpetual contracts. The Commission gave notice in the **Federal Register** (68 FR 13850, March 21, 2003) that the revisions to its rules made pursuant to the *Order* and *2nd R&O* would become effective on May 20, 2003, except for §§ 76.620, 76.802 and 76.804. These sections contained information collection requirements that had not been approved by OMB. The Commission’s notice stated that it would publish a document in the **Federal Register** announcing the effective date for the modifications to these sections. The Commission hereby gives notice that it received OMB approval, OMB Control No. 3060–0692, for the revised information collection in the *Order* and *2nd R&O* on April 23, 2003. The Commission therefore gives notice that the effective date for revisions to

§§ 76.620, 76.802 and 76.804 made in the *Order* and *2nd R&O* is May 20, 2003.

Pursuant to the Paperwork Reduction Act of 1995, Pub. L. 104-13, an agency may not conduct or sponsor a collection of information unless it displays a currently valid control number.

Notwithstanding any other provisions of law, no person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. For questions regarding the effective date for revisions to the above-named sections contact Cheryl Kornegay, Media Bureau, Policy and Rules Division at (202) 418-7200 or via the Internet at cheryl.kornegay@fcc.gov. Questions concerning this revised information collection should be directed to Leslie F. Smith, Federal Communications Commission, (202) 418-0217 or via the Internet at Leslie.Smith@fcc.gov.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AH59

Endangered and Threatened Wildlife and Plants; Reclassification of *Lesquerella filiformis* (Missouri Bladderpod) From Endangered to Threatened

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), are reclassifying *Lesquerella filiformis* (Missouri bladderpod) from endangered to threatened under the Endangered Species Act of 1973, as amended (Act), because the endangered designation no longer correctly reflects the current status of this plant. This reclassification is based on the plant's significant progress toward recovery. Since the time of listing, the number of known populations of the plant has substantially increased and the threats to some of the larger populations have decreased because of land acquisition, landowner contact programs, and beneficial management initiatives. Federal protection and recovery

provisions provided by the Act for threatened plants are hereby extended to the Missouri bladderpod.

DATES: This final rule is effective on November 14, 2003.

ADDRESSES: The complete file for this rule is available for public inspection, by appointment, during normal business hours at the Columbia Field Office, U.S. Fish and Wildlife Service, 608 E. Cherry Street, Room 200, Columbia, MO 65201-7712.

FOR FURTHER INFORMATION CONTACT: Paul McKenzie, Ph.D., Columbia Field Office (see **ADDRESSES** section) (telephone: 573/876-1911, ext. 107; e-mail: paul_mckenzie@fws.gov; facsimile: 573/876-1914). Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at 800/877-8337 for TTY assistance.

SUPPLEMENTARY INFORMATION:

Background

Lesquerella filiformis (Missouri bladderpod) is an annual plant with erect, hairy stems approximately 20 centimeters (cm) (8 inches (in)) in height that branch from the plant's base. Basal leaves are hairy on both surfaces, 1.0-2.25 cm (0.4-0.9 in) long, 0.3-1.0 cm (0.1-0.4 in) wide, broadly rounded, and tapering to a narrow petiole. Stem leaves are densely hairy with stellate hairs on both surfaces, 1.0-3.2 cm (0.4-1.3 in) long and 1.6-16 millimeters (mm) (0.06-0.6 in) wide, and have a silvery appearance. Bright yellow flowers with four petals occur at the top of the stems in late April or early May (Morgan 1980). Missouri bladderpod is restricted to shallow soils of limestone glades in southwestern Missouri (Hickey 1988; Thomas 1996) and northwestern Arkansas and, occasionally, dolomite glades in north-central Arkansas (John Logan, Missouri Department of Natural Resources (MDNR), pers. comm. 2000).

Lesquerella filiformis Rollins, a member of the mustard family (Brassicaceae), was first collected in 1887 in southwestern Missouri. Payson (1921), however, misapplied the name *Lesquerella angustifolia* (Nutt.) S. Wats. to these early collections. Rollins (1956) formally described *Lesquerella filiformis* as a distinct species, and its taxonomic validity was further supported in a subsequent monograph on the genus *Lesquerella* in North America by Rollins and Shaw (1973).

Historically, Missouri bladderpod was believed to be a State endemic plant known solely from a few sites in two counties in southwestern Missouri (Morgan 1980; U.S. Fish and Wildlife Service 1988). In 1980, a total of 550

individual plants were estimated at 4 sites, and at the time of listing as endangered in 1987, an estimated 5,000 plants were determined to occur at 9 sites (Morgan 1980; 52 FR 679, January 8, 1987). At the time of the completion of the Missouri Bladderpod Recovery Plan in 1988, the species was known from 11 sites in Christian, Dade, and Greene Counties, MO (U.S. Fish and Wildlife Service 1988). During that same year, the Service funded a 4-county survey for the species in Missouri, and an additional 45 sites were located (Hickey 1988). A followup survey in 1989 yielded an additional 13 sites (Thurman and Hickey 1989). Further botanical explorations led to the discovery of 16 additional sites, including locations in an additional county in Missouri (Lawrence County) and one site each in Izard and Washington Counties, AR (Theo Witsell, Arkansas Natural Heritage Commission, *in litt.* 2002). In the spring of 1997, Missouri Department of Conservation (MDC) botanist Bill Summers (while working on the Flora of Missouri project) discovered the species at a limestone/dolomite quarry in Izard County, northcentral Arkansas (Theo Witsell, *in litt.* 2002). Subsequent investigations following this find led to documentation of an additional site in Washington County, northwestern Arkansas, discovered in 1992 (Theo Witsell, *in litt.* 2002). In the spring of 1998, surveys were expanded in Arkansas, and, although no new sites were discovered in the State, a more extensive population of Missouri bladderpod was found at the Izard County site than had been originally discovered in 1997 (John Logan, Arkansas Natural Heritage Commission, pers. comm. 1998). The population at the Washington County site had not been observed since 1992 until it was rediscovered on May 1, 2002, when approximately 500 flowering and fruiting plants were discovered on a small glade opening at the original 1992 site (Theo Witsell, *in litt.* 2002). Currently, Missouri bladderpod is known to occur at a total of 61 sites in 4 counties in Missouri and 2 sites in 2 counties in Arkansas.

Population levels of Missouri bladderpod fluctuate widely as is typical of winter annuals, depending on edaphic (soil) and climatic conditions, and factors such as seed crop from the preceding season, seed survival in the seed bank, recruitment from the seed bank, and the survival of growing plants (Thomas 1998). Annual monitoring data have been collected for a minimum of 11 consecutive years at two Missouri