

proposing significant changes to these orders, or have made *ex parte* presentations to propose ideas not presented in comments. In addition, parties have had the opportunity to observe changes in the level of competition in the marketplace. In this Public Notice, we invite parties to update and refresh the record on specific issues in these two proceedings to reflect all these developments. We note that implementation of high-cost universal service support also requires changes to access charges and that, therefore, access charge reform will be considered together with implementation of high-cost universal service support.

First, in their petitions for reconsideration of the *Price Cap Fourth Report and Order*, some parties have argued for a higher X-Factor, and some have argued for a lower X-Factor, for use in determining the price cap indices for price cap local exchange carriers (LECs). Parties are invited to update their comments and refresh the record on the specific arguments raised in these petitions for reconsideration.

In addition, Bell Atlantic and Ameritech have made specific pricing flexibility proposals that differ in several respects from proposals contained in the record developed in response to the *Access Charge Reform Notice*, 62 FR 4670 (January 31, 1997). First, because these proposals were made a year after issuance of the *Access Charge Reform Order*, they reflect both the measures adopted by the Commission in that order and developments in the marketplace since adoption of that order. Second, Bell Atlantic and Ameritech propose that the criteria used to evaluate the degree of competition vary by service. They also set forth proposals for phased relief as the competition in various services increases. We seek comment on these proposals.

Finally, on December 9, 1997, the Consumer Federation of America, the International Communications Association, and the National Retail Federation petitioned the Commission to initiate a rulemaking addressing the prescription of interstate access rates to cost-based levels. On February 24, 1998, MCI petitioned the Commission to "revisit and significantly modify its Access Reform policies by July 1, 1998." Parties are invited to update their comments and refresh the record for both of these proceedings based on intervening events. Parties are specifically invited to comment on whether and how we could implement specific forms of pricing flexibility for LECs subject to prescriptive access rates. To the extent

that we have not already addressed the concerns set forth in MCI's petition, we will consider MCI's petition in connection with RM-9210. Any updates or comments on matters contained in MCI's petition should be filed in that proceeding.

List of Subjects in 47 CFR Parts 61 and 69

Communications common carriers.
Federal Communications Commission.
Magalie Roman Salas,
Secretary.
[FR Doc. 98-27189 Filed 10-8-98; 8:45 am]
BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-180, RM-9365]

Radio Broadcasting Services; Fremont and Holton, MI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Noordyk Broadcasting, Inc. proposing the reallocation of Channel 261A from Fremont, Michigan, to Holton, Michigan, as that community's first local service and modification of its license for Station WSHN to specify Holton as its community of license. Canadian concurrence will be requested for this allotment at coordinates 43-28-15 and 85-56-25. In accordance with Section 1.420(i) of the Commission's Rules, we shall not accept competing expressions of interest in the use of Channel 261A at Holton or require petitioner to demonstrate the availability of an additional equivalent class channel for use by such parties.

DATES: Comments must be filed on or before November 23, 1998, and reply comments on or before December 8, 1998.

ADDRESSES: Federal Communications Commission, Washington, DC. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Cary S. Tepper, Booth, Freret, Imlay & Tepper, P.C., 5101 Wisconsin Avenue, N.W., suite 307, Washington, DC 20016-4120.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No.

98-180, adopted September 23, 1998, and released October 2, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's 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 Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.
Federal Communications Commission.

John A. Karousos,
Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.
[FR Doc. 98-27067 Filed 10-8-98; 8:45 am]
BILLING CODE 6712-01-U

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-179; RM-9334]

Radio Broadcasting Services; Oraibi and Leupp, AZ

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Oraibi Media Association, permittee of Station KBDT(FM), Channel 255C, Oraibi, Arizona, requesting the reallocation of Channel 255C to Leupp, Arizona, and modification of its authorization accordingly. Coordinates used for Channel 255C at Leupp, Arizona, are 35-26-34 NL and 110-58-40 WL.

The petitioner's modification proposal complies with the provisions of Section 1.420(i) of the Commission's Rules, and therefore, we will not accept competing expressions of interest in the use of Channel 255C at Leupp, or require the petitioner to demonstrate the availability of an additional equivalent class channel.

DATES: Comments must be filed on or before November 23, 1998, and reply comments on or before December 8, 1998.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: David D. Oxenford and Jason S. Roberts, Esqs., Fisher Wayland Cooper Leader & Zarazoga, L.L.P., 2001 Pennsylvania Avenue, NW., Suite 400, Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-179, adopted September 23, 1998, and released October 2, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's 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 contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 98-27066 Filed 10-8-98; 8:45 am]

BILLING CODE 6712-01-U

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

49 CFR Parts 395 and 396

[FHWA Docket No. FHWA-98-3414]

RIN 2125-AE35

Out-of-Service Criteria; Extension of Comment Period

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Re-opening of docket; request for comments.

SUMMARY: The FHWA is re-opening Docket No. FHWA-98-3414 for a period of sixty (60) days. On July 20, 1998, the FHWA published an advance notice of proposed rulemaking (ANPRM) in which the agency sought comment concerning use of the "North American Uniform Out-of-Service Criteria" (OOS Criteria) (63 FR 38791). This action today is taken in response to a written request from the Advocates for Highway and Auto Safety (AHAS). The FHWA has determined that re-opening the docket is appropriate given the complexity of the ANPRM and the need for informed public comment. The docket will be open for an additional period of 60 days.

DATES: Comments should be received on or before December 8, 1998.

ADDRESSES: Signed, written comments should refer to the docket number appearing at the top of this document and must be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590-0001. All comments received will be available for examination at the above address between 10 a.m. and 5 p.m., e.t., Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Mr. Robert F. Schultz, Jr., Office of Motor Carrier Research and Standards (HCS-10), (202) 366-4009, or Mr. Charles Medalen (HCC-20), Office of the Chief Counsel, (202) 366-1354, Federal Highway Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Office

hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Electronic Access

Internet users can access all comments received by the U.S. DOT Dockets, Room PL-401, by using the universal resource locator (URL): <http://dms.dot.gov>. It is available 24 hours each day, 365 days each year. Please follow the instructions online for more information and help.

An electronic copy of this document may be downloaded using a modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the **Federal Register's** home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

SUPPLEMENTARY INFORMATION:

Background

On July 20, 1998 (63 FR 38791), the FHWA published an ANPRM concerning use of the OOS Criteria, and requested comments on the proposed amendments on or before September 18, 1998. The OOS Criteria are a reference guide developed and maintained by the Commercial Vehicle Safety Alliance (CVSA). They are not part of the Federal Motor Carrier Safety Regulations. During roadside inspections, Federal, State and local safety inspectors use the OOS Criteria as a guide in determining whether to place commercial motor vehicles (CMVs) or drivers of CMVs out-of-service. The guide enumerates conditions which the CVSA membership has agreed are sufficiently hazardous to justify restricting further operation.

Request for an Extension of the Comment Period

The AHAS requested an extension of thirty (30) days by letter dated September 1, 1998. A copy of the letter will be placed in the docket. The AHAS commented that additional time is needed to review the merits of this action, and that other FHWA dockets closing at about the same time have strained their resources.

Nineteen (19) responses to the ANPRM had been received as of September 25, 1998. Other parties have orally expressed interest in responding and have stated that they are having difficulty doing so by the deadline.