

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 43****Regulation of International Accounting Rates; Correction**

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: The FCC is correcting an error in § 43.51 of Part 43 of Title 47 of the Code of Federal Regulations which appeared in the Federal Register on February 6, 1997 (62 FR 5535).

FOR FURTHER INFORMATION CONTACT: Kathryn O'Brien, Attorney-Advisor, Policy and Facilities Branch, Telecommunications Division, International Bureau, (202) 418-1470.

SUPPLEMENTARY INFORMATION:**Background**

The final regulations that are the subject of these corrections replace the § 43.51 (d) designation with the designation as § 43.51(e). The incorrect designation was a result of § 43.51(d) being reviewed by the Office of Management and Budget (OMB). OMB's approval of § 43.51(d) was effective on February 6, 1997, thereby necessitating a correction to the labeling of § 43.51(d) as contained in these final rules.

Need for Correction

As published, the final rules contain labeling errors that may prove to be misleading and are in need of corrections to properly identify the rule sections.

Correction of Publication

The following corrections are made in § 43.51 of Part 43 of Title 47 of the Code of Federal Regulations published in the Federal Register on February 6, 1997 (62 FR 5535).

§ 43.51 [Corrected]

1. On page 5541, first column, line 6, the amendatory instruction for § 43.51 is correctly revised to read as follows:

2. Section 43.51 is amended by revising paragraph (e) to read as follows:

2. On page 5541, first column, line 11, change "(d) *International settlement policy*." to "(e) *International settlement policy*."

Federal Communications Commission.

William F. Caton,
Acting Secretary.

[FR Doc. 97-4709 Filed 2-25-97; 8:45 am]

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47 CFR Parts 52 and 64

[CC Docket No. 92-105; FCC 97-51]

The Use of N11 Codes and Other Abbreviated Dialing Arrangements

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: On February 19, 1997, the Commission released a First Report and Order adopting various measures related to N11 codes. The First Report and Order is intended both to direct national assignment of certain N11 codes and to allow current allocation of other N11 codes to remain in place.

DATE EFFECTIVE: March 28, 1997.

FOR FURTHER INFORMATION CONTACT: Elizabeth Nightingale, Attorney, Network Services Division, Common Carrier Bureau, (202) 418-2352.

SUPPLEMENTARY INFORMATION: This summarizes the Commission's First Report and Order in the matter of The Use of N11 Codes and Other Abbreviated Dialing Arrangements, FCC 97-51, adopted February 18, 1997, and released February 19, 1997. The Commission concurrently released a Further Notice of Proposed Rulemaking in the same docket. 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 *First Report and Order*, the Commission allows the incumbent LECs, in addition to the states and Bell Communications Research (Bellcore), to continue to perform the N11 code administration functions that they performed at the time of enactment of the 1996 Act amendments to the 1934 Act, until further Commission action. The Commission also adopts several other important measures regarding abbreviated dialing arrangements. Specifically, the Commission responds to a request for an N11 code that could be dialed to reach non-emergency police services by assigning 311 on a nationwide basis for this purpose. Wherever 311 is currently in use for other purposes, however, the Commission would allow that use to continue until the local government in that area was prepared to activate a non-emergency 311 service. In the *First Report and Order* the Commission also

concludes that, as the incumbent LECs can do currently, all providers of telephone exchange service must be able to have their customers call 611 and 811 to reach their repair and business service offices. The Commission also concludes that a LEC may not itself offer enhanced services using a 411 code, or any other N11 code, unless that LEC offers access to the code on a reasonable, nondiscriminatory basis to competing enhanced service providers in the local service area for which it is using the code to facilitate distribution of their enhanced services. Finally, the Commission responds to a request for an N11 code that could be used throughout the nation to reach telecommunications relay services by directing Bellcore to assign 711 on a nationwide basis for this use. The Commission declines, however, to: (1) mandate that N11 numbers be made available for access to information services; (2) mandate that an N11 code be designated for access to government agencies; or (3) disturb the current allocation of various N11 codes for access to emergency services, directory assistance, and LEC repair and business offices.

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 *First Report and Order* is hereby Adopted.

It is further ordered, that Bellcore, as the NANP administrator, shall assign 711 as a national code for TRS use as of the effective date of this *First Report and Order*, as discussed in this *First Report and Order*.

It is further ordered, that Bellcore, as the NANP administrator, shall assign 311 as a national code for access to non-emergency police and other government services as of the effective date of this *First Report and Order*, as discussed in this *First Report and Order*.

It is further ordered, that when a provider of telecommunications services receives a request from an entity to use 311 for access to non-emergency police and other government services in a particular jurisdiction, it must ensure that, within six months of the request: (1) entities that were assigned 311 at the local level prior to the effective date of this *First Report and Order* relinquish non-compliant uses; and (2) it takes any steps necessary (for example reprogramming switch software) to complete 311 calls from its subscribers to a requesting 311 entity in its service area.

It is further ordered, that (1) all providers of telephone exchange

service, both incumbents and new market entrants, whether facilities or non facilities-based providers of telephone exchange service, should be enabled to use the 611 and 811 codes for repair services and business office uses as the incumbent LECs do now; and (2) by dialing these N11 numbers, customers should be able to reach their own carriers' repair or business services.

It is further ordered, that a LEC may not itself offer enhanced services using a 411 code, or any other N11 code, unless that LEC offers access to the code on a reasonable, nondiscriminatory basis to competing enhanced service providers in the local service area for which it is using the code to facilitate distribution of their enhanced services.

It is further ordered, that the North American Numbering Council will explore how rapidly abbreviated dialing arrangements could be deployed and report back to the Commission on this issue.

It is further ordered that GSA's request for a national N11 assignment is denied and that NASTD's request for a national assignment is granted in part as discussed in this *First Report and Order*, and otherwise denied.

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. 97-4787 Filed 2-25-97; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[Docket No. 960416112-7026-05; I.D. 020597C]

RIN 0648-AJ04

Atlantic Tuna Fisheries; Regulatory Adjustments

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Interim final rule.

SUMMARY: NMFS amends the regulations governing the Atlantic bluefin tuna

(ABT) fisheries to provide authority for NMFS to close and/or reopen all or part of the Angling category in order to provide for equitable distribution of fishing opportunities throughout the species range. The regulatory amendments are necessary to increase the geographic and temporal scope of data collection from the scientific monitoring quota established for the United States under the international ABT stock recovery program.

Additionally, this rule allows a more equitable geographic and temporal distribution of fishing opportunities for all fishermen in the Angling category, thus furthering domestic management objectives for the Atlantic tuna fisheries.

EFFECTIVE DATE: The interim final rule is effective February 21, 1997.

ADDRESSES: Comments on the interim final rule should be directed to, and copies of supporting documents, including an Environmental Assessment/Regulatory Impact Review (EA/RIR) are available from, William Hogarth, Acting Chief, Highly Migratory Species Management Division, Office of Sustainable Fisheries (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3282.

FOR FURTHER INFORMATION CONTACT: John Kelly, 301-713-2347.

SUPPLEMENTARY INFORMATION: The Atlantic tuna fisheries are managed under the authority of the Atlantic Tunas Convention Act (ATCA). ATCA authorizes the Secretary of Commerce (Secretary) to implement regulations as may be necessary to carry out the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). The authority to implement ICCAT recommendations has been delegated from the Secretary to the Assistant Administrator for Fisheries, NOAA (AA). ICCAT has established a stock recovery program for ABT and has recommended an annual scientific monitoring quota of 2,354 metric tons (mt) for nations fishing in the western Atlantic Ocean, of which the United States has been allocated 1,344.4 mt for 1997.

An initial quota of 243 mt was established for the Angling category in 1996 (61 FR 30183, June 14, 1996). NMFS estimated that nearly 60 mt of this quota was harvested in an unprecedented winter fishery off of North Carolina. The high level of landings early in the season had an unanticipated negative impact on traditional ABT fisheries in northern states and resulted in premature closures. Consequently, a number of fishery participants requested that

NMFS take measures to avoid such closures in the future.

This interim final rule responds to comments received in response to an advance notice of proposed rulemaking (ANPR) (61 FR 43518, August 23, 1996). As stated in the ANPR, current regulations require the AA to monitor catch and landings statistics and close a fishery or quota category when it is projected that the quota has been attained. Another regulation enables the AA to adjust the daily catch limit in order to effect a fair allocation of fishing opportunities as the ABT migrate along the Atlantic coast. However, since the regulations do not adequately provide for geographic or temporal distribution of the entire Angling category quota, it is difficult to achieve an equitable distribution of fishing opportunities to all areas.

One of the regulatory options presented in the ANPR was implementation of a June 1 opening of the Angling category fishery. Such a delay in the season opening could ensure fishing opportunities for fishermen participating in the more northern ABT fisheries. This date would coincide with the commencement of the General category season. Under the alternative, fishing for ABT from January 1 to May 31 would be allowed under the tag and release program only.

Alternatively, the ANPR noted that regulations could be amended to allow the AA, upon determining that variations in seasonal distribution, abundance, or migration patterns of ABT, and the catch rate, are preventing fishermen in an identified area from harvesting a portion of the quota, to close the Angling category and reopen it at a later date, when the bluefin have migrated to the identified area.

The ANPR established a 30-day comment period during which NMFS received numerous comments on the options presented. These comments are summarized below.

Comments and Responses

Comment: Angling category permit holders expressed concern about decreased or loss of fishing opportunities in some areas as a result of increased landings of large school, small medium, and trophy class ABT in the North Carolina winter fishery. Some commenters support NMFS having the authority to close and/or reopen all or part of the Angling category in order to ensure an equitable distribution of fishing opportunities among anglers of all geographic areas. Some commenters felt that this would be a more reasonable solution than delaying the Angling category season until June 1. Still others