rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This final rule will not have a significant impact on a substantial number of small entities because SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities. Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.,* v. *U.S. EPA,* 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

F. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated annual costs to State, local, or tribal governments in the aggregate; or to private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated annual costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a ''major'' rule as defined by 5 U.S.C. 804(2).

H. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 27, 1999. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Note: Incorporation by reference of the State Implementation Plan for the State of California was approved by the Director of the Federal Register on July 1, 1982.

Dated: May 21, 1999.

Laura K. Yoshii,

Acting Regional Administrator, Region IX.

Part 52, Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

2. Section 52.220 is amended by adding paragraphs (c)(255)(i)(E), (261) and (262) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(255) * * *

(i) * * *

(E) Placer County Air Pollution Control District.

(*1*) Rule 102, adopted June 19, 1997.

* * * * *

(261) New and amended regulations for the following APCDs were submitted on January 12, 1999, by the Governor's designee.

(i) Incorporation by reference.

(A) Monterey Bay Unified Air Pollution Control District.

(*1*) Rule 101, adopted November 12, 1998.

* * * * *

(262) New and amended regulations for the following APCDs were submitted on February 16, 1999, by the Governor's designee.

(i) Incorporation by reference.

(A) Bay Area Air Quality Management District.

(*1*) Regulation 1, adopted on October 7, 1998.

(B) Ventura County Air Pollution Control District.

(*1*) Rule 2, adopted November 10, 1998.

* * * * *

[FR Doc. 99–16229 Filed 6–25–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[FRL–6366–8]

Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Arizona; Pima County Department of Environmental Quality

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to delegate the authority to implement and enforce specific national emission standards for hazardous air pollutants (NESHAPs) to the Pima County Department of Environmental Quality (PDEQ) in Arizona. The preamble outlines the process that PDEQ will use to receive delegation of any future NESHAP, and identifies the

NESHAP categories to be delegated by today's action. EPA has reviewed PDEQ's request for delegation and has found that this request satisfies all of the requirements necessary to qualify for approval. Thus, EPA is hereby granting PDEQ the authority to implement and enforce the unchanged NESHAP categories listed in this rule.

DATES: This rule is effective on August 27, 1999 without further notice, unless EPA receives adverse comments by July 28, 1999. If EPA receives such comment, it will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Written comments must be submitted to Andrew Steckel at the Region IX office listed below. Copies of the request for delegation and other supporting documentation are available for public inspection (docket number A–96–25) at the following location: U.S. Environmental Protection Agency, Region IX, Rulemaking Office (AIR–4), Air Division, 75 Hawthorne Street, San Francisco, California 94105–3901.

FOR FURTHER INFORMATION CONTACT: Mae Wang, Rulemaking Office (AIR–4), Air Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, California 94105–3901, (415) 744–1200.

SUPPLEMENTARY INFORMATION:

I. Background

Section 112(l) of the Clean Air Act, as amended in 1990 (CAA), authorizes EPA to delegate to state or local air pollution control agencies the authority to implement and enforce the standards set out in 40 CFR part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories. On November 26, 1993, EPA promulgated regulations, codified at 40 CFR part 63, subpart E (hereinafter referred to as ''subpart E''), establishing procedures for EPA's approval of state rules or programs under section 112(l) (*see* 58 FR 62262).

Any request for approval under CAA section 112(l) must meet the approval criteria in 112(l)(5) and 40 CFR part 63, subpart E. To streamline the approval process for future applications, a state or local agency may submit a one-time demonstration that it has adequate authorities and resources to implement and enforce any CAA section 112 standards. If such demonstration is approved, then the state or local agency would no longer need to resubmit a demonstration of these same authorities and resources for every subsequent request for delegation of CAA section 112 standards. However, EPA maintains the authority to withdraw its approval if the State does not adequately implement or enforce an approved rule or program.

On October 30, 1996, EPA approved the Pima County Department of Environmental Quality (PDEQ's) program for accepting delegation of section 112 standards that are unchanged from Federal standards as promulgated (*see* 61 FR 55910). Additional revisions to that program were approved on September 23, 1998 (*see* 63 FR 50769). The approved program reflects an adequate demonstration by PDEQ of general resources and authorities to implement and enforce section 112 standards. However, formal delegation for an individual standard does not occur until PDEQ obtains the necessary regulatory authority to implement and enforce that particular standard, and EPA approves PDEQ's formal delegation request for that standard.

PDEQ informed EPA that it intends to obtain the regulatory authority necessary to accept delegation of section 112 standards by incorporating section 112 standards into the Pima County Code. The details of this delegation mechanism are set forth in a Memorandum of Agreement (MOA) between PDEQ and EPA, and are available for public inspection at the U.S. EPA Region IX office (docket No. A–96–25).

On May 12, 1999, PDEQ requested delegation for several individual section 112 standards that have been incorporated by reference into the Pima County Code. The standards that are being delegated by today's action are listed in a table at the end of this rule.

II. EPA Action

A. Delegation for Specific Standards

After reviewing PDEQ's request for delegation of various national emissions standards for hazardous air pollutants (NESHAPs), EPA has determined that this request meets all the requirements necessary to qualify for approval under CAA section 112(l) and 40 CFR 63.91. Accordingly, PDEQ is granted the authority to implement and enforce the requested NESHAPs. These delegations will be effective on August 27, 1999. A table of the NESHAP categories that will be delegated to PDEQ is shown at the end of this rule. Although PDEQ will have primary implementation and enforcement responsibility, EPA retains the right, pursuant to CAA section 112(l)(7), to enforce any applicable emission standard or requirement under CAA section 112. In addition, EPA does not delegate any authorities that require implementation through rulemaking in the **Federal Register**, or where Federal overview is the only way to ensure national consistency in the application of the standards or requirements of CAA section 112.

After a state or local agency has been delegated the authority to implement and enforce a NESHAP, the delegated agency becomes the primary point of contact with respect to that NESHAP. Pursuant to 40 CFR 63.9(a)(4)(ii) and 63.10(a)(4)(ii), EPA Region IX waives the requirement that notifications and reports for delegated standards be submitted to EPA as well as to PDEQ.

In its May 12, 1999 request, PDEQ included a request for delegation of the regulations implementing CAA section 112(i)(5), codified at 40 CFR part 63, subpart D. These requirements apply to state or local agencies that have a permit program approved under title V of the Act (*see* 40 CFR 63.70). PDEQ received final interim approval of its title V operating permits program on October 30, 1996 (see 61 FR 55910). State or local agencies implementing the requirements under subpart D do not need approval under section 112(l). Therefore, EPA is not taking action to delegate 40 CFR part 63, subpart D to PDEQ.

PDEQ also included a request for delegation of the regulations implementing CAA sections 112(g) and 112(j), codified at 40 CFR part 63, subpart B. These requirements apply to major sources only, and need not be delegated under the section 112(l) approval process. When promulgating the regulations implementing section 112(g), EPA stated its view that ''the Act directly confers on the permitting authority the obligation to implement section 112(g) and to adopt a program which conforms to the requirements of this rule. Therefore, the permitting authority need not apply for approval under section 112(l) in order to use its own program to implement section 112(g)'' (see 61 FR 68397). Similarly, when promulgating the regulations implementing section 112(j), EPA stated its belief that ''section 112(l) approvals do not have a great deal of overlap with the section 112(j) provision, because section 112(j) is designed to use the title V permit process as the primary vehicle for establishing requirements'' (see 59 FR 26447). Therefore, state or local agencies implementing the requirements under sections 112(g) and 112(j) do not need approval under section 112(l). As a result, EPA is not taking action to delegate 40 CFR part 63, subpart B to PDEQ.

B. Delegation Mechanism for Future Standards

Today's document serves to notify the public of the details of PDEQ's procedure for receiving delegation of future NESHAPs. As set forth in the MOA, PDEQ intends to incorporate by reference, into the Pima County Code, each newly promulgated NESHAP for which it intends to seek delegation. PDEQ will then submit a letter to EPA Region IX, along with proof of regulatory authority, requesting delegation for each individual NESHAP. Region IX will respond in writing that delegation is either granted or denied. If a request is approved, the delegation of authorities will be considered effective upon the date of the response letter from Region IX. Periodically, EPA will publish in the **Federal Register** a listing of the standards that have been delegated. Although EPA reserves its right, pursuant to 40 CFR 63.96, to review the appropriateness of any future delegation request, EPA will not institute any additional comment periods on these future delegation actions. Any parties interested in commenting on this procedure for delegating future unchanged NESHAPs should do so at this time.

C. Opportunity for Public Comment

EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial action and anticipates no adverse comments. However, in the Proposed Rules section of this **Federal Register** publication, EPA is publishing a separate document that will serve as the proposal for this action should adverse comments be filed. This rule will be effective August 27, 1999 without further notice unless the Agency receives adverse comments by July 28, 1999.

If EPA receives such comments, then EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. All public comments received will then be addressed in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time. If no such comments are received, the public is advised that this rule will be effective on August 27, 1999 and no further action will be taken on the proposed rule.

III. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order (E.O.) 12866, entitled ''Regulatory Planning and Review.''

B. Executive Order 12875

Under E.O. 12875, ''Enhancing the Intergovernmental Partnership,'' EPA may not issue a regulation that is not required by statute and that creates a mandate upon a state, local or tribal government, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by those governments, or EPA consults with those governments. If EPA complies by consulting, E.O. 12875 requires EPA to provide to OMB a description of the extent of EPA's prior consultation with representatives of affected state, local and tribal governments, the nature of their concerns, copies of any written communications from the governments, and a statement supporting the need to issue the regulation. In addition, E.O. 12875 requires EPA to develop an effective process permitting elected officials and other representatives of state, local and tribal governments ''to provide meaningful and timely input in the development of regulatory proposals containing significant unfunded mandates.'' Today's rule does not create a mandate on state, local or tribal governments. Accordingly, the requirements of section 1(a) of E.O. 12875 do not apply to this rule.

C. Executive Order 13045

''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), applies to any rule that: (1) Is determined to be ''economically significant'' as defined under E.O. 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency. This rule is not subject to E.O. 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

D. Executive Order 13084

Under E.O. 13084, ''Consultation and Coordination with Indian Tribal Governments,'' EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, E.O. 13084 requires EPA to provide to OMB, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, E.O. 13084 requires EPA to develop an effective process permitting elected officials and other representatives of Indian tribal governments ''to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.'' Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of E.O. 13084 do not apply to this rule.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions.

This final rule will not have a significant impact on a substantial number of small entities because delegations of authority to implement and enforce unchanged Federal standards under section 112(l) of the Clean Air Act do not create any new requirements but simply transfer primary implementation authorities to the state or local agency. Therefore, because this action does not impose any new requirements, I certify that this action will not have a significant impact on a substantial number of small entities.

F. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated annual costs to state, local, or tribal governments in the aggregate, or to private sector, of $100

million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the delegation action promulgated does not include a Federal mandate that may result in estimated annual costs of $100 million or more to either state, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under state or local law, and imposes no new Federal requirements. Accordingly, no additional costs to state, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a ''major'' rule as defined by 5 U.S.C. 804(2).

H. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 27, 1999. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (*see* section 307(b)(2)).

List of Subjects in 40 CFR Part 63

Environmental protection, Administrative practice and procedure, Air pollution control, Hazardous substances, Intergovernmental relations, Reporting and recordkeeping requirements.

Authority: This action is issued under the authority of section 112 of the Clean Air Act, as amended, 42 U.S.C. 7412.

Dated: June 10, 1999.

David P. Howekamp,

Director, Air Division, Region IX.

Title 40, chapter I, part 63 of the Code of Federal Regulations is amended as follows:

PART 63—[AMENDED]

1. The authority citation for Part 63 continues to read as follows:

Authority: 42 U.S.C. 7401, *et seq.*

Subpart E—Approval of State Programs and Delegation of Federal Authorities

2. Section 63.99 is amended by revising paragraph (a)(3) to read as follows:

§ 63.99 Delegated Federal Authorities

(a) * * *

(3) *Arizona.* The following table lists the specific part 63 standards that have been delegated unchanged to the air pollution control agencies in the State of Arizona. The (X) symbol is used to indicate each category that has been delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—ARIZONA

Subpart	Description	ADEQ [1]	MCESD [2]	PDEQ [3]	PCAQCD [4]
A	General Provisions	X		X	X
F	Synthetic Organic Chemical Manufacturing Industry	X		X	X
G	Synthetic Organic Chemical Manufacturing Industry: Process Vents, Storage Vessels, Transfer Operations, and Wastewater.	X		X	X
H	Organic Hazardous Air Pollutants: Equipment Leaks	X		X	X
I	Organic Hazardous Air Pollutants: Certain Processes Subject to the Negotiated Regulation for Equipment.	X		X	X
L	Coke Oven Batteries	X		X	X
M	Perchloroethylene Dry Cleaning	X		X	X
N	Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.	X		X	X
O	Ethylene Oxide Sterilization Facilities	X		X	X
Q	Industrial Process Cooling Towers	X		X	X
R	Gasoline Distribution Facilities	X		X	X
T	Halogenated Solvent Cleaning	X		X	X
U	Group I Polymers and Resins	X		X	X
W	Epoxy Resins Production and Non-Nylon Polyamides Production	X		X	X
X	Secondary Lead Smelting	X		X	X
CC	Petroleum Refineries	X		X	X
DD	Off-Site Waste and Recovery Operations	X		X	X
EE	Magnetic Tape Manufacturing Operations	X		X	X
GG	Aerospace Manufacturing and Rework Facilities	X		X	X
JJ	Wood Furniture Manufacturing Operations	X		X	X
KK	Printing and Publishing Industry	X		X	X
OO	Tanks—Level 1	X			X
PP	Containers	X			X
QQ	Surface Impoundments	X			X
RR	Individual Drain Systems	X			X
VV	Oil-Water Separators and Organic-Water Separators	X			X
JJJ	Group IV Polymers and Resins	X			X

[1] Arizona Department of Environmental Quality.
[2] Maricopa County Environmental Services Department.
[3] Pima County Department of Environmental Quality.
[4] Pinal County Air Quality Control District.

* * * * *

[FR Doc. 99–16231 Filed 6–25–99; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 22

[CC Docket No. 94–102; FCC 99–96]

Compatibility of Wireless Services With Enhanced 911

AGENCY: Federal Communications Commission.

ACTION: Final rule

SUMMARY: This document creates rules that will improve the ability of cellular phone users to complete wireless 911 calls. The action is taken to improve the security and safety of analog cellular users, especially in rural and suburban areas. The primary goal of this action is to ensure that reliable, effective 911 and E911 service is available to wireless users by approving three mechanisms any of which will result in more wireless 911 calls being completed than occurs today. This document contains new information collections subject to the Paperwork Reduction Act of 1995 (PRA). It has been submitted to the Office of Management and Budget (OMB) for an emergency review under PRA. The general public, and other Federal agencies are invited to comment on the proposed information collections contained in this proceeding.

DATES: Effective July 28, 1999. This document contains new information collections subject to the Paperwork Reduction Act of 1995 (PRA), which are pending OMB approval. A notice will be placed in the **Federal Register** when OMB approval for these information collections is received. Written comments by the public and by other Government agencies on the information collections are due August 27, 1999.

ADDRESSES: Comments on the information collections should be submitted to Les Smith, Federal Communications Commission, Room 1A–804, 445 12th Street, S.W., Washington DC 20554, or via the Internet at lesmith@fcc.gov and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725–17th Street, S.W., Washington, DC 20503, or via the Internet to fain__t@al.eop.gov.

FOR FURTHER INFORMATION CONTACT: Won Kim or Dan Grosh, Policy Division, Wireless Telecommunications Bureau, at (202) 428–1310. For additional information concerning the information collection aspects contained in the document, contact Les Smith, Federal Communications Commission, Room 1A–804, 445 12th Street, S.W., Washington DC 20554, or via the Internet at lesmith@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Second Report and Order (Second R&O) in CC Docket NO. 94–102, FCC 99–96, adopted May 13, 1999, and released June 9, 1999. The complete text of this Second R&O is available for the inspection and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, S.W., Washington, D.C. 20054, and also may be purchased from the Commission's copy contractor, International Transcription Services (ITS, Inc.), (202) 857–3800. CY-B400, 445 12th Street, S.W., Washington, D.C. 20054.

Synopsis of the Second Report and Order

1. In this Second R&O, the Commission approves three approaches to facilitate the completion of more wireless 911 calls. The Commission believes that the action taken in the Second R&O will have a significant positive impact on the security and safety of analog cellular subscribers, especially in rural and suburban areas, and result in the successful completion of significantly more wireless calls to 911 than occurs today. Thus the Commission is responding to a public need for confidence that wireless calls to 911 will in fact go through.

2. Specifically, the Second R&O requires that analog cellular phones include a separate capability for processing 911 calls that permits those calls to be handled, where necessary, by either cellular carrier in the area. This separate capability is intended to improve 911 reliability, increase the probability that 911 calls will be efficiently and successfully transmitted to public safety agencies, and help ensure that wireless service will be maintained for the duration of the 911 calls. The rule applies to new handsets manufactured more than nine months after the adoption date of the Second R&O. The Second R&O also sets out guidelines for 911 call completion methods that satisfy the Commission's rule, approving three methods that have been proposed in this proceeding, (1) Automatic A/B Roaming-Intelligent Retry (IR), (2) Adequate/Strongest Signal, and (3) Selective Retry.

3. While the actions taken in the Second R&O should represent an important improvement in completing 911 calls, especially in areas where cellular coverage is less complete, it is also important to recognize the problems and limits that remain in completing 911 calls. The full text of the Second R&O thus addresses the comparative advantages and disadvantages of the three approved methods and notes that the present limits of technology deprive the Commission of the opportunity to craft perfect solutions. Each of the approved methods, while improving the current situation regarding 911 call completion, is subject to some disadvantages in certain situations. Moreover, the new rule only applies to new analog cellular handsets, not to existing handsets or to digital services such as Personal Communications Service (PCS) or Enhanced Specialized Radio (ESMR).

4. The origin of the Second R&O may be found in the Second Notice of Proposed Rulemaking (Second NPRM) in this proceeding (61 FR 40374, August 2, 1996) which sought ways to enable mobile users to complete 911 calls without regard to the availability of the system or technology used by their wireless service in the area in which they seek to place the call. The Second NPRM sought comment on one proposal in this area and also sought comment on any other ways to enable wireless telephone users to complete 911 calls wherever a mobile system providing 911 service is present.

5. One reason access to emergency 911 systems is not always available for wireless handsets is that there are gaps in the signal coverage provided by wireless carriers. A wireless telephone user who happens to be located in a coverage gap or ''blank spot'' where his or her carrier's signal is inadequate may find that it is not possible to establish and maintain adequate communications over the wireless system accessed by the handset. Moreover, if the preferred carrier provides a weak or inadequate signal in response to analog cellular 911 calls, the handset may nonetheless lock onto that carrier even if sustained voice communications between the handset and the preferred carrier's system is not possible.

6. One option for improving 911 call completion is to initially program handsets to a calling mode termed A over B, B over A (A/B, B/A) default