

Network Services Division, Common Carrier Bureau, (202) 418-2352.

SUPPLEMENTARY INFORMATION: This summarizes the Commission's Second Report and Order in the matter of Administration of the North American Numbering Plan, Carrier Identification Codes (CICs), FCC 97-125, adopted April 7, 1997, and released April 11, 1997. The file is available for inspection and copying during the weekday hours of 9 a.m. to 4:30 p.m. in the Commission's Reference Center, room 239, 1919 M St., N.W., Washington D.C., or copies may be purchased from the Commission's duplicating contractor, ITS, Inc., 2100 M St., N.W., Suite 140, Washington, D.C. 20037, phone (202) 857-3800.

Analysis of Proceeding

In the Second Report and Order, the Commission affirms the tentative conclusion in the Notice of Proposed Rulemaking (59 FR 24103, May 10, 1994) that the Feature Group D CIC expansion plan developed by the industry is reasonable, and determines that the transition for the conversion from three digit to four digit Feature Group D CICs will end on January 1, 1998. The Commission finds that, because of the changing circumstances since the record in this docket closed in 1994, the transition should end as soon as practicable, and shortening the originally proposed six-year transition to a two-year and nine-month transition will serve the overall pro-competitive purposes of the Act (by making more CICs available), as well as the specific purposes of Sections 251(e) (by ensuring that numbers are available on an equitable basis) and 251(b)(3) (by lessening hardships, consistent with the duty imposed on all LECs to provide nondiscriminatory access to telephone numbers, caused by the conservation plan's limiting access to CICs). To lessen any disadvantage new entrants may experience during the transition in particular, the Commission also modifies the ongoing CIC conservation plan to allow each entity to have two CIC assignments. The Commission determines that shortening the originally proposed six-year period is reasonable because the industry has been aware for some time that equipment changes (both hardware and software) to accommodate exclusive use of four digit CICs would be necessary. The Commission concludes that ending the transition on January 1, 1998, provides a reasonable period for carriers and equipment owners to reprogram their switch software or upgrade their switch hardware and for callers to

become accustomed to the change from five to seven digit CACs. The Commission also requires the North American Numbering Plan (NANP) administrator, as the entity assigning CICs, to notify all CIC assignees of the decision in the Second Report and Order. Finally, the Commission states its intention to initiate further proceedings in this docket in which it will analyze further all issues related to CIC use and assignment.

Ordering Clauses

Accordingly, *it is ordered*, pursuant to Sections 1, 4(i), 201-205, and 251(e)(1) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 201-205, and 251(e)(1), that the Second Report and Order is hereby adopted.

It is further ordered, that Bellcore, as the NANP administrator must notify all CIC assignees of the Commission's decision in this Second Report and Order, consistent with the terms described herein.

It is further ordered, that Bellcore, as the NANP administrator must assign CICs in conformity with the Commission's modification to the conservation plan in this Second Report and Order.

It is further ordered, that the *petition for rulemaking* filed by VarTec Telecom, Inc. is hereby *dismissed in part* and *granted in part* to the extent contained herein.

It is further ordered, that the Commission directs the Common Carrier Bureau to take further actions modifying the conservation plan in response to changes in CIC consumption under its delegated authority.

It is further ordered, that this Second Report and Order is effective upon 30 days after publication in the **Federal Register**.

List of Subjects

47 CFR Part 52

Local exchange carrier, Numbering, Telecommunications.

47 CFR Part 64

Communications common carriers, Telephone.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97-10083 Filed 4-17-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary of Transportation

49 CFR Part 40

Recognition of Standards Council of Canada as Laboratory Certification Entity

AGENCY: Office of the Secretary, DOT.

ACTION: Notice of certification.

SUMMARY: This document announces that the Department has recognized the Standards Council of Canada as an entity authorized to certify (or "accredit") Canadian laboratories to participate in the Department of Transportation's drug testing program. **DATES:** This certification is effective on April 18, 1997.

FOR FURTHER INFORMATION CONTACT: Mary Bernstein, Director, Office of Drug and Alcohol Policy and Compliance, Room 10317, 400 7th Street, SW., Washington DC 20590 (202) 366-3784; or Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Room 10424, same address, (202) 366-9306.

SUPPLEMENTARY INFORMATION: The Department of Transportation's drug testing rules (49 CFR 40.39(b)) establish procedures for the certification of drug testing laboratories outside the United States:

(b) Employers subject to this part may also use laboratories located outside the United States if—

(1) The Department of Transportation, based on a written recommendation from DHHS [the Department of Health and Human Services] has certified the laboratory as meeting DHHS laboratory certification standards or deemed the laboratory fully equivalent to a laboratory meeting DHHS laboratory certification standards; or

(2) The Department of Transportation, based on a written recommendation from DHHS, has recognized a foreign certifying organization as having equivalent laboratory certification standards and procedures to those of DHHS, and the foreign certifying organization has certified the laboratory, pursuant to those equivalent standards and procedures.

Based on a written recommendation from the Department of Health and Human Services, the Department of Transportation, in a March 20, 1997 letter, recognized the Standards Council of Canada (SCC) as having equivalent laboratory certification standards and procedures to those of DHHS. This action authorizes SCC to review and certify Canadian laboratories.

A Canadian laboratory with SCC accreditation (the term SCC uses as an

equivalent to the DHHS term "certification") can participate in the DOT drug testing program on the same basis as any U.S. laboratory certified by DHHS. This includes authorization to test urine samples for U.S., as well as foreign, drivers and other employees subject to DOT drug testing rules. At such time as SCC accredits a Canadian laboratory, SCC will publish a notice to this effect in Canada and DHHS will reference the SCC action in the DHHS list of certified laboratories.

Issued this 26th Day of March, 1997, at Washington, D.C.

Mary Bernstein,

Director, Office of Drug and Alcohol Policy and Compliance.

[FR Doc. 97-9785 Filed 4-17-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

49 CFR Part 1312

[STB Ex Parte No. 618]

Regulations for the Publication, Posting and Filing of Tariffs for the Transportation of Property by or With a Water Carrier in the Noncontiguous Domestic Trade

AGENCY: Surface Transportation Board.

ACTION: Final rules.

SUMMARY: The Board revises its tariff filing regulations to remove obsolete provisions, to provide carriers with additional flexibility to establish appropriate formats for the filed tariffs that continue to be required, and to reflect changes introduced by the ICC Termination Act of 1995.

EFFECTIVE DATE: These rules are effective May 18, 1997.

FOR FURTHER INFORMATION CONTACT: James W. Greene, (202) 565-1578. [TDD for the hearing impaired: (202) 565-1695.]

SUPPLEMENTARY INFORMATION: The Board's decision adopting these regulations is available to all persons for a charge by phoning DC NEWS & DATA, INC., at (202) 289-4357.

Small Entities

The Board certifies that this rule will not have a significant economic effect on a substantial number of small entities.

Environment

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

List of Subjects in 49 CFR Part 1312

Motor carriers, Noncontiguous domestic trade, Tariffs, Water carriers.

Decided: April 4, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,
Secretary.

For the reasons set forth in the preamble, the Board revises part 1312 of title 49, chapter X, of the Code of Federal Regulations to read as follows:

PART 1312—REGULATIONS FOR THE PUBLICATION, POSTING AND FILING OF TARIFFS FOR THE TRANSPORTATION OF PROPERTY BY OR WITH A WATER CARRIER IN NONCONTIGUOUS DOMESTIC TRADE

Sec.

1312.1 Scope; Definitions.

1312.2 Requirement to publish and file a tariff.

1312.3 Tariff contents and standards; Essential criteria.

1312.4 Filing of tariffs.

1312.5 Amendments to tariffs.

1312.6 Advance notice required.

1312.7 STB tariff designation.

1312.8 Identification of tariff publication.

1312.9 Statement of tariff application and other title page requirements.

1312.10 Notification of tariff changes and nature of changes.

1312.11 Special notification for ordered matter.

1312.12 Posting requirements.

1312.13 Furnishing copies of tariff publications.

1312.14 Powers of attorney and concurrences.

1312.15 Change of carrier or agent.

1312.16 Substitution of service.

1312.17 Electronic filing of tariffs.

Authority: 49 U.S.C. 721(a), 13702(a), 13702(b) and 13702(d).

§ 1312.1 Scope; Definitions.

(a) *Applicability.* The provisions of this part address the requirements in 49 U.S.C. 13702 that carriers subject to the Board's jurisdiction under 49 U.S.C. Chapter 135 and providing transportation or service for the movement of property (except bulk cargo, forest products, recycled metal scrap, waste paper, and paper waste) by or with a water carrier in noncontiguous domestic trade shall publish and file with the Board tariffs containing the rates for such transportation.

(b) *Exceptions.* The provisions of this part do not apply to:

(1) Any transportation or service provided by a carrier pursuant to 49 U.S.C. 14101(b); or

(2) The transportation of any cargo or type of cargo or service which was not subject to regulation by, or under the jurisdiction of, either the Federal

Maritime Commission (FMC) or the Interstate Commerce Commission under Federal law in effect on November 1, 1995.

(c) *Definitions.* For the purposes of this part:

Act means part B of subtitle IV of title 49 of the United States Code.

Agent means a person, association or corporation authorized to publish and file rates and provisions on behalf of one or more carriers in tariffs published in the agent's name.

Agent's tariff means a tariff filed in the name of an agent.

ATFI means the Automated Tariff Filing and Information System maintained by the FMC, a computer-based system for creating, filing, processing and retrieving tariffs.

Board means the Surface Transportation Board.

Bound tariff means a tariff consisting of two or more sheets bound at the left edge in pamphlet or book form or a single-sheet tariff.

Carrier means a motor carrier, water carrier or freight forwarder subject to the Board's jurisdiction under 49 U.S.C. Chapter 135.

Carrier's tariff means a tariff filed in the name of a carrier.

Collectively established tariff matter means a rate, charge, rule or other tariff provision established pursuant to 49 U.S.C. 13703.

Independently established tariff matter means any rate, charge, rule or other tariff provision not established pursuant to 49 U.S.C. 13703.

Item means a tariff provision of any kind bearing an item number designation.

Joint rate means a rate that applies over the lines or routes of two or more carriers made by an agreement between the carriers and effected by a concurrence or power of attorney.

Joint tariff means a tariff that contains joint rates or provisions affecting joint rates.

Local rate means a rate that applies only to one carrier.

Local tariff means a tariff that contains local rates or provisions affecting local rates.

Looseleaf page means a single page published as part of a new or reissued looseleaf tariff or as an amendment to such a tariff.

Looseleaf tariff means a tariff consisting of looseleaf pages.

Noncontiguous domestic trade means transportation subject to jurisdiction under 49 U.S.C. Chapter 135 involving traffic originating in or destined to Alaska, Hawaii, or a territory or possession of the United States.