

MHz licenses that were filed as early as January 1995 were still pending on February 8, 1996. The Bureau recently completed its computer run of 931 MHz applications filed between January 1 and September 30, 1995. The results of the run identified about 2,500 applications that were not mutually exclusive and are to be granted, if the applications are otherwise complete, eliminating most of the remaining application backlog. The Commission believes that the recipients of these license grants should be allowed to expand their systems based on these sites, as long as the licensed sites are operational at the time the expansion applications are filed. Therefore, the Commission will allow incumbents to expand 65 kilometers (40 miles) from sites for which applications were filed as of September 30, 1995, whether or not such applications were granted prior to February 8, 1996. This change to the Commission's interim measures will benefit applicants most affected by delays prior to adoption of the *NPRM*.

#### IV. Procedural Matters and Ordering Clauses

##### A. Regulatory Flexibility Act

As required by Section 604 of the Regulatory Flexibility Act, the Commission has prepared a Final Regulatory Flexibility Analysis of the expected impact on small entities of the modification of the interim rules set forth in this *Order on Reconsideration*.

*Statement of the Need for and Objectives of Interim Rules:* In this *Order on Reconsideration*, the Commission is modifying the interim measures, specifically, the interim freeze on new paging applications imposed in the *Notice of Proposed Rulemaking*, to permit incumbent paging licensees to apply for additional licenses to add transmission sites to existing paging systems on the same channel as the existing systems, provided that the additional transmission site is within 65 kilometers (40 miles) from an operating transmission site in the applicant's system. This modification of the interim rule will allow paging companies additional flexibility to expand their systems during the interim period.

*Summary of Significant Issues Raised by Comments to the Initial Regulatory Flexibility Analysis (IRFA):* There were no comments to the IRFA regarding the interim rules.

All significant alternatives are discussed in the *Order on Reconsideration*.

##### B. Ordering Clauses

It is ordered that, pursuant to the authority of Sections 4(i), 303(r), 309(c), 309(j), and 332 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303(r), 309(c), 309(j), and 332, and effective upon publication of this *Order on Reconsideration* in the Federal Register, the interim rules set forth in the *First Report and Order* in this docket are modified as set forth herein.

##### List of Subjects

###### 47 CFR Part 22

Communications common carriers.

###### 47 CFR Part 90

Common carriers.

Federal Communications Commission.

William F. Caton,

*Acting Secretary.*

[FR Doc. 96-16874 Filed 7-1-96; 8:45 am]

BILLING CODE 6712-01-P

#### 47 CFR Part 36

[CC Docket 96-45; FCC-96-281]

#### Federal-State Joint Board on Universal Service

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** This *Report and Order* extends the duration of the indexed interim cap ("interim cap") on the rate of growth of the Universal Service Fund ("USF"), amending the Commission's rules regarding jurisdictional separations. This action will moderate the growth of the USF while the Federal-State Joint Board on Universal Service and the Commission consider changes to the universal service rules. The interim cap is extended in order to facilitate the transition to any new universal service rules that are adopted consistent with the mandates of the Telecommunications Act of 1996.

**EFFECTIVE DATE:** July 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Pam Szymczak, Accounting and Audits Division, Common Carrier Bureau at (202) 418-0389.

**SUPPLEMENTARY INFORMATION:** This *Report and Order* adopts the *Recommended Decision* of the Federal-State Joint Board on Universal Service, FCC 96J-1 (released June 19, 1996) and extends the interim cap on the growth of the Universal Service Fund. The *Report and Order* extends the interim cap until the Commission's final rules on universal service, to be adopted on or before May 8, 1997, become effective.

The Federal-State Joint Board recommended, and the Commission concurs in the *Report and Order*, that extending the duration of the cap will facilitate a transition to any new universal service rules that may be implemented pursuant to the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996). For all the reasons stated in the *Report and Order*, the Commission finds good cause for making the rule amendments effective on less than 30 days notice. The *Notice of Proposed Rulemaking* initiating this proceeding was released March 8, 1996 (FCC 96-93).

##### List of Subjects in 47 CFR Part 36

Communications common carriers, Telephone and Uniform System of Accounts.

Federal Communications Commission.

William F. Caton,

*Acting Secretary.*

##### Rule Changes

Part 36 of Title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 36—JURISDICTIONAL SEPARATIONS PROCEDURES; STANDARD PROCEDURES FOR SEPARATING TELECOMMUNICATIONS PROPERTY COSTS, REVENUES, EXPENSES, TAXES AND RESERVES FOR TELECOMMUNICATIONS COMPANIES**

1. The authority citation for Part 36 continues to read as follows:

Authority: 47 U.S.C. Secs. 151, 154 (i) and (j), 205, 221(c), 403 and 410.

2. Section 36.601 is amended by revising paragraph (c) to read as follows:

##### **§ 36.601 General.**

\* \* \* \* \*

(c) During an interim period commencing on January 1, 1994, and terminating on the effective date of the Commission's universal service rules, to be adopted in CC Docket 96-45 on or before May 8, 1997, the annual amount of the total Universal Service Fund shall not exceed the amount of the total Universal Service Fund for the immediately preceding calendar year, increased by a rate equal to the rate of increase in the total number of working loops nationwide during the calendar year preceding the June filing. The total Universal Service Fund shall consist of the Universal Service expense adjustments, including amounts calculated pursuant to §§ 36.612(a) and 36.631. The rate of increase in total working loops shall be based upon the

difference between the number of total working loops on December 31 of the year preceding the June filing and the number of total working loops on December 31 of the second year preceding that filing, both calculated pursuant to § 36.611(a)(8).

3. Section 36.622 is amended by revising paragraph (c) to read as follows:

**§ 36.622 National and study area average unseparated loop costs.**

\* \* \* \* \*

(c) During an interim period commencing on January 1, 1994, and terminating on the effective date of the Commission's universal service rules, to be adopted in CC Docket No. 96-45 on or before May 8, 1997, the National Average Unseparated Loop Cost per Working Loop shall be the greater of:

(1) The amount calculated pursuant to the method described in paragraph (a) of this section; or

(2) An amount calculated to produce the maximum total Universal Service Fund allowable pursuant to § 36.601(c).

[FR Doc. 96-16761 Filed 6-28-96; 10:18 am]

BILLING CODE 6712-01-P

#### 47 CFR Part 73

[MM Docket No. 91-75; RM-7230]

#### Radio Broadcasting Services; Conway and Myrtle Beach, SC

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Lee W. Shubert, Trustee, reallocates Channel 281C1 from Conway to Myrtle Beach, South Carolina, and modifies Station WYAV(FM)'s license accordingly. See 56 FR 14054, April 5, 1991. Channel 281C1 can be allotted to Myrtle Beach in compliance with the Commission's minimum distance separation requirements with a site restriction of 20.2 kilometers (12.6 miles) southwest to avoid a short-spacing to Station WLTT(FM), Channel 279C3, Shallotte, North Carolina, at petitioner's present transmitter site. The coordinates for Channel 281C1 at Myrtle Beach are North Latitude 33-35-27 and West Longitude 79-02-53. With this action, this proceeding is terminated.

**EFFECTIVE DATE:** August 5, 1996.

**FOR FURTHER INFORMATION CONTACT:** Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 91-75, adopted June 14, 1996, and released June 21, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 73—[AMENDED]**

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

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

#### **§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under South Carolina, is amended by removing Channel 281C1 at Conway, and adding Channel 281C1 at Myrtle Beach.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-16762 Filed 7-1-96; 8:45 am]

BILLING CODE 6712-01-F

#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 960129018-6018-01; I.D. 062196A]

#### Fisheries of the Exclusive Economic Zone off Alaska; Northern Rockfish in the Western Regulatory Area

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

**ACTION:** Modification of a closure.

**SUMMARY:** NMFS is opening directed fishing for northern rockfish in the Western Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to use the total allowable catch (TAC) for northern rockfish in this area.

**EFFECTIVE DATE:** 1200 hrs, Alaska local time (A.l.t.), July 1, 1996, until 2400 hrs, A.l.t., December 31, 1996.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the GOA exclusive economic zone is managed by NMFS according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at Subpart H of 50 CFR part 600 and 50 CFR part 679.

The annual TAC for northern rockfish in the Western Regulatory Area was established by the Final 1996 Harvest Specifications of Groundfish (61 FR 4304, February 5, 1996) as 640 metric tons (mt). See § 679.20(c)(3)(ii). The Final 1996 Harvest Specifications of Groundfish also closed the directed fishery for northern rockfish in the Western Regulatory Area of the GOA. See 679.20(d)(1).

The Director, Alaska Region, NMFS, has determined that the 1996 TAC for northern rockfish in the Western Regulatory Area has not been reached. Therefore, NMFS is terminating the previous closure and is opening directed fishing for northern rockfish in the Western Regulatory Area of the Gulf of Alaska.

All other closures remain in full force and effect.

#### Classification

This action is taken under 50 CFR 679.20 and is exempt from review under E.O. 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 26, 1996.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96-16862 Filed 6-27-96; 2:46 pm]

BILLING CODE 3510-22-F