

Name of region	Dimensions=radius in kilometers	Center-point
Kitt Peak, Arizona	60	N31-57-22; W111-36-42
Big Pine, California	60	N37-13-54; W118-16-34
Vandenberg AFB, California	75	N34-43-00; W120-34-00
Denver, Colorado	150	N39-43-00; W104-46-00
Washington, DC	150	N38-48-00; W76-52-00
Eglin AFB, Florida	50	N30-29-00; W86-32-00
Mauna Kea, Hawaii	60	N19-48-16; W155-27-29
North Liberty, Iowa	60	N41-46-17; W91-34-26
Maryland Point, Maryland	60	N38-22-26; W77-14-00
Hancock, New Hampshire	60	N42-56-01; W71-59-12
Los Alamos, New Mexico	60	N35-46-30; W106-14-42
Pie Town, New Mexico	60	N34-18-04; W108-07-07
Socorro, New Mexico	160	N34-04-43; W107-37-04
WSMR, New Mexico	75	N32-23-00; W106-29-00
Minot AFB, North Dakota	80	N48-15-00; W101-17-00
Arecibo, Puerto Rico	160	N18-20-37; W66-45-11
Fort Davis, Texas	60	N30-38-06; W103-56-39
St. Croix, Virgin Islands	60	N17-45-31; W64-35-03
Brewster, Washington	60	N48-07-53; W119-40-55
Green Bank, West Virginia	160	N38-25-59; W79-50-24

(vii) The filed application(s) does not propose to operate in the 21.2-23.6 GHz band with an E.R.P. greater than 55 dBm pursuant to § 101.147(s); and

(viii) The filed application(s) is consistent with the proposal that was coordinated pursuant to § 101.103.

* * * * *

[FR Doc. 98-5465 Filed 3-4-98; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1 and 101

[ET Docket No. 95-183; PP Docket No. 93-253; FCC 97-391]

Service and Auction Rules for the 38.6-40.0 GHz Frequency Band; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects portions of the Commission's rules that were published in the **Federal Register** of February 6, 1998 (63 FR 6079).

DATES: Effective on March 5, 1998.

FOR FURTHER INFORMATION CONTACT: Christina Eads Clearwater, Auctions and Industry Analysis Division, 202-418-0660.

SUPPLEMENTARY INFORMATION: The Federal Communications Commission published a document amending part 101 of the Commission's rules in the **Federal Register** of February 6, 1998 (63 FR 6079). This document corrects 47 CFR 1.2102 and 47 CFR 101.1209(c) as they appeared in the **Federal Register** of February 6, 1998. In rule FR Doc. 98-1731, published on February 6, 1998 (63 FR 6079), make the following corrections:

§ 1.2102 [Corrected]

1. On page 6103, in the first column, § 1.2102 is corrected to read as follows:

(a) Mutually exclusive initial applications are subject to competitive bidding.

(b) The following types of license applications are not subject to competitive bidding procedures:

(1) Public safety radio services, including private internal radio services used by state and local governments and non-government entities and including emergency road services provided by not-for-profit organizations, that

(i) Are used to protect the safety of life, health, or property; and
 (ii) Are not commercially available to the public;

(2) Initial licenses or construction permits for digital television service given to existing terrestrial broadcast licensees to replace their analog television service licenses; or

(3) Noncommercial educational and public broadcast stations described under 47 U.S.C. 397(6).

Note to § 1.2102: To determine the rules that apply to competitive bidding, specific service rules should also be consulted.

§ 101.1209 [Corrected]

2. On page 6107, in the second column, line 55, replace "(A)" with "(1)".

3. On page 6107, in the third column, line 1, replace "(B)" with "(2)".

4. On page 6107, in the third column, line 4, replace "(C)" with "(3)".

5. On page 6107, in the third column, line 8, replace "(D)" with "(4)".

Dated: February 24, 1998.

Daniel B. Phythyon,

Chief, Wireless Telecommunications Bureau.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1; Amdt. 1-292]

Organization and Delegation of Powers and Duties; Great Lakes Pilotage

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: The Secretary of Transportation hereby revokes the

authority delegated to the Administrator for the Saint Lawrence Seaway Development Corporation to carry out the functions vested in the Secretary by the Great Lakes Pilotage Act of 1960, as amended (46 U.S.C. 9301 *et seq.*) and delegates that authority to Commandant of the Coast Guard. This responds to a ruling of the U.S. Court of Appeals for the District of Columbia Circuit that vacates a December 11, 1995, final rule transferring oversight of Great Lakes pilotage functions to the Saint Lawrence Seaway Development Corporation.

EFFECTIVE DATE: This rule is effective March 5, 1998.

FOR FURTHER INFORMATION CONTACT:

Gwyneth Radloff, Office of the General Counsel, Department of Transportation, C-50, (202) 366-9306, 400 Seventh Street, SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION: In 1994, the Secretary formed a study group to determine where best to locate the Secretary's authority to carry out the functions vested in him by the Great Lakes Pilotage Act of 1960, as amended, and his authority to enter into, revise, or amend arrangements with Canada under the 1977 Memorandum of Arrangements with Canada. This authority extends to such matters as examination and registration of pilots and setting the rates for their services. The study group recommended transferring this responsibility from the Coast Guard to the St. Lawrence Seaway Development Corporation. On December 11, 1995, the Secretary of Transportation issued a rule revoking the then-existing delegation of pilotage authority to the Coast Guard and redelegating oversight of Great Lakes Pilotage functions to the Saint Lawrence Seaway Development Corporation. On November 12, 1997, the U.S. Court of Appeals for the District of Columbia Circuit, in *Halverson v.*

Slater, 129 F.3d 180 (D.C. Cir. 1997), reversed a district court decision, and held that the Secretary of Transportation lacks the authority under 49 U.S.C. 322(b) to delegate Great Lakes Pilotage Act powers and duties to the Saint Lawrence Seaway Development Corporation. The court held that under 46 U.S.C. 2104(a) the Secretary only has authority either to keep those powers and duties within the Office of the Secretary or to delegate them to the U.S. Coast Guard.

The 1995 rule vacated by the court decision revoked an earlier delegation of this authority to the U.S. Coast Guard and removed the relevant sections from the Code of Federal Regulations (CFR). The Department is acting now to settle the question of where the authority will reside after the court's decision. This action requires changes to the CFR.

This rule responds to the U.S. Court of Appeals ruling by formally revoking the delegation to the Saint Lawrence Seaway Development Corporation and delegating to the Commandant of the Coast Guard the authority to carry out the Secretary's functions under the Great Lakes Pilotage Act of 1960, as amended, and his authority to enter into, revise, or amend arrangements with Canada.

Following the issuance of the Court's decision, the Department undertook an outreach effort to elicit industry views concerning the administration of pilotage functions. The Secretary's decision to transfer the pilotage function to the Coast Guard takes into account the views expressed in these meetings, as well as the Department's own review of the best placement of the administration of the pilotage function given the limited options available under the Circuit Court's opinion.