

TABLE B.—WAGE INDEX FOR RURAL AREAS—Continued

Nonurban area	Wage index
Surry, VA	0.8346
Sussex, VA	0.8346
Tazewell, VA	0.8346
Westmoreland, VA	0.8346
Wise, VA	0.8346
Wythe, VA	0.8346
Buena Vista City, VA	0.8346
Clifton Forge City, VA	0.8346
Covington City, VA	0.8346
Emporia City, VA	0.8346
Franklin City, VA	0.8346
Galax City, VA	0.8346
Harrisonburg City, VA	0.8346
Lexington City, VA	0.8346
Martinsville City, VA	0.8346
Nansemond City, VA	0.8346
Norton City, VA	0.8346
Radford City, VA	0.8346
South Boston City, VA	0.8346
Staunton City, VA	0.8346
Waynesboro City, VA	0.8346
Winchester City, VA	0.8346
Washington:	
Adams, WA	0.9850
Asotin, WA	0.9850
Chelan, WA	0.9850
Clallam, WA	0.9850
Columbia, WA	0.9850
Cowlitz, WA	0.9850
Douglas, WA	0.9850
Ferry, WA	0.9850
Garfield, WA	0.9850
Grant, WA	0.9850
Grays Harbor, WA	0.9850
Jefferson, WA	0.9850
Kittitas, WA	0.9850
Klickitat, WA	0.9850
Lewis, WA	0.9850
Lincoln, WA	0.9850
Mason, WA	0.9850
Okanogan, WA	0.9850
Pacific, WA	0.9850
Pend Oreille, WA	0.9850
San Juan, WA	0.9850
Skagit, WA	0.9850
Skamania, WA	0.9850
Stevens, WA	0.9850
Wahkiakum, WA	0.9850
Walla Walla, WA	0.9850
Whitman, WA	0.9850
West Virginia:	
Barbour, WV	0.8944
Boone, WV	0.8944
Braxton, WV	0.8944
Calhoun, WV	0.8944
Clay, WV	0.8944
Doddridge, WV	0.8944
Fayette, WV	0.8944
Gilmer, WV	0.8944
Grant, WV	0.8944
Greenbrier, WV	0.8944
Hampshire, WV	0.8944
Hardy, WV	0.8944
Harrison, WV	0.8944
Jackson, WV	0.8944
Lewis, WV	0.8944
Lincoln, WV	0.8944
Logan, WV	0.8944
McDowell, WV	0.8944
Marion, WV	0.8944

TABLE B.—WAGE INDEX FOR RURAL AREAS—Continued

Nonurban area	Wage index
Mason, WV	0.8944
Mercer, WV	0.8944
Mingo, WV	0.8944
Monongalia, WV	0.8944
Monroe, WV	0.8944
Morgan, WV	0.8944
Nicholas, WV	0.8944
Pendleton, WV	0.8944
Pleasants, WV	0.8944
Pocahontas, WV	0.8944
Preston, WV	0.8944
Raleigh, WV	0.8944
Randolph, WV	0.8944
Ritchie, WV	0.8944
Roane, WV	0.8944
Summers, WV	0.8944
Taylor, WV	0.8944
Tucker, WV	0.8944
Tyler, WV	0.8944
Upshur, WV	0.8944
Webster, WV	0.8944
Wetzel, WV	0.8944
Wirt, WV	0.8944
Wyoming, WV	0.8944
Wisconsin:	
Adams, WI	0.8524
Ashland, WI	0.8524
Barron, WI	0.8524
Bayfield, WI	0.8524
Buffalo, WI	0.8524
Burnett, WI	0.8524
Clark, WI	0.8524
Columbia, WI	0.8524
Crawford, WI	0.8524
Dodge, WI	0.8524
Door, WI	0.8524
Dunn, WI	0.8524
Florence, WI	0.8524
Fond Du Lac, WI	0.8524
Forest, WI	0.8524
Grant, WI	0.8524
Green, WI	0.8524
Green Lake, WI	0.8524
Iowa, WI	0.8524
Iron, WI	0.8524
Jackson, WI	0.8524
Jefferson, WI	0.8524
Juneau, WI	0.8524
Kewaunee, WI	0.8524
Lafayette, WI	0.8524
Langlade, WI	0.8524
Lincoln, WI	0.8524
Manitowoc, WI	0.8524
Marinette, WI	0.8524
Marquette, WI	0.8524
Menomonee, WI	0.8524
Monroe, WI	0.8524
Oconto, WI	0.8524
Oneida, WI	0.8524
Pepin, WI	0.8524
Polk, WI	0.8524
Portage, WI	0.8524
Price, WI	0.8524
Richland, WI	0.8524
Rusk, WI	0.8524
Sauk, WI	0.8524
Sawyer, WI	0.8524
Shawano, WI	0.8524
Taylor, WI	0.8524
Trempealeau, WI	0.8524

TABLE B.—WAGE INDEX FOR RURAL AREAS—Continued

Nonurban area	Wage index
Vernon, WI	0.8524
Vilas, WI	0.8524
Walworth, WI	0.8524
Washburn, WI	0.8524
Waupaca, WI	0.8524
Waushara, WI	0.8524
Wood, WI	0.8524
Wyoming:	
Albany, WY	0.9299
Big Horn, WY	0.9299
Campbell, WY	0.9299
Carbon, WY	0.9299
Converse, WY	0.9299
Crook, WY	0.9299
Fremont, WY	0.9299
Goshen, WY	0.9299
Hot Springs, WY	0.9299
Johnson, WY	0.9299
Lincoln, WY	0.9299
Niobrara, WY	0.9299
Park, WY	0.9299
Platte, WY	0.9299
Sheridan, WY	0.9299
Sublette, WY	0.9299
Sweetwater, WY	0.9299
Teton, WY	0.9299
Uinta, WY	0.9299
Washakie, WY	0.9299
Weston, WY	0.9299

[FR Doc 96-22375 Filed 9-3-96; 8:45 am]

BILLING CODE 4120-03-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 1****[CS Docket No. 96-83; IB Docket No. 95-59; FCC 96-328]****Telecommunications Act of 1996; Preemption of Restrictions on Over-the-Air Reception Devices****AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: This Further Notice of Proposed Rulemaking seeks comment on the implementation of Section 207 as it relates to nongovernmental restrictions on property not within the exclusive use or control of the viewer and/or in which the viewer may not have a direct or indirect ownership interest. Section 207 directs that the Commission shall: "pursuant to Section 303 of the Communications Act, promulgate regulations to prohibit restrictions that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals, multichannel multipoint

distribution service or direct broadcast satellite services." This FNPRM will provide interested parties an opportunity to submit comments that will provide the Commission with a sufficient record on which to base ultimate regulations.

DATES: Interested parties may file comments to the FNPRM on or before September 27, 1996 and reply comments on or before October 28, 1996. Written comments by the public on the proposed and/or modified information collections are due on or before September 27, 1996. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before November 4, 1996.

ADDRESSES: An original and six copies of all comments and reply comments should be sent to Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554, with a copy to Jacqueline Spindler of the Cable Services Bureau, 2033 M Street, N.W., Room 700, Washington, D.C. 20554. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center, 1919 M Street, N.W., Room 239, Washington, D.C. 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, N.W., Washington, D.C. 20054, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725-17th Street, N.W., Washington, D.C. 20503 or via the Internet to fain_t@al.eop.gov.

FOR FURTHER INFORMATION CONTACT: Jacqueline Spindler, Cable Services Bureau, (202) 418-7200. For additional information concerning the information collections contained herein, contact Dorothy Conway at 202-418-0217, or via the Internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's FNPRM in CS Docket No. 96-83, IB Docket No. 95-59, FCC No. 96-328, adopted August 5, 1996 and released August 6, 1996. The full text of this decision is available for inspection and copying during normal business hours in the FCC Reference Center (room 239), 1919 M

Street, NW, Washington, D.C. 20554, and may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 1919 M Street, NW, Washington, D.C. 20554. This FNPRM contains a proposed information collection subject to the Paperwork Reduction Act of 1995 (PRA). As part of our continuing effort to reduce paperwork burdens, we invite the general public and OMB to comment on the information collection contained in this FNPRM, as required by the Paperwork Reduction Act of 1995, Public Law No. 104-13. Public and agency comments are due on September 27, 1996; OMB comments are due 60 days from the date of publication in the Federal Register. Comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

OMB Approval Number: 3060-0707.

Title: Preemption of Restrictions on Over-the-Air Reception Devices—Report and Order, Memorandum Opinion and Order, and Further Notice of Proposed Rulemaking.

Type of Review: Revision of an existing collection. The following are burden estimates for the Order portion of the document, as well as the Further Notice of Proposed Rulemaking portion of the document. We account for the burdens estimates separately. If, in a subsequent rulemaking, the proposed rules in the Further Notice of Proposed Rulemaking are not adopted in part or in whole, the Commission will adjust its burden estimates accordingly.

Respondents: State and local governments; small organizations; small businesses.

Number of Respondents for the Order: 248. (100 requests for declaratory rulings, 24 comments on requests, 100 petitions for waivers, 24 comments on petitions.)

Estimated Time Per Response for the Order: 2-5 hours.

Total Annual Burden for the Order: 844 hours. It is estimated that 50% of declaratory rulings will be prepared without outside counsel with a burden of 5 hours each and 50% of parties will hire outside counsel. The estimated burden to coordinate information with

outside counsel is 2 hours. 50 (50% without outside counsel) \times 5 hours = 250 hours. 50 (50% with outside counsel) \times 2 hours = 100 hours. It is estimated that 50% of comments on declaratory rulings will be prepared without outside counsel with a burden of 4 hours each and 50% of parties will hire outside counsel. The estimated burden to coordinate information with outside counsel is 2 hours. 12 (50% without outside counsel) \times 4 hours = 48 hours. 12 (50% with outside counsel) \times 2 hours = 24 hours. It is estimated that 50% of petitions for waivers will be prepared without outside counsel with a burden of 5 hours each and 50% of parties will hire outside counsel. The estimated burden to coordinate information with outside counsel is 2 hours. 50 (50% without outside counsel) \times 5 hours = 250 hours. 50 (50% with outside counsel) \times 2 hours = 100 hours. It is estimated that 50% of comments on waivers will be prepared without outside counsel with a burden of 4 hours each and 50% of parties will hire outside counsel. The estimated burden to coordinate information with outside counsel is 2 hours. 12 (50% without outside counsel) \times 4 hours = 48 hours. 12 (50% with outside counsel) \times 2 hours = 24 hours.

Estimated Costs Per Respondent for the Order: It is estimated that 50 requests for declaratory rulings, 12 comments on requests for declaratory rulings, 50 petitions for waivers and 12 comments on petitions for waivers will be prepared each year through outside counsel. The estimated annual costs are \$89,400, illustrated as follows: 50 declaratory rulings \times 5 hours \times \$150/hr. = \$37,500. 12 comments on declaratory rulings \times 4 hours \times \$150/hr. = \$7,200. 50 petitions for waivers \times 5 hours \times \$150/hr. = \$37,500. 12 comments on petitions for waivers \times 4 hours \times \$150/hr. = \$7,200.

Number of Respondents for the FNPRM: 248. (100 requests for declaratory rulings, 24 comments on requests, 100 petitions for waivers, 24 comments on petitions.)

Estimated Time Per Response for the FNPRM: 2-5 hours.

Total Annual Burden for the FNPRM: 844 hours. It is estimated that 50% of declaratory rulings will be prepared without outside counsel with a burden of 5 hours each and 50% of parties will hire outside counsel. The estimated burden to coordinate information with outside counsel is 2 hours. 50 (50% without outside counsel) \times 5 hours = 250 hours. 50 (50% with outside counsel) \times 2 hour = 100 hours. It is estimated that 50% of comments on declaratory rulings will be prepared

without outside counsel with a burden of 4 hours each and 50% of parties will hire outside counsel. The estimated burden to coordinate information with outside counsel is 2 hours. $12 (50\% \text{ without outside counsel}) \times 4 \text{ hours} = 48 \text{ hours}$. $12 (50\% \text{ with outside counsel}) \times 2 \text{ hour} = 24 \text{ hours}$. It is estimated that 50% of petitions for waivers will be prepared without outside counsel with a burden of 5 hours each and 50% of parties will hire outside counsel. The estimated burden to coordinate information with outside counsel is 2 hours. $50 (50\% \text{ without outside counsel}) \times 5 \text{ hours} = 250 \text{ hours}$. $50 (50\% \text{ with outside counsel}) \times 2 \text{ hour} = 100 \text{ hours}$. It is estimated that 50% of comments on waivers will be prepared without outside counsel with a burden of 4 hours each and 50% of parties will hire outside counsel. The estimated burden to coordinate information with outside counsel is 2 hours. $12 (50\% \text{ without outside counsel}) \times 4 \text{ hours} = 48 \text{ hours}$. $12 (50\% \text{ with outside counsel}) \times 2 \text{ hour} = 24 \text{ hours}$.

Estimated Costs Per Respondent for the FNPRM: It is estimated that 50 requests for declaratory rulings, 12 comments on requests for declaratory rulings, 50 petitions for waivers and 12 comments on petitions for waivers will be prepared each year through outside counsel. The estimated annual costs are \$89,400, illustrated as follows: $50 \text{ declaratory rulings} \times 5 \text{ hours} \times \$150/\text{hr.} = \$37,500$. $12 \text{ comments on declaratory rulings} \times 4 \text{ hours} \times \$150/\text{hr.} = \$7,200$. $50 \text{ petitions for waivers} \times 5 \text{ hours} \times \$150/\text{hr.} = \$37,500$. $12 \text{ comments on petitions for waivers} \times 4 \text{ hours} \times \$150/\text{hr.} = \$7,200$.

Needs and Uses: Submitted information will be used to evaluate requests for declaratory ruling regarding the reasonableness of state, local and nongovernmental restrictions, or to requests for waiver of the rule.

I. Synopsis of Further Notice of Proposed Rulemaking

1. On February 8, 1996, the Telecommunications Act of 1996 ("1996 Act") became law. Section 207 of the 1996 Act directs that the Commission shall, "pursuant to Section 303 of the Communications Act, promulgate regulations to prohibit restrictions that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, or direct broadcast satellite services." On August 6, 1996, the Commission released a Report and Order implementing Section 207. In this Further Notice of Proposed Rulemaking

(FNPRM) we seek comment on the implementation of Section 207 as it relates to restrictions on property not within the exclusive use or control of the viewer and/or in which the viewer may not have a direct or indirect ownership interest.

2. Neither the *DBS Order* and *FNPRM* nor the *TVBS-MMDS NPRM* specifically proposed rules to govern or sought comment on the question of whether the antenna restriction preemption rules should apply to the placement of antennas on rental and other property not within the exclusive control of a person with an ownership interest. As a consequence many of the specific practical problems of how possible regulations might apply were not commented on, nor were the policy and legal issues fully briefed. We conclude that the record before us at this time is incomplete and insufficient on the legal, technical and practical issues relating to whether, and if so how, to extend our rule to situations in which antennas may be installed on common property for the benefit of one with an ownership interest or on a landlord's property for the benefit of a renter. Accordingly, we request further comment on these issues. We invite comment on the potential for central reception facilities in situations where restrictions on individual antenna placement are preempted by the rules, and thus no involuntary use of common or landlord-owned property is involved. We seek comment on the technical and practical feasibility of an approach that would allow the placement of over-the-air reception devices on rental or commonly-owned property. In particular, we invite commenters to address technical and/or practical problems or any other considerations they believe the Commission should take into account in deciding whether to adopt such a rule and, if so, the form such a rule should take.

3. Specifically, we seek comment on the Commission's legal authority to prohibit nongovernmental restrictions that impair reception by viewers who do not have exclusive use or control and a direct or indirect ownership interest in the property. On the question of our legal authority, we note that in *Loretto v. Teleprompter Manhattan CATV Corp.*, 458 U.S. 419 (1982), the Supreme Court held that a state statute that allowed a cable operator to install its cable facilities on the landlord's property constituted a taking under the Fifth Amendment. In the same case, the Court stated, in dicta, that "a different question" might be presented if the statute required the landlord to provide cable installation desired by the tenant.

Id. at 440 n.19. We therefore request comment on the question of whether adoption of a prohibition applicable to restrictions imposed on rental property or property not within the exclusive control of the viewer who has an ownership interest would constitute a taking under *Loretto*, for which just compensation would be required, and if so, what would constitute just compensation in these circumstances.

4. In this regard, we also request comment on how the case of *Bell Atlantic Telephone Companies v. FCC*, 24 F.3d 1441 (D.C. Cir. 1994), should affect the constitutional and legal analysis. In that case, the U.S. Court of Appeals for the District of Columbia invalidated Commission orders that permitted competitive access providers to locate their connecting transmission equipment in local exchange carrier central offices because these orders directly implicated the Just Compensation Clause of the Fifth Amendment.

II. Initial Regulatory Flexibility Analysis

5. As required by Section 603 of the Regulatory Flexibility Act, 5 U.S.C. § 603 (1996), the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) of the potential economic impact on small entities of the approach proposed in this Further Notice of Proposed Rulemaking. Written public comments are requested on the IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments on the Further Notice of Proposed Rulemaking provided above.

6. **Reason for Action.** The rulemaking is initiated to obtain comment on the implementation of Section 207 of the Telecommunications Act of 1996, Public Law No. 104-104, 110 Stat. 56, as it applies to the installation, maintenance or use of antennas on common areas or rental properties, property not within the exclusive control of a person with an ownership interest, where a community association or landlord is legally responsible for maintenance and repair.

7. **Objectives.** The Commission seeks to evaluate whether preempting non-federal Restrictions on commonly owned property and property subject to lease agreements, would: (1) enhance viewers' ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals and multichannel multipoint distribution services; (2) provide an unreasonable management burden for parties owning and legally responsible for the property

at issue; and (3) result in the Commission exceeding its statutory authority and Congress' constitutional authority.

8. *Legal Basis.* The proposed action is authorized under Section 1 of the Communications Act of 1934, as amended, 47 U.S.C. § 151, and Section 207 of the Telecommunications Act of 1996, Public Law No. 104-104, 110 Stat. 56.

9. *Reporting, Recordkeeping, and Other Compliance Requirements.* Depending on the outcome of the Further Notice of Proposed Rulemaking, neighborhood associations, property management companies and individual landlords promulgating regulations that restrict the installation, maintenance or use of devices designed for receiving over-the-air signals of DBS, MMDS and TVBS may, in certain circumstances, request declaratory rulings from the Commission that their regulations are reasonable, or petition the Commission for waiver of the rule.

10. *Federal Rules that Overlap, Duplicate or Conflict with These Requirements.* None.

11. *Description and Estimate of the Number of Small Entities Impacted.* The Regulatory Flexibility Act defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction," and "the same meaning as the term 'small business concern' under section 3 of the Small Business Act." A small business concern is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA), 15 U.S.C. § 632. Neighborhood associations and property rental businesses may be affected by the ultimate outcome in the Further Notice of Proposed Rulemaking. These entities might need to revise their covenants and lease restrictions so that they conform with the rule.

12. Section 601(4) of the Regulatory Flexibility Act defines "small organization" as "any not-for-profit enterprise which is independently owned and operated and is not dominant in its field." 5 U.S.C. § 601(4). This definition includes homeowner and condominium associations that operate as not-for-profit organizations. The Community Associations Institute estimates that there were 150,000 associations in 1993.

13. The U.S. Small Business Administration classifies a small entity as a firm with fewer than 500 employees. United States Small Business Administration, *A Guide to the*

Regulatory Flexibility Act, App. A (1996). Utilizing the Standard Industrial Classification Codes for Real Estate Agents and Managers, 100,135 firms (of a total of 100,554) have fewer than 500 employees. United States Dept. of Commerce, Bureau of the Census, 1993 *Census of Cable and Other Pay Television Services* (quoted by Dr. William Whiston, Chief, Research Contracts Branch, Office of Advocacy for the Small Business Administration, July 31, 1996). This number does include real estate agents, who would not be burdened by the proposed rule, but does not include sole proprietors engaged in leasing rental property, who might be burdened.

14. *Any Significant Alternatives Minimizing the Impact on Small Entities Consistent with the Stated Objectives.* This Notice solicits comments on a general approach only.

III. Paperwork Reduction Act of 1995 Analysis

15. *Final Paperwork Reduction Act of 1995 Analysis.* This FNPRM has been analyzed with respect to the Paperwork Reduction Act of 1995 and found to contain an information collection requirement on the public. Implementation of an information collection requirement is subject to approval by the Office of Management and Budget as prescribed by the Act.

16. This FNPRM contains a proposed/modified information collection. As part of our continuing effort to reduce paperwork burdens, we invite the general public and OMB to comment on the information collection contained in this FNPRM, as required by the Paperwork Reduction Act of 1995, Public Law No. 104-13. Public and agency comments are due on September 27, 1996; OMB comments are due November 4, 1996. Comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

17. Written comments by the public on the modified information collections are due on September 27, 1996. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed collections on or before November 4, 1996. A copy of

any comments on the information collection contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, NW, Washington DC 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725 17th Street, NW, Washington DC 20503 or via the Internet to fain_t@al.eop.gov.

IV. Procedural Provisions

18. *Ex parte Rules—Non-Restricted Proceeding.* This is a non-restricted notice and comment rulemaking proceeding. Ex parte presentations are permitted, provided that they are disclosed as provided in Commission's rules. See generally 47 CFR §§ 1.1202, 1.1206.

19. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments on or before September 27, 1996, and reply comments on or before October 28, 1996. To file formally in this proceeding, you must file an original and six copies of all comments, reply comments, and supporting comments. If you want each Commissioner to receive a personal copy of your comments, you must file an original and eleven copies. Comments and reply comments should be sent to Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554, with a copy to Jacqueline Spindler of the Cable Services Bureau, 2033 M Street, N.W., Room 700, Washington, D.C. 20554. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center, 1919 M Street, N.W., Room 239, Washington, D.C. 20554.

V. Ordering Clauses

20. It is ordered that pursuant to Sections 4(i), 4(j), and 303 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 303, and Section 207 of the Telecommunications Act of 1996, Public Law No. 104-104, 110 Stat. 56, notice is hereby given and comment is sought regarding the proposals, discussion, and statement of issues in the Further Notice of Proposed Rulemaking.

21. It is further ordered that the requirements and regulations

established in this decision shall become effective upon approval by the Office of Management and Budget (OMB) of the new information collection requirements adopted herein, but no sooner than October 4, 1996.

22. This is a non-restricted notice and comment rulemaking proceeding. *Ex parte* presentations are permitted, except during the Sunshine Agenda period, provided that they are disclosed as provided in the Commission rules. See generally, 47 CFR §§ 1.1202, 1.1203, and 1.1206(a).

23. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415 and 1.419, interested parties may file comments on or before September 27, 1996, and reply comments on or before October 28, 1996. All pleadings must conform to Section 1.49(a) of the Commission's rules, 47 CFR § 1.49(a). To file formally in this proceeding, parties must file an original and six copies of all comments, reply comments and supporting comments. If parties want each Commissioner to receive a personal copy of their comments, they must file an original plus eleven copies. Parties should send comments and reply comments to Office of the Secretary, Federal Communications Commission, Washington, DC 20554. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Room of the Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554. For further information, contact Jacqueline Spindler at (202) 418-7200.

24. This Further Notice of Proposed Rulemaking contains a proposed information collection. As required by Section 603 of the Regulatory Flexibility Act, the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) of the expected impact on small entities of the proposals suggested in the Further Notice of Proposed Rulemaking. As part of our continuing effort to reduce paperwork burdens, we invite the general public and the OMB to comment on the information collections contained in this Further Notice of Proposed Rulemaking, as required by the Paperwork Reduction Act of 1995, Public Law No. 104-13. Public and agency comments are due on September 27, 1996; OMB comments are due November 4, 1996. Comments should address: (a) Whether the modified and proposed collections of information are necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (b) the accuracy of the Commission's burden estimates; (c)

ways to enhance the quality, utility and clarity of the information collected; and (d) ways to minimize the burden of collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, NW., Washington DC 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725 17th Street, NW., Washington, DC 20503 or via the Internet to fain_t@al.eop.gov.

25. It is further ordered that the Secretary shall send a copy of this Report and Order and Memorandum Opinion and Order and Further Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act, Public Law No. 96-354, 94 Stat. 1164, 5 U.S.C. 601 et seq. (1981).

List of Subjects in 47 CFR Part 1

Telecommunications, Television.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-22427 Filed 9-3-96; 8:45 am]

BILLING CODE 6712-01-U

GENERAL SERVICES ADMINISTRATION

48 CFR Parts 501, 504, 507, 510, 511, 512, 514, 515, 538, 539, 543, 546, 552 and 570

[APD 2800.12A, CHGE 70]

RIN 3090-AF86

General Services Administration Acquisition Regulation; Acquisition of Commercial Items

AGENCY: Office of Acquisition Policy, GSA.

ACTION: Extension of comment period and notice of public meeting.

SUMMARY: This public notice is issued to familiarize the public with the status of finalizing the interim rule which amended the General Services Administration Acquisition Regulation (GSAR) to implement Items I and III of Federal Acquisition Circular 90-32. These items in FAC 90-32 amended the Federal Acquisition Regulation (FAR) to

implement the portions of the Federal Acquisition Streamlining Act of 1994 (Pub. L. 103-355) dealing with the Truth in Negotiation Act and with the acquisition of commercial items. The GSAR interim rule also canceled the Multiple Award Schedule (MAS) policy Statement of October 1, 1982 (47 FR 50242, November 5, 1982). This notice also extends the period for public comment and provides notification of a public meeting. GSA has made some revisions to the interim rule that was published in the February 16, 1996, Federal Register to address public comments and to take into account the enactment of the Federal Acquisition Reform Act of 1996. The revised coverage has been mailed to the public commentators and copies may be obtained by other interested parties.

DATES: *Comment Date:* Comments should be submitted in writing to the address shown below on or before September 30, 1996.

Meeting Date: The meeting will be held at 10:00 a.m. on September 19, 1996.

ADDRESSES: A copy of the revised coverage may be obtained by calling the GSA Acquisition Policy Division at 501-1224. Interested parties should submit written comments to the Office of Acquisition Policy (MV), General Services Administration, Room 4010, 18th & F Streets, NW, Washington, DC 20405.

The public meeting will be held at: General Services Administration Auditorium, 18th & F Streets, NW, Washington, DC, 20405.

FOR FURTHER INFORMATION CONTACT: Al Matera, Office of GSA Acquisition Policy, (202) 501-1224.

SUPPLEMENTARY INFORMATION: On February 16, 1996, a interim rule was published in the Federal Register (61 FR 6164). The interim rule afforded the public a 60-day comment period. During that time 13 organizations submitted comments. Based on comments received and the enactment of the Federal Acquisition Reform Act of 1996, GSA has refined the coverage. Accordingly, a copy of the revised coverage has been mailed to previous public commentators. The purpose of this notice is to advise the public generally of the availability of the revised coverage and enable other interested parties to obtain a copy by contacting the GSA Acquisition Policy Division.

To allow the public to present its views on the refinements to this interim rule, a public meeting will be held at the GSA Auditorium on September 19, 1996. Persons or organizations wishing to make presentations should notify