

Federal Communications Commission.

**William F. Caton,**  
*Acting Secretary.*

### Rule Change

For the reason set forth in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 54 as follows:

#### PART 54—UNIVERSAL SERVICE

1. The authority citation for part 54 continues to read as follows:

*Authority:* 47 U.S.C. 1,4(I), 201, 205, 214 and 254 unless otherwise noted.

2. Revise § 54.501 (d)(1) to read as follows:

#### § 54.501 Eligibility for services provided by telecommunications carriers.

\* \* \* \* \*

(d) \* \* \*

(1) For purposes of seeking competitive bids for telecommunications services, Internet access and internal connections, schools and libraries eligible for support under this subpart may form consortia with other customers. When ordering telecommunications and other supported services under this subpart, the consortium may even seek to negotiate for pre-discount prices below tariffed interstate rates on behalf of members that are eligible schools or libraries, health care providers eligible under subpart G, or public sector (governmental) entities, including, but not limited to, state colleges and state universities, state educational broadcasters, counties and municipalities. However, eligible schools and libraries may only receive support for their share of services as part of a consortium that includes ineligible private sector entities if the pre-discount prices of any interstate tariffed services that such ineligible private sector members of the consortium receive are at the tariffed rates.

\* \* \* \* \*

[FR Doc. 02-3883 Filed 2-15-02; 8:45 am]

BILLING CODE 6712-01-P

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 02-244; MM Docket No. 01-308; RM-10308]

##### Radio Broadcasting Services; Wickett, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** This document dismisses a petition for rule making filed by Katherine Pyeatt requesting the allotment of Channel 224A at Wickett, Texas. See 66 FR 56507, November 8, 2001. Neither Katherine Pyeatt nor any other party filed comments supporting an allotment at Wickett. As it is the Commission's policy to refrain from making an allotment absent supporting comments, we will dismiss the proposal for Wickett.

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

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 01-308, adopted January 23, 2002, and released February 1, 2002. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY-B402, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

Federal Communications Commission.

**John A. Karousos,**  
*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

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#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 02-246; MM Docket No. 01-303; RM-10306]

##### Radio Broadcasting Services; Birch Tree, Missouri

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** This document dismisses a petition for rule making filed by Charles Crawford requesting the allotment of Channel 241A at Birch Tree, Missouri. See 66 FR 54972, October 31, 2001. Neither Charles Crawford nor any other party filed comments supporting an allotment at Birch Tree. As it is the Commission's policy to refrain from making an allotment absent supporting comments, we will dismiss the proposal for Birch Tree.

#### FOR FURTHER INFORMATION CONTACT:

Kathleen Scheuerle, Mass Media Bureau (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 01-303, adopted January 23, 2002, and released February 1, 2002. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY-B402, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

Federal Communications Commission.

**John A. Karousos,**  
*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 02-4004 Filed 2-15-02; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Part 600

[I.D. 012902C]

##### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Atlantic Coastal Fisheries Cooperative Management; Application for Exempted Fishing Permits (EFPs)

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

**ACTION:** Notification of a proposal for EFPs to conduct experimental fishing; request for comments.

**SUMMARY:** The Administrator, Northeast Region, NMFS (Regional Administrator) has made a preliminary determination that the subject EFP application contains all the required information and warrants further consideration. The Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Northeast Multispecies Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue EFPs. Therefore, NMFS announces that the Regional Administrator has made a

preliminary decision to issue EFPs that would allow three federally permitted fishing vessels to conduct fishing operations otherwise restricted by the regulations governing the Northeast multispecies fishery. EFPs would allow the federally permitted vessels to compare a standard flounder otter trawl to a modified flounder otter trawl in order to estimate cod bycatch reduction in the modified trawl. EFPs are needed to allow the fishing activities to be conducted in areas of the Gulf of Maine (GOM) otherwise closed to fishing in March and April. Regulations under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments must be received on or before March 6, 2002.

**ADDRESSES:** Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930-2298. Mark the outside of the envelope "Comments on EFP Proposal." Comments may also be sent via facsimile (fax) to (978) 281-9135. A copy of the proposal and the Environmental Assessment are available from the Northeast Regional Office at the address stated above.

**FOR FURTHER INFORMATION CONTACT:** Peter Christopher, Fishery Policy Analyst, 978-281-9288.

**SUPPLEMENTARY INFORMATION:** The Massachusetts Division of Marine Fisheries (MADMF) submitted an application on January 16, 2002, to conduct an experimental fishery using three federally permitted vessels to fish with experimental fishing gear in and near the GOM Rolling Closures during March and April, 2002. The experiment is a continuation of an experiment that the MADMF conducted in 2001.

The continuation of the experiment is necessary to expand the level of information and data that the MADMF has collected on the experimental flounder trawl and to conduct the experimental fishing at a time when, and in areas where, both flounder and cod are in abundance relative to other areas and times of the year. Experimental fishing in 2001 demonstrated a reduction of cod bycatch of between 75 and 90 percent, compared to traditional flounder otter trawl gear. The MADMF anticipates this reduction in bycatch to continue.

The proposed experiment would be conducted in March and April in statistical areas 123 and 124 in the

GOM. According to the MADMF, operation of the experiment in statistical areas 123 and 124 in March and April would allow the experiment to occur when concentrations of flounder and cod are high enough to demonstrate sufficiently the gear's effectiveness in catching flounder and reducing cod bycatch. EFPs are required because statistical areas 123 and 124 are closed to fishing during March and April under the GOM Rolling Closure Areas I and II. The participating vessels would be allowed to retain 400 lb (181.4 kg) of cod for each 24-hour period they are fishing, as allowed by the regulations at 50 CFR 648.86(b)(i). Any remaining cod captured during the experiment would be immediately returned to the sea. The MADMF anticipates a 50-percent survival rate of released cod collected, based on research conducted by the MADMF.

The MADMF expects that the experiment this year will allow expansion of the data that they have collected from prior experiments, investigation of daytime and nighttime catches, and comparisons of the data between two different vessels. Information obtained by MADMF (and provided to NMFS after completion) could provide for potential gear modification alternatives to be used in the groundfish fishery to prevent the bycatch of cod in directed flounder fisheries.

Based on the results of this EFP, this action may lead to future rulemaking.

Dated: February 12, 2002.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 600

[I.D. 012402A]

#### Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits (EFPs)

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

**ACTION:** Notification of a proposal for EFPs to conduct experimental fishing; request for comments.

**SUMMARY:** NMFS announces that the Administrator, Northeast Region, NMFS (Regional Administrator) has made a preliminary determination that an application to issue EFPs to six longline and tub trawl vessels, submitted by the Maine Department of Marine Resources (Maine DMR), contains all the information required by the regulations governing exempted experimental fishing under the provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and warrants further consideration. The Regional Administrator has also made a preliminary determination that the activities authorized under these EFPs would be consistent with the goals and objectives of the Northeast Multispecies Fishery Management Plan (FMP) and is within the scope of earlier analyses of the impacts. However, further review and consultation may be necessary before a final determination is made to issue six EFPs.

Regulations under the Magnuson-Stevens Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

**DATES:** Comments on this notification must be received at the appropriate address or fax number (see **ADDRESSES**) on or before March 6, 2002.

**ADDRESSES:** Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, One Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on EFP Proposal." Comments may also be sent via facsimile to (978) 281-9135. Comments will not be accepted if submitted via e-mail or the Internet.

**FOR FURTHER INFORMATION CONTACT:** Allison Ferreira, Fishery Management Specialist, 978-281-9103.

**SUPPLEMENTARY INFORMATION:** NMFS announces that the Regional Administrator intends to issue EFPs to allow six federally permitted vessels to fish for, land, and possess Atlantic halibut (*Hippoglossus hippoglossus*) in excess of the allowable landing and possession limit specified at 50 CFR 648.86(c) within a portion of the Gulf of Maine/Georges Bank Regulated Mesh Area (GOM/GB RMA). The EFPs would also allow these vessels to possess temporarily Atlantic halibut less than the minimum size requirement specified at § 648.83(a)(1) for purposes of collecting scientific information.

Maine DMR submitted a proposal on November 6, 2001, to conduct an experimental Atlantic halibut fishery in a portion of the GOM/GB RMA. The