

**§ 117.789 Harlem River.**

\* \* \* \* \*

(c)(1) The draws of the bridges at 103 Street, mile 0.0, Willis Avenue, mile 1.5, Third Avenue, mile 1.9, Madison Avenue, mile 2.3, 145 Street, mile 2.8, Macombs Dam, mile 3.2, 207 Street, mile 6.0, and the two Broadway Bridges, mile 6.8, shall open on signal from 10 a.m. to 5 p.m. if at least four hours notice is given to the New York City Highway Radio (Hotline) Room.

(2) The Willis Avenue Bridge, mile 1.5, the Third Avenue Bridge, mile 1.9, and the Madison Avenue Bridge, mile 2.3, need not open for vessel traffic between 8 a.m. and 5 p.m. on the first Sunday in May and the first Sunday in November. The exact time and date of each bridge closure will be published in the Local Notice to Mariners several weeks prior to the first Sunday of both May and November.

\* \* \* \* \*

3. Revise § 117.801(g) to read as follows:

**§ 117.801 Newtown Creek, Dutch Kills, English Kills, and their tributaries.**

\* \* \* \* \*

(g)(1) The draw of the Pulaski Bridge, mile 0.6, and the Greenpoint Avenue Bridge, mile 1.3, shall open on signal if at least a two hour advance notice is given to the New York City Department of Transportation Radio (Hotline) Room.

(2) The Pulaski Bridge, mile 0.6, need not open for vessel traffic between 8 a.m. and 5 p.m. on the first Sunday in both May and November. The exact time and date of the bridge closure will be published in the Local Notice to Mariners several weeks prior to the first Sunday of both May and November.

Dated: March 25, 2004.

**John L. Grenier,**

*Captain, U.S. Coast Guard, Acting  
Commander, First Coast Guard District.*

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[R04-OAR-2003-FL-0001-200414(b); FRL-7643-2]

**Approval and Promulgation of Implementation Plans: Florida; Broward County Aviation Department Variance**

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

**ACTION:** Proposed rule.

**SUMMARY:** The EPA is proposing to approve the State Implementation Plan (SIP) revision submitted by the State of Florida for the purpose of a department order granting a variance from Rule 62-252.400 to the Broward County Aviation Department. EPA believes that this proposed revision to the SIP is approvable based on the June 23, 1993, EPA policy memorandum entitled, *Impact of the Recent Onboard Decision on Stage II Requirements in Moderate Nonattainment Areas* which indicates that a Stage II program is not a mandatory requirement for areas classified "moderate" or below, upon EPA's promulgation for On-board Refueling Vapor Recovery systems.

In the Final Rules section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no significant, material, and adverse comments are received in response to this rule, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** Written comments must be received on or before May 6, 2004.

**ADDRESSES:** Comments may be submitted by mail to: Sean Lakeman, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. Comments may also be submitted electronically, or through hand delivery/courier. Please follow the detailed instructions described in the direct final rule, **SUPPLEMENTARY INFORMATION** (sections III.B.1. through 3.) which is published in the Rules Section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Sean Lakeman, Regulatory Development Section, Air Planning Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW., Atlanta, Georgia 30303-8960. The telephone number is (404) 562-9043. Mr. Lakeman can also be reached via electronic mail at [lakeman.sean@epa.gov](mailto:lakeman.sean@epa.gov).

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the Rules section of this **Federal Register**.

Dated: March 24, 2004.

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

[FR Doc. 04-7646 Filed 4-5-04; 8:45 am]

BILLING CODE 6560-50-P

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Parts 1, 61, and 69**

[CC Docket No. 96-128; DA 04-774]

**Implementation of Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; reply comment period extended.

**SUMMARY:** On March 24, 2004, the Commission granted a request by Martha Wright *et al.* to extend the deadline for filing reply comments regarding a Petition For Rulemaking or, in the Alternative, Petition To Address Referral Issues In A Pending Rulemaking (*Wright Petition*) filed in CC Docket No. 96-128.

**DATES:** Reply comments are due on or before April 21, 2004.

**ADDRESSES:** Federal Communications Commission, Marlene H. Dortch, Office of the Secretary, 445 12th Street SW., TW-A325, Washington, DC 20554. See **SUPPLEMENTARY INFORMATION** for information on additional instructions for filing paper copies.

**FOR FURTHER INFORMATION CONTACT:** Joi Roberson Nolen, Wireline Competition Bureau, 202-418-1520.

**SUPPLEMENTARY INFORMATION:** On December 31, 2003, the Wireline Competition Bureau released the *Wright Public Notice* seeking comment on a Petition for Rulemaking or, in the Alternative, Petition to Address Referral Issues In a Pending Rulemaking (*Wright Petition*) filed by Martha Wright and other prison inmate and non-inmate petitioners (jointly, "the Wright Petitioners"). The *Wright Public Notice* stated that comments would be due 20 days after publication of the public notice in the **Federal Register**, and reply comments would be due 30 days after **Federal Register** publication. The **Federal Register** published the *Wright Public Notice* on January 20, 2004. See Implementation of the Pay Telephone

Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Docket No. 96-128, Notice of Proposed Rulemaking, 69 FR 2697, January 20, 2004. Accordingly, comments were due by February 9, 2004, and reply comments were due by February 19, 2004. The Bureau subsequently granted the joint request of Evercom Systems, Inc., T-NETIX, Inc., and Corrections Corporation of America for a one-month extension of the deadline so that parties could file comments by March 10, 2004, and reply comments by March 31, 2004. See Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, CC Docket No. 96-128, Notice of Proposed Rulemaking; Comment Periods Extended, 69 FR 7615, February 18, 2004.

On March 16, 2004, the Wright Petitioners filed a motion to extend the deadline for filing reply comments in this proceeding. In their pleading, the Wright Petitioners contend that many of the oppositions submitted in response to the *Wright Petition* are supported by multiple expert affidavits and studies each of which will require time-consuming analysis and rebuttal by the Wright Petitioners' expert. The Wright Petitioners further assert that such analysis and rebuttal can not be completed in the current 15-day reply comment period. T-NETIX, a commenter in the proceeding, has consented to the motion. T-NETIX asserts that the extension is warranted given the extensive initial comments filed in response to the *Wright Petition* and the crucial legal and public policy issues at stake. No oppositions to the request for an extension of time have been filed.

It is the policy of the Commission that extensions of time are not routinely granted. See 47 CFR 1.46(a). In this instance, however, the Bureau finds that the commenters have shown good cause for an extension of the deadline for filing comments and reply comments in this proceeding. Because of the complexity of the issues, the related necessary economic analysis, and the length of the pleadings, we grant a limited extension so that parties may file reply comments by April 21, 2004. This matter shall continue to be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 CFR 1.1206. All other requirements discussed in the **Federal Register** publication of the *Wright Public Notice* remain in effect. See Implementation of the Pay Telephone Reclassification and

Compensation Provisions of the Telecommunications Act of 1996, CC Docket No. 96-128, Notice of Proposed Rulemaking, 69 FR 2697, January 20, 2004.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-7804 Filed 4-5-04; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 13 and 80

[WT Docket No. 00-48; RM-9499; FCC 04-3]

#### Maritime Communications

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document the Commission solicits comment on the Commission's rules governing the Maritime Radio Services. These comments will aid the Commission in establishing rules to further the implementation of the Global Maritime Distress and Safety System (GMDSS) and continue the process of streamlining, consolidating and revising domestic maritime radio regulations. In addition, the comments will aid the Commission in assessing the impact that possible rule changes may have on the maritime community, including vessel operators, manufacturers of marine radio equipment, and commercial radio operator licensees. These comments will provide the Commission with feedback that will allow it to better craft rules that will enhance safety while at the same time avoiding the imposition of unnecessary or unwarranted burdens on regulated entities.

**DATES:** Written comments are due on or before June 7, 2004, and reply comments are due on or before July 6, 2004.

**ADDRESSES:** Federal Communications Commission, 445 12th St., SW., Washington, DC 20554. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See **SUPPLEMENTARY INFORMATION** for further filing instructions.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Tobias, *Jeff.Tobias@FCC.gov*, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau, (202) 418-0680, or TTY (202) 418-7233.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Federal Communications Commission's Second Further Notice of Proposed Rulemaking (Second FNPRM) in WT Docket No. 00-48, FCC 04-3, adopted on January 8, 2004, and released on February 12, 2004. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the Commission's copy contractor, Qualex International, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: <http://www.fcc.gov>. Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 or TTY (202) 418-7365 or at [bmillin@fcc.gov](mailto:bmillin@fcc.gov).

1. In the Second FNPRM, the Commission solicits comment on whether the Commission should: (i) Revise the requirements for digital selective calling (DSC) equipment to comport with international standards that were adopted after the Commission last requested comment on this issue; (ii) add the INMARSAT F-77 ship earth station to the list of ship earth stations that are authorized to be used in lieu of a single sideband radio by vessels traveling more than 100 nautical miles from shore; (iii) require all small passenger vessels to have a reserve power source; (iv) make certain commercial radio operator licenses and permits valid for the lifetime of the holder, obviating the need for such licensees to file periodic renewal applications; (v) introduce greater flexibility into the examination process by removing rule provisions that codify the number of questions for each examination element and that require the exclusive use of new question pools immediately upon their public availability; (vi) adopt technical standards for equipment to be used in the Ship Security Alert System; (vii) further update part 80 of the Commission's rules in response to recent changes in international standards, and specifically whether certain on-board frequencies should be authorized for narrowband use domestically; and (viii) revise or eliminate certain part additional 80 rules pursuant to recommendations submitted in the Commission's 2002 Biennial Review proceeding.