

This rule is not a "major rule" as defined by 5 U.S.C. 804(2).

Dated: May 22, 1997.

2. By revising § 180.442 to read as follows:

**List of Subjects in 40 CFR Part 180**

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and record keeping requirements.

**James Jones,**

*Acting Director, Registration Division, Office of Pesticide Programs.*

Therefore, 40 CFR Chapter I is amended as follows:

**§ 180.442 Bifenthrin; tolerances for residues.**

(a) *General.* Tolerances are established for residues of the pyrethroid bifenthrin, (2-methyl (1,1-biphenyl)-3-yl) methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl) -2,2-dimethylcyclopropanecarboxylate, in or on the following commodities:

**PART 180—[AMENDED]**

1. The authority citation for part 180 continues to read as follows:

**Authority:** 21 U.S.C. 346a and 371.

Commodity	Parts per million	Expiration/Revocation Date
Cattle, fat	1.0	11/15/97
Cattle, mbyop	0.10	11/15/97
Cattle, meat	0.5	11/15/97
Corn, fodder	5.0	11/15/97
Corn, forage	2.0	11/15/97
Corn, grain (field, seed, and pop)	0.05	11/15/97
Cottonseed	0.5	11/15/97
Eggs	0.05	11/15/97
Goats, fat	1.0	11/15/97
Goats, mbyop	0.10	11/15/97
Goats, meat	0.5	11/15/97
Hogs, fat	1.0	11/15/97
Hogs, mbyop	0.10	11/15/97
Hogs, meat	0.5	11/15/97
Hops, dried	10.0	11/15/97
Horses, fat	1.0	11/15/97
Horses, mbyop	0.10	11/15/97
Horses, meat	0.5	11/15/97
Milk, fat (reflecting 0.1 ppm in whole milk)	1.0	11/15/97
Poultry, fat	0.05	11/15/97
Poultry, mbyop	0.05	11/15/97
Poultry, meat	0.05	11/15/97
Sheep, fat	1.0	11/15/97
Sheep, mbyop	0.10	11/15/97
Sheep, meat	0.5	11/15/97
Strawberries	3.00	None

(b) *Section 18 emergency exemptions.* Time limited tolerances are established for residues of the insecticide bifenthrin ((2-methyl [1,1'-biphenyl]-3-yl)

methyl-3-(2-chloro-3,3,3-trifluoro-1-propenyl) -2,2-dimethylcyclopropanecarboxylate), in connection with use of the pesticide

under section 18 emergency exemptions granted by EPA. The tolerances will expire and are revoked on the dates specified in the following table.

Commodity	Parts per million	Expiration/Revocation Date
Broccoli	0.1	1/31/98
Cauliflower	0.05	1/31/98
Raspberries	3.0	9/30/97
Vegetables, cucurbits	1.0	4/30/98

(c) *Tolerances with regional registrations.* [Reserved]

(d) *Indirect or inadvertent residues.* [Reserved]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR 24**

[DA 97-1152]

**Personal Communications Services; Licenses in C Block (Broadband PCS)**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final Rule; Waiver request.

**SUMMARY:** On June 2, 1997, the Wireless Telecommunications Bureau of the Federal Communications Commission released a Public Notice requesting comment on several requests for waiver of the 7 percent interest rate imposed on C block broadband Personal Communications Services (PCS) installment plan notes. The Public Notice summarizes the requests for waiver and announces that comments are due on or before June 23, 1997, and

that reply comments are due on or before July 8, 1997.

**DATES:** Comments are due on or before June 23, 1997. Reply comments are due on or before July 8, 1997.

**ADDRESSES:** Comments should be filed with the Secretary at 1919 M Street, N.W., Room 222, Washington, D.C. 20554, and a copy should be delivered to: Auctions Division, Wireless Telecommunications Bureau, Room 5322, Federal Communications Commission, Washington, D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** Sande Taxali or Josh Roland, Wireless Telecommunications Bureau, (202) 418-0660.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Public Notice released on June 2, 1997. The complete Public Notice is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C., 20554, and also may be purchased from the Commission's copy contractor, International Transcription Services, (202) 857-3800, 2100 M Street, N.W., Washington, D.C. 20037. The complete Public Notice is also available on the Commission's Internet home page (<http://www.fcc.gov>).

#### Summary of the Public Notice

Comment Requested on 7 Percent Interest Rate; Imposed on C Block Installment Payment Plan Notes

*Comment Due Date:* June 23, 1997.

*Reply Comment Due Date:* July 8, 1997.

The Wireless Telecommunications Bureau ("Bureau") has received several requests for waiver of the Federal Communications Commission's ("Commission") rules imposing a 7 percent interest rate on eligible broadband PCS C block licensees whose licenses were conditionally granted on September 17, 1996, and who elected to utilize the Commission's installment payment plan. See *Omnipoint Corporation, Broadband PCS Block C Installment Plan Interest Rate for Small Business Licensees—Request for Rule Waiver* (December 16, 1996). In addition, the Bureau has received informal requests for waiver of § 24.711(b)(3) filed by the following parties: Alpine PCS, Communications Venture PCS Limited Partnership, Eldorado Communications, L.L.C., Horizon Infotech, Inc., KMTel, L.L.C., Mercury PCS, L.L.C., Miccom Associates, Northern Michigan PCS Consortium, L.L.C., PCSouth, Inc., Savannah Independent PCS Corp.,

SouthEast Telephone, Ltd., Southern Wireless, L.P., Wireless 2000, Inc.

Section 24.711(b)(3) of the Commission's Rules provides that, for small businesses, interest on installment payments "shall be imposed based on the rate for ten-year U.S. Treasury obligations applicable on the date the license is granted." 47 CFR 24.711(b)(3). For licenses conditionally granted on September 17, 1996, the applicable interest rate is 7 percent. However, due to varying factors used to establish Treasury note obligations, licenses granted after the September 17 date are subject to a 6.5 percent interest rate. Those parties seeking a waiver of § 24.711(b)(3) request a reduction in the interest rate on their installment payment plan notes from 7 percent to 6.5 percent.

Comment is solicited on all aspects of the requests for waiver discussed above. We also seek comment on whether, if the Bureau determines that a waiver of § 24.711(b)(3) is appropriate, such relief should be granted to all similarly situated parties, whether or not they have filed a request for waiver.

Comments should specifically reference this Public Notice (DA 97-1152) and must be filed on or before June 23, 1997. Reply comments may be filed on or before July 8, 1997. Comments should be filed with the Secretary at 1919 M Street, N.W., Room 222, Washington, D.C. 20554, and a copy should be delivered to: Auctions Division, Wireless Telecommunications Bureau, Room 5322, Federal Communications Commission, Washington, D.C. 20554. Copies of waiver requests, comments, oppositions and replies may be obtained from the Commission's duplicating contractor, International Transcription Services, Inc. (ITS), 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, (202) 857-3800. Copies are also available for public inspection during regular business hours in Room 5608, 2025 M Street, N.W., Washington, D.C. 20554. When requesting copies, please refer to DA 97-1152.

Pursuant to the Commission's *ex parte* rules, waiver requests become restricted proceedings upon the filing of formal oppositions. See 47 CFR 1.1202(e)(1) and 1.1208(c)(1)(i)(B). *Ex parte* presentations are prohibited in restricted proceedings until the Commission's final disposition is no longer subject to reconsideration or judicial review.

For further information, contact Sande Taxali or Josh Roland, Wireless Telecommunications Bureau at (202) 418-0660.

Dated: June 2, 1997.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 61

[CC Docket No. 92-135, FCC 97-41]

#### Regulatory Reform for Small and Mid-Size Local Exchange Carriers Subject to Rate-of-Return Regulation

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; petition for reconsideration.

**SUMMARY:** In this Order, the Commission considers petitions for reconsideration and clarification concerning regulatory reform for local exchange carriers subject to rate of return regulations (*Small Telco Reform Order*). In particular, the Order eliminates the two year notice period that local exchange carriers must provide before exiting the incentive plan, clarifies the rules consistent with the *Small Telco Reform Order*, and amends the rules and clarifies several matters raised by the petitioners. The Commission's action is intended to eliminate any ambiguities and inconsistencies in the Commission's rules and the *Small Telco Reform Order*.

**EFFECTIVE DATE:** July 7, 1997.

**FOR FURTHER INFORMATION CONTACT:** Dan Abeyta, (202) 418-1538.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order on Reconsideration in CC Docket No. 92-135 (FCC 97-41) adopted on February 10, 1997 and released on February 18, 1997. The full text of this Order on Reconsideration is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C. 20037.

The complete text may also be obtained through the World Wide Web, at <http://www.fcc.gov/Bureau/Common/Carrier/Order/fcc9741.wp> or may be purchased from the Commission's copy contractor, International Transcription Services, Inc. (202) 857-3800, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037.

#### Regulatory Flexibility Analysis

No significant impact.