

Dated: May 26, 2005.

Bryant L. VanBrakle,
Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

**47 CFR Parts 1, 23, 25, 73, 74, 78, 95,
and 97**

[DA 05-1075]

Editorial Modifications of the Commission's Rules

AGENCY: Federal Communications
Commission.

ACTION: Final rule.

SUMMARY: This document amends
twelve sections of the Commission's
Rules by updating the postal address of
the Arecibo Radio Astronomy
Observatory near Arecibo, Puerto Rico.

DATES: Effective April 14, 2005.

FOR FURTHER INFORMATION CONTACT:
Rodney Small, Office of Engineering
and Technology, (202) 418-2452.

SUPPLEMENTARY INFORMATION: This is a
summary of the Commission's *Order*, ET
Docket No. 96-2, RM-8165, adopted
April 13, 2005 and released April 14,
2005. The full text of this document is
available on the Commission's Internet
site at <http://www.fcc.gov>. It is also
available for inspection and copying
during regular business hours in the
FCC Reference Center (Room CY-A257),
445 12th Street, SW., Washington, DC
20554. The full text of this document
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Summary of the Order

1. In the *Order*, the Office of the
Managing Director ("OMD") amends
twelve sections of the Commission's
Rules by updating the postal address of
the Arecibo Radio Astronomy
Observatory ("Observatory") near
Arecibo, Puerto Rico.

2. In October 1997, the Commission
established a Coordination Zone
covering the islands of Puerto Rico,
Desecheo, Mona, Vieques, and Culebra
within the Commonwealth of Puerto
Rico. The Coordination Zone requires
applicants for new and modified radio
facilities in various communications
services within the Coordination Zone
to provide notification of their proposed

operations to the Observatory at the
time their applications are submitted to
the Commission.

3. On March 4, 2005, Counsel for
Cornell University ("Cornell"), operator
of the Observatory, informed the
Commission's Office of Engineering and
Technology (OET) that the postal
address for the Observatory had
changed, and the Post Office is no
longer forwarding mail sent to the old
address listed in the Commission's
Rules. Accordingly, Counsel for Cornell
requests that the postal address for the
Observatory be amended in all
applicable Commission Rules to
"Interference Office, Arecibo
Observatory, HC3 Box 53995, Arecibo,
Puerto Rico 00612."

4. Authority for adoption of the
foregoing revisions is contained in 47
CFR 0.231(b).

5. Amending the postal address for
the Observatory in all applicable
Commission rules is ministerial and
does not change the substance of the
rule or any party's obligations or rights,
and thus can be undertaken under OMD
delegated authority without a notice and
comment period rulemaking. OMD has
examined the entirety of the
Commission's rules and finds twelve
sections that require amendment to
reflect the Observatory's new postal
address.

Ordering Clauses

6. Pursuant to section 4(i) and 4(j) of
the Communications Act of 1934, as
amended, 47 U.S.C. 154(i) and 154(j),
and sections 0.11 and 0.231 of the
Commission's rules, 47 CFR 0.11 and
0.231, the *Order* and the rules specified
in the Appendix, *are amended*, effective
April 14, 2005.

List of Subjects

47 CFR Part 1

Postal Service, reporting and
recordkeeping requirements.

*47 CFR Parts 23, 25, 73, 74, 78, 95, and
97*

Reporting and recordkeeping
requirements.

Federal Communications Commission.

Andrew S. Fishel,
Managing Director.

Rule Changes

■ For the reasons discussed in the
preamble, the Federal Communications
Commission amends 47 CFR parts 1, 23,
25, 73, 74, 78, 95 and 97 to read as
follows:

PART 1—PRACTICE AND PROCEDURE

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

Authority: 47 U.S.C. 151, 154(i), 154(j),
155, 225, 303(r), 309 and 325(e).

■ 2. Section 1.924 is amended by
revising paragraph (d) introductory text
to read as follows:

§ 1.924 Quiet zones.

* * * * *

(d) *Notification to the Arecibo
Observatory.* The requirements in this
section are intended to minimize
possible interference at the Arecibo
Observatory in Puerto Rico. Licensees
must make reasonable efforts to protect
the Observatory from interference.
Licensees planning to construct and
operate a new station at a permanent
fixed location on the islands of Puerto
Rico, Desecheo, Mona, Vieques or
Culebra in services in which individual
station licenses are issued by the FCC;
planning to construct and operate a new
station at a permanent fixed location on
these islands that may cause
interference to the operations of the
Arecibo Observatory in services in
which individual station licenses are
not issued by the FCC; or planning a
modification of any existing station at a
permanent fixed location on these
islands that would increase the
likelihood of causing interference to the
operations of the Arecibo Observatory
must notify the Interference Office,
Arecibo Observatory, HC3 Box 53995,
Arecibo, Puerto Rico 00612, in writing
or electronically (e-mail address:
prcz@naic.edu), of the technical
parameters of the planned operation.
Carriers may wish to use the
interference guidelines provided by
Cornell University as guidance in
designing facilities to avoid interference
to the Observatory. The notification
must include identification of the
geographical coordinates of the antenna
location (NAD-83 datum), the antenna
height, antenna directivity (if any),
proposed channel and FCC Rule Part,
type of emission, and effective isotropic
radiated power.

* * * * *

PART 23—INTERNATIONAL FIXED PUBLIC RADIOCOMMUNICATION SERVICES

■ 3. The authority citation for part 23
continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082
as amended; 47 U.S.C. 154, 303. Interpret or
apply sec. 301, 48 Stat. 1081; 47 U.S.C. 301.

■ 4. Section 23.20 is amended by revising paragraph (f) introductory text to read as follows:

§ 23.20 Assignment of frequencies.

(f) Any applicant for a new permanent base or fixed station to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu.

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PART 25—SATELLITE COMMUNICATIONS

■ 5. The authority citation for part 25 continues to read as follows:

Authority: 47 U.S.C. 701–744. Interprets or applies Sections 4, 301, 302, 303, 307, 309 and 332 of the Communications Act, as amended. 47 U.S.C. Sections 154(i), 301, 302, 303, 307, 309 and 332, unless otherwise noted.

■ 6. Section 25.203 is amended by revising paragraph (i) introductory text to read as follows:

§ 25.203 Choice of sites and frequencies.

* * * * *

(i) Any applicant for a new permanent transmitting fixed earth station authorization to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of such station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information

electronically should e-mail to: prcz@naic.edu.

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PART 73—RADIO BROADCAST SERVICES

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

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

■ 8. Section 73.1030 is amended by revising paragraph (a)(2) introductory text to read as follows:

§ 73.1030 Notifications concerning interference to radio astronomy, research and receiving installations.

(a) * * *

(2) Any applicant for a new permanent base or fixed station authorization to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu.

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PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER DISTRIBUTIONAL SERVICES

■ 9. The authority citation for part 74 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 307, 336(f), 336(h) and 554.

■ 10. Section 74.24 is amended by revising paragraph (j)(1) to read as follows:

§ 74.24 Short-term operation.

* * * * *

(j)(1) This paragraph applies only to operations which will transmit on frequencies under 15 GHz. Prior to commencing short-term operation of a remote pickup broadcast station, a remote pickup automatic relay station, an aural broadcast STL station, a aural broadcast intercity relay station, a TV STL station, a TV intercity relay station, a TV translator relay station, a TV

pickup station, or a TV microwave booster station within the 4-mile (6.4 kilometer) radius Commonwealth of Puerto Rico Protection Zone (centered on NAD–83 Geographical Coordinates North Latitude 18° 20' 38.28", West Longitude 66° 45' 09.42"), an applicant must notify the Arecibo Observatory, located near Arecibo, Puerto Rico. Operations within the Puerto Rico Coordination Zone (*i.e.*, on the islands of Puerto Rico, Desecheo, Mona, Vieques, or Culebra), but outside the Protection Zone, whether short term or long term, shall provide notification to the Arecibo Observatory prior to commencing operation. Notification should be directed to the following: Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, Tel. (809) 878–2612, Fax (809) 878–1861, E-mail prcz@naic.edu.

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PART 78—CABLE TELEVISION RELAY SERVICE

■ 11. The authority citation for part 78 continues to read as follows:

Authority: Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

■ 12. Section 78.19 is amended by revising paragraph (c)(2) introductory text to read as follows:

§ 78.19 Interference.

* * * * *

(c) * * *

(2) Any applicant for a new permanent base or fixed station authorization to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu.

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PART 95—PERSONAL RADIO SERVICES

■ 13. The authority citation for part 95 continues to read as follows:

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

■ 14. Section 95.192 is amended by revising paragraph (d) introductory text to read as follows:

§ 95.192 (FRS Rule 2) Authorized Locations.

* * * * *

(d) Anyone intending to operate an FRS unit on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: *prcz@naic.edu*.

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■ 15. Section 95.206 is amended by revising paragraph (c) introductory text to read as follows:

§ 95.206 (R/C Rule 6) Are there any special restrictions on the location of my R/C station?

* * * * *

(c) Anyone intending to operate an R/C station on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: *prcz@naic.edu*.

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■ 16. Section 95.405 is amended by revising paragraph (d) introductory text to read as follows:

§ 95.405 (CB Rule 5) Where may I operate my CB station?

* * * * *

(d) Anyone intending to operate a CB station on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box

53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: *prcz@naic.edu*.

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■ 17. Section 95.1003 is amended by revising paragraph (c) introductory text to read as follows:

§ 95.1003 Authorized locations.

* * * * *

(c) Anyone intending to operate an LPRS transmitter on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: *prcz@naic.edu*.

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■ 18. Section 95.1303 is amended by revising paragraph (c) introductory text to read as follows:

§ 95.1303 Authorized locations.

* * * * *

(c) Anyone intending to operate a MURS unit on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: *prcz@naic.edu*.

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PART 97—AMATEUR RADIO SERVICE

■ 19. The authority citation for part 97 continues to read as follows:

Authority: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609, unless otherwise noted.

■ 20. Section 97.205 is amended by revising paragraph (h) introductory text to read as follows:

§ 97.205 Repeater station.

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(h) The provisions of this paragraph do not apply to repeaters that transmit on the 1.2 cm or shorter wavelength bands. Before establishing a repeater within 16 km (10 miles) of the Arecibo Observatory or before changing the transmitting frequency, transmitter power, antenna height or directivity of an existing repeater, the station licensee must give written notification thereof to the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Licensees who choose to transmit information electronically should e-mail to: *prcz@naic.edu*.

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OFFICE OF PERSONNEL MANAGEMENT

48 CFR Parts 1601, 1602, 1604, 1615, 1631, 1632, 1644, 1646, and 1652

RIN 3206–AJ20

Federal Employees Health Benefits Acquisition Regulation: Large Provider Agreements, Subcontracts, and Miscellaneous Changes

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing this final regulation to amend the Federal Employees Health Benefits Acquisition Regulation (FEHBAR). It establishes requirements, including audit, for Federal Employees Health Benefits Program (FEHB) experience-rated carriers' Large Provider Agreements. It also modifies the dollar threshold for review of carriers' subcontract agreements; revises the definitions of Cost or Pricing Data and Experience-rate to reflect mental health parity requirements; updates the contract records retention requirement; updates the FEHB Clause Matrix; and conforms subpart and paragraph references to Federal Acquisition Regulation (FAR) revisions made since we last updated the FEHBAR.

DATES: Effective July 1, 2005.

ADDRESSES: This document is available for viewing at the U.S. Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415.