

preted in a manner not consistent with their intent.

DATE: The regulations in this part were effective on July 11, 1978.

FOR FURTHER INFORMATION CONTACT:

Barry S. Neuman, Office of General Counsel, Water and Solid Waste Division (A-131), Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, 202-755-0753.

On July 11, 1978, effluent guideline limitations were promulgated for the Ore Mining and Dressing Point Source Category. 43 FR 29771 (1978). With respect to the Base and Precious Metals Subcategory established thereunder, these regulations provide, in part:

"There shall be no discharge of process waste water from mines and mills which employ dump, heap, in situ or vat-leach processes for the extraction of copper from ores or ore waste materials (in net evaporation areas)." 43 FR at 29775, § 440.22(a)(3) (1978).

The regulations also contain a provision of general applicability that:

"Any excess water, resulting from rainfall or snowmelt, discharged from facilities designed, constructed and maintained to contain or treat the volume of water which would result from a 10-year 24 hour precipitation event shall not be subject to the limitations set forth in 40 CFR 440." 43 FR at 29777-78, § 440.81(c) (1978).

The term "ten-year 24-hour precipitation event" is defined, in turn, as:

"the maximum 24-hour precipitation event with a probable re-occurrence interval of once in 10 years as defined by the National Weather Service and Technical Paper No. 40, 'Rainfall Frequency Atlas of the U.S.', May 1961, and subsequent amendments, or equivalent regional or rainfall probability information developed therefrom." 43 FR at 29778, § 440.82(d).

After the promulgation of the regulations, it was suggested that the above provisions are ambiguous in several respects, and that, when the provisions are read together, they may be interpreted in a manner not consistent with their intent. This clarification is intended to remove such ambiguity.

The regulations are not intended to require the operator to collect and contain diffuse storm runoff which would not otherwise be collected in or does not otherwise drain into a point source. Rather, the regulations are concerned with water that has been collected. For example, the regulations would apply to process water, impregnated with metal values, that the operator has collected in holding facilities after application to the leach dump. The regulations require that water containing such contaminated leach solutions not be discharged.

The regulations also are meant to apply to storm precipitation and runoff which may, on occasion, drain into or be channeled to the holding facility, and commingle with the leach solution. The regulations govern storm precipitation and runoff which enters such a holding facility, and it is in this context that the 10-year 24-hour storm provision applies.

Taken together, then, the regulations are intended to require that, if a holding facility in which contaminated leach solution is held is designed, constructed and maintained to hold a volume of water equal to (1) all process water applied by the operator to an active leach area plus (2) a volume of storm water which, during a 10-year 24-hour storm event, falls on the area which drains into such holding facility and precipitates directly on such facility, then any excess water discharged from the holding facility as a result of the rainfall or snowmelt is not subject to the no-discharge requirement and may be discharged.

A question has also been raised with respect to the interrelationship of the 10-year 24-hour storm provision and effluent limitations governing mine drainage set forth at 43 FR at 29775, § 440.22(a)(1).

The term "mine drainage" is defined as "any water drained, pumped or siphoned from a mine." 43 FR at 29778, § 440.82(c) (1978). The term "mine" is defined as:

"an active mining area, including all land and property placed upon, under or above the surface of such land, used in or resulting from the work of extracting metal ore from its natural deposits by any means or method * * * Id.; § 440.82(b).

"Active mining area", in turn, is defined as:

"A place where work or other activity related to the extraction, removal or recovery of metal ore is being conducted * * * Id., § 440.82(a).

Thus, the regulations distinguish between active mining areas and areas where leaching activities are carried on.

Under the regulations, mine drainage is intended to include all water which contacts an "active mining area * * *" and which naturally flows into a "point source"—that is, a discernible, confined and discrete conveyance—or is collected in, or channeled or diverted to, a point source as a result of acts of the mine operator. All water which contacts an "active mining area * * *" and either does not flow, or is not channeled by the operator, to a point source, is considered runoff, and it is not the regulations' intent to require the mine operator to collect and treat such runoff.

This requirement, however, must also be read in conjunction with the

10-year 24-hour storm provision set forth at § 440.81(c). If an impoundment, holding or treatment facility is designed, constructed and maintained to contain or treat the volume of mine drainage which would result from a 10-year 24-hour precipitation event, excess water discharged from such facility as a result of rainfall or snowmelt is not subject to the regulations. Again, "mine drainage" as used in the preceding sentence means water which contacts an "active mining area * * *" and either flows, or is diverted or channeled by the operator to, a point source.

Thus, the regulations were and are not intended to require the mine operator to collect and treat diffuse runoff which contacts an "active mining area * * *" and is not presently discharged from or collected in a point source.

The foregoing explanation applies to the requirements of the promulgated effluent limitations; the appropriate permitting authority, of course, retains the authority, under various provisions of the Clean Water Act, to impose more stringent requirements. In addition, storm runoff not covered by these regulations may be subject to the provisions of Section 304(e) of the Clean Water Act.

For further information contact: Barry S. Neuman, Office of General Counsel, Water and Solid Waste Division (A-131), Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, 202-755-0753.

Dated: February 2, 1979.

BARBARA BLUM,
Acting Administrator.

[FR Doc. 79-4431 Filed 2-7-79; 8:45 am]

[6820-24-M]

Title 41—Public Contracts and Property Management

CHAPTER 101—FEDERAL PROPERTY MANAGEMENT REGULATIONS

SUBCHAPTER E—SUPPLY AND PROCUREMENT

[FPMR Amdt. E-229]

PART 101-25—GENERAL

Subpart 101-25.3—Use Standards

ACQUISITION AND USE OF ELECTRIC TYPEWRITERS

AGENCY: General Services Administration.

ACTION: Final rule.

SUMMARY: This regulation requires agencies to establish definitive policies, procedures, and limitations for the acquisition and use of electric typewriters to ensure that agencies procure only the lowest priced electric

typewriters necessary to meet their needs. A review of agency procurement practices indicated that the changes in this regulation were necessary.

EFFECTIVE DATE: February 8, 1979.

FOR FURTHER INFORMATION CONTACT:

Mr. John I. Tait, Director, Regulations and Management Control Division, Office of the Executive Director, Federal Supply Service, General Services Administration, Washington, DC 20406 (703-557-1914).

SUPPLEMENTARY INFORMATION: Notice of a proposal to amend the Federal Property Management Regulations to require agencies to establish specific standards for the acquisition and use of electric typewriters was published in the *FEDERAL REGISTER* on September 7, 1977 (42 FR 44823). Suggestions received pursuant to that notice were evaluated and, where feasible, are reflected in this final rule.

Each agency shall forward a copy of its implementing regulation required by § 101-25.302-3(a) to the General Services Administration, Office of Acquisition Policy (mailing address: General Services Administration (AP), Washington, DC 20405), by May 9, 1979.

The General Services Administration has determined that this regulation will not impose unnecessary burdens on the economy or on individuals and, therefore, is not significant for the purposes of Executive Order 12044.

Section 101-25.302-3 is revised as follows:

§ 101-25.302-3 Electric typewriters.

(a) Each executive agency shall establish definitive policies, procedures, and standards for the acquisition and use of electric typewriters in consonance with the requirement to provide each typing station with the lowest cost electric typewriter that will meet minimum needs. Procurement of all electric typewriters shall be in accordance with the provisions of §§ 101-26.408-2 through 101-26.408-4 concerning acquisition of the lowest delivered price item from multiple-award Federal Supply Schedule contracts. Typewriters with specialized, elaborate, or sophisticated features shall be acquired only if they are the lowest priced available typewriters with or without those features, or if those features are indispensable to perform the required work. Approval for acquiring typewriters in the latter category shall be granted only as provided in paragraph (b) of this section.

(b) When establishing standards for determining the typewriter to be ac-

quired, the following criteria shall be used:

(1) Generally, the acquisition of typewriters shall be limited to standard-type-bar, single-pitch machines or single-element machines. Agencies should establish minimum daily usage factors for acquisition of each special feature exceeding this description.

(2) Acquisition of typewriters with special features required for unique functions shall be justified in writing by the head of the agency or an authorized representative of the head of the agency, and that justification shall be made a part of the purchase file. Special features on typewriters include but are not limited to the following:

- (i) Decimal tab keys or statistical keyboard;
- (ii) Multiple-pitch capability; and
- (iii) Proportional spacing.

(3) The acquisition of typewriters must reflect the work requirements of the office. For example, if 20 percent of the typing workload requires the use of typewriters with multiple pitch, then 100 percent of the typewriters need not have that particular feature.

(4) Typewriters with self-correcting features should not be considered economical unless a high percentage of the work necessitates first-time original copies.

(5) Whenever practicable, typewriters with specialized features should be pooled within an activity and made available if the features are used only occasionally.

(6) Typewriters with internal memory that do not record on movable magnetic media shall be acquired under the provisions of Subpart 101-11.9.

(Sec. 205(c), 63 Stat. 390; (40 U.S.C. 486(c)).)

Dated: January 23, 1979.

JAY SOLOMON,
Administrator
of General Services.

[FR Doc. 79-4293 Filed 2-7-79; 8:45 am]

[6712-01-M]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19528; Docket No. 20774;

Docket No. 21182; RM-2829; FCC 79-381]

PART 68—CONNECTION OF TERMINAL EQUIPMENT TO THE TELEPHONE NETWORK

New or Revised Classes of Interstate and Foreign Message Toll Telephone Service (MTS) and Wide Area Telephone Service (WATS); Specifying Standard Plugs and Jacks for the Connection of Telephone Equipment to the Nationwide Telephone Network; Specifying Standards for and Means of Connection of Telephone Equipment to Lamp and/or Annunciator Functions of Systems

AGENCY: Federal Communications Commission.

ACTION: Reconsideration of Rule Making; Adoption of Final Rules.

SUMMARY: The Commission resolved all outstanding petitions seeking reconsideration of decisions involving interconnection of telephone terminal equipment and systems to the telephone network, in Dockets Nos. 19528, 20774 and 21182. Briefly, this unified order affirms the basic policies of the telephone equipment registration program and its Part 68 (of the FCC's rules) rules, while increasing manufacturers' and consumers' flexibility in such areas as: allowing the use of extension cords; allowing licensed professional engineers to supervise wiring installation (in addition to supervisors who have authority from equipment manufacturers); removing equipment-room wiring from certain limitations; and adopting a new procedure for using "standard" plug/jack configurations.

EFFECTIVE DATE: March 9, 1979.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Michael S. Slomin, Policy and Rules Division, Common Carrier Bureau (202-632-9342).

SUMMARY MEMORANDUM OPINION AND ORDER¹

In the matters of Proposals for New or Revised Classes of Interstate and Foreign Message Toll Telephone Service (MTS) and Wide Area Telephone

¹Because of the length of the Memorandum Opinion and Order, it has not been published in the *FEDERAL REGISTER*, though it is on file. Copies of the original can be obtained from FCC's Public Information Office, Room No. 202, 1919 M St., N.W., Washington, D.C. 20554 (202) 632-7260.

Service (WATS); Docket No. 19528, 43 FR 16480, April 19, 1978; Revision of Part 68 of the Commission's Rules to Specify Standard Plugs and Jacks for the Connection of Telephone Equipment to the Nationwide Telephone Network; Docket No. 20774, 42 FR 12056, March 2, 1977; and Amendment of Part 68 of the Commission's Rules (Telephone Equipment Registration) to Specify Standards for and Means of Connection of Telephone Equipment to Lamp and/or Annunciator Functions of Systems, Docket No. 21182, 43 FR 16519, April 19, 1978, RM-2829.

The Commission has resolved all outstanding petitions for reconsideration in its three telephone equipment registration proceedings and adopted changes to increase consumer flexibility and the options available to equipment manufacturers and suppliers.

It said that over the past several years it had established a telephone equipment registration program that allowed consumers to use a broad variety of telephone equipment while providing appropriate protection of the nationwide telephone network from harm.

The Commission noted that Docket 19528 was the primary vehicle for adoption of this program and the program was implemented in three basic orders.

In the 1975 First Report, the program was initially made applicable to extension telephones, data equipment and ancillary equipment. In the 1976 Second Report, the program was extended to encompass main telephones, Private Branch Exchange (PBX) and key telephone systems, although because of outstanding issues related to protecting the network from premises wiring aberrations, only interim procedures were adopted in that order. In the 1978 Third Report, more comprehensive procedures were adopted for PBX and key telephone system registration and for their related premises wiring.

Because appellate litigation was pending on the Docket 19528 decisions, the Commission said, several allied proceedings addressing related matters were established. Thus, it said, while Docket 19528 adopted a policy of requiring FCC-registered equipment to be connected using standard plugs and jacks, the actual plugs and jacks were adopted in another proceeding, Docket 20774.

Similarly, the Commission said, while Docket 19528 adopted a policy of limiting the registration program to connections to the telephone network, another proceeding, Docket 21182, addressed whether the program should be extended in scope to encompass connections to other equipment.

The Commission said while the three proceedings had been treated as

procedurally distinct, they did to some extent address common issues.

The Commission noted it had four goals in mind in the registration program:

- Assurance of adequate protection of the telephone network;
- Minimization of governmental intrusion into the equipment design, innovation and installation process;
- Promotion of the use of informal, industry-wide processes, where feasible to resolve technical issues; and
- Maximization of consumer flexibility and choice.

With these concepts in mind, the Commission said it would not expand the scope of the registration program in the Docket 21182 decision to directly encompass equipment-to-equipment connections, although it would make a very limited class of "components"—extension cords, adapters and patching panels—directly encompassed by the registration program to promote consumer flexibility.

It also adopted a new tariff mechanism as an alternative to the present approach of specifying "standard" plug/jack configurations in the rules. It said although the present approach worked, every time a new configuration was desired by the industry, a lengthy rulemaking process had to be initiated. The FCC said the new method would permit a new configuration to be used in a matter of weeks, if there was no controversy over it.

The Commission said the petitions and comments indicated that the Third Report's technical standards for premises wiring were practical and reasonable. It pointed out no party had claimed they were in any way burdensome and only minor perfecting changes were proposed. The Commission said it would adopt only those changes that would promote flexibility and innovation. Therefore, it specified that wiring used in equipment rooms, to which the general public has no access, would be exempted from some of the limitations of the rules.

The FCC said the only issue over which there was controversy concerned the institutional incentives that were adopted in the Third Report to assure that individual installations of premises wiring in fact conformed to the Commission's rules. It noted the Third Report adopted several complementary approaches to premises wiring. Basically, it said, an equipment manufacturer may choose to design equipment so that the wiring cannot affect the telephone network, or it may choose not to do so. If the manufacturer makes the latter choice and thereby exposes the telephone network electrically to the wiring itself, certain controls over the wiring are

warranted. One such set of controls was a definition of acceptable technical standards, specified in Part 68 of the rules. Another such set of controls was procedures that assure that the wiring in fact would conform to the stated technical standards.

The FCC said the Third Report adopted an approach of establishing institutional incentives toward proper wiring. The equipment's manufacturer is required, in effect, to license installation supervisors by granting authority to assure that the wiring will conform to Commission rules.

The Commission said that rather than using government controls over the adequacy of installation personnel, it created an environment where registrants would select appropriately-trained personnel who are competent to assure installation consistent with the technical standards in the FCC's rules, to assure adequate network protection with minimal government interference with efficient equipment design and installation techniques.

The Commission said comments filed indicated that in the time period shortly after the Third Report was released, several equipment manufacturers appeared to be unwilling to extend the authority required in the rules of assuring proper wiring if their equipments were not inherently protective. Because of this, the FCC said, the comments requested that this element of the Third Report's program of controls over wiring be deleted.

The Commission pointed out, however, that:

- Proponents of deletion of that section of the rules offered no alternative proposal that would adequately create the desired incentives toward proper wiring;
- The potential for network harm from wiring that is performed improperly is high because of the wiring's physical exposure to commercial power wiring and grounded surfaces;
- Equipment manufacturers are now apparently entering the rule-required relationships, which indicates that the requirement is not unworkable; and
- If, as proponents of deleting that section of the rules are claiming, wiring poses no real danger to the telephone network, they should not be at all reluctant to indirectly accept limited responsibility for premises wiring.

The Commission said it would adopt an alternative to the existing supervisor/manufacturer relationship which will create a similar incentive toward proper wiring, and allow consumers an alternative method of dispensing with unnecessary protective apparatus if a particular manufacturer is no longer

in business, or if it chooses not to enter the required relationship with an installation supervisor. The new alternative allows a professional engineer licensed in the state where the wiring is performed to supervise and certify the wiring's adequacy.

It noted that this new alternative would meet all the registration program's objectives because a licensed professional engineer would have ample technical ability to use and interpret the FCC's wiring technical requirements, and the possibility of professional liability or loss of the professional license would create the desired incentives towards proper wiring. Moreover, engineer licensing by the states is already in place and does not require establishment of new bureaucracies or expansion of government intrusion in this field.

In sum, the Commission said the amendments it was adopting would result in no material changes in its policies concerning terminal equipment and system registration. It said that the changes adopted would increase consumer flexibility and the options available to equipment manufacturers and suppliers. It said it would be promoting industry-wide cooperation and installation efficiency by establishing the new mechanism whereby "standard" plug/jack configurations could be adopted and used expeditiously, rather than after months of formal rulemaking.

Finally, the Commission extended the transition period during which nonregistered "grandfathered" communications systems such as PBX and key telephone systems could continue to be installed, in recognition that the present period was too short. Also, the Commission changed the date for eligibility for transition period procedures to coincide with the effective date of the Third Report. The transition period will now end on January 11, 1980. PBX and key telephone systems are now eligible if of a type similar to designs connected to the telephone network as of June 1, 1978.

This action, which amends Part 68 of the rules becomes effective March 9, 1979.

(Secs. 1, 2, 4, 201-205, 208, 215, 218, 313, 314, 403, 404, 410, 602; 48 Stat as amended; 1064, 1066, 1070, 1071, 1072, 1073, 1076, 1077, 1087, 1094, 1098, 1102; 47 U.S.C. 151, 152, 154, 201-205, 208, 215, 218, 313, 314, 403, 404, 410, 602.)

FEDERAL COMMUNICATIONS
COMMISSION,
WILLIAM J. TRICARICO,
Secretary.

Part 68 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. In § 68.2, paragraph (c) is amended as follows:

§ 68.2 Scope.

(c) *Grandfathered systems (including, but not limited to, PBX and key telephone systems).* (1) Entire systems, including their equipment, premises wiring, and protective apparatus (if any) directly connected to the telephone network on June 1, 1978, may remain connected to the telephone network for life without registration, unless subsequently modified, except for modifications allowed under § 68.2(c)(3).

(2) New installations of equipments may be performed (including additions to existing systems) up to January 1, 1980 without registration of any equipments involved. *Provided*, That these equipments are of a type directly connected to the telephone network as of June 1, 1978. These equipments may remain connected to the telephone network for life without registration, unless subsequently modified, except for modifications allowed under § 68.2(c)(3).

(3) Modifications to systems and installations involving unregistered equipment:

(i) Use of other than fully-protected premises wiring is a modification under § 68.2. As an exception to the general requirement that no modification is permitted to unregistered equipment whose use is permitted under § 68.2 certain modifications are authorized herein.

(ii) Other than fully-protected premises wiring may be used if it is qualified in accordance with the procedures and requirements of 68.215. Since there is no "registrant" of unregistered equipment, the training and authority required by § 68.215(c) will have to be received from the equipment's manufacturer.

(iii) Existing separate, identifiable and discrete protective apparatus may be removed, or replaced with apparatus of lesser protective function, provided that any premises wiring to which the telephone network is thereby exposed conforms to § 68.2(c)(ii) above. Minor modifications to existing unregistered equipments are authorized to facilitate installation or premises wiring, so long as they are performed under the responsible supervision and control of a person who complies with § 68.215(c). Since there is no "registrant" of unregistered equipment, the training and authority required by § 68.215(c) will have to be received from the manufacturer of the equipment so modified.

2. In § 68.3 (Definitions), paragraph (1), sub-section (1) is amended as follows:

§ 68.3 Definitions.

(1) *Premises Wiring.* * * *

(1) *Fully-Protected Premises Wiring.* Premises wiring which is either:

(i) No greater than 25 feet in length (measured linearly between the points where it leaves equipment or connector housings) and registered as a component of and supplied to the user with the registered terminal equipment or protective circuitry with which it is to be used. Such wiring shall either be pre-connected to the equipment or circuitry, or may be so connected by the user (or others) if it is demonstrated in the registration application that such connection by the untrained will not result in harm, using relatively fail-safe means.

(ii) A cord which complies with the previous sub-section and which is extended once by a connectorized FCC-registered extension cord which itself complies with the previous sub-section. Extension cords may not be used as a substitute for wiring which for safety reasons should be affixed to or embedded in a building's structure.

(iii) Wiring located in an equipment room with restricted access, provided that this wiring remains exposed for inspection and is not concealed or embedded in the building's structure, and that it conforms to § 68.215(d).

(iv) Electrically behind registered (or grandfathered) equipment, system components or protective circuitry which assure that electrical contact between the wiring and commercial power wiring or earth ground will not result in hazardous voltages or excessive longitudinal imbalance at the telephone network interface.

3. Section 68.104(c), previously reserved, is hereby adopted as follows:

§ 68.104 Means of connection.

(c) *Tariff Description.* As an alternative to description in Subpart F of these rules, connections to the telephone network may be made through standard plugs, and standard telephone company-provided jacks or equivalent described in nationwide telephone tariffs: *Provided*, That these means of connection otherwise comply with paragraphs (a) and (b) of this section.

4. Section 68.200 is amended by adding a new paragraph (h), as follows:

§ 68.200 Application for equipment registration.

(h) Abbreviated registration requirements for extension cords, cross-connect panels, and adapters:

(1) An extension cord consists of a male connector, a female connector, and wiring between them which is no longer than 25 feet in length. A cross-connect panel consists of a male connector, a female connector (or multiples thereof) and relatively fail-safe means for achieving cross connections of tip/ring and other pairs carried on the connectors; such means shall be switches, pluggable devices, or patch cords (or equivalent), and shall be so insulated as to not expose telephone network connections (or points having a conducting path thereto) excessively. An adapter consists of a male connector (non-standard) and a female connector (standard) housed in one mechanical assembly.

(2) Devices which are eligible for registration under this sub-section must be passive, contain no sources of power, and through internal switching or internal conductive paths create only open-circuited or short-circuited states.

(3) These devices need only be evaluated for compliance with §§ 68.304 and 68.130, under the stresses specified in § 68.302. Extension cords shall be considered "hand-held items normally used at head height." Electrical stresses and longitudinal imbalance testing should be applied with the following terminations substituted for the equipment with which these devices are used:

(i) Longitudinal surges, longitudinal imbalance. Open circuit; and 600 ohms metallic resistance with 150 ohms longitudinal resistance.

(ii) Metallic surges. Open circuit; and 600 ohms metallic resistance.

(4) These devices need not be labelled as specified in § 68.300 if they are identified as follows. They may be identified either on an outside surface, or on a tag which is permanently affixed to an outside surface, with the following information: "FCC Registration Number ____." (The proper number should be included.)

5. In § 68.215, paragraph (c) is amended by adding a new subparagraph (4), and paragraphs (d) and (e) are amended to read as follows:

§ 68.215 Installation of other than "fully protected" premises wiring.

(4) Or, in lieu of paragraph (c)(1)-(3) of this section, is a licensed professional engineer in the jurisdiction in which the installation is performed.

(d) *Workmanship and material requirements*—(1) *General*. Wiring shall be installed so as to assure that there is adequate insulation of telephone

wiring from commercial power wiring and grounded surfaces. Wiring is required to be sheathed in an insulating jacket in addition to the insulation enclosing individual conductors (see below) unless located in an equipment enclosure or in an equipment room with restricted access; it shall be assured that this physical and electrical protection is not damaged or abraded during placement of the wiring. Any intentional removal of wiring insulation (or a sheath) for connections or splices shall be accomplished by removing the *minimum* amount of insulation necessary to make the connection or splice, and insulation equivalent to that provided by the wire and its sheath shall be suitably restored, either by placement of the splices or connections in an appropriate enclosure, or equipment rooms with restricted access, or by using adequately-insulated connectors or splicing means.

(2) *Wire*. Insulated conductors shall have a jacket or sheath with a 1500 volt rms minimum breakdown rating, except when located in an equipment enclosure or an equipment room with restricted access. This rating shall be established by covering the jacket or sheath with at least six inches (measured linearly on the cable) of conductive foil, and establishing a potential difference between the foil and all of the individual conductors connected together, such potential difference gradually increased over a 30 second time period to 1500 volts rms, 60 Hertz, then applied continuously for one minute. At no time during this 90 second time interval shall the current between these points exceed 10 milliamperes peak.

NOTE.—This requirement is patterned after § 68.304.

(3) *Places where the jacket or sheath has been removed*. Any point where the jacket or sheath has been removed (or is not required) shall be accessible for inspection. If such points are concealed, they shall be accessible without disturbing permanent building finish (e.g. by removing a cover).

(4) ***
(5) ***

NOTE.—The total current in all conductors of multiple conductor cables may not exceed 20% of the sum of the individual ratings of all such conductors.

(6) ***

(e) *Documentation requirements*. A notarized affidavit and one copy thereof shall be prepared by the installation supervisor in advance of each operation associated with the installation, connection, reconfiguration and removal of other than fully-protected premises wiring (except when accomplished functionally using a cross-connect panel), except when involved with

removal of the entire premises communications system using such wiring. This affidavit and its copy shall contain the following information:

(1) ***

(2) The name of the registrant(s) (or manufacturer(s), if grandfathered equipment is involved) of any equipment to be used electrically between the wiring and the telephone network interface, which does not contain inherent protection against hazardous voltages and longitudinal imbalance.

(3) A statement as to whether the supervisor complies with § 68.215(c). Training and authority under § 68.215(c)(2)-(3) is required from the registrant (or manufacturer, if grandfathered equipment is involved) of the first piece of equipment electrically connected to the telephone network interface, other than passive equipments such as extensions, cross-connect panels, or adapters. In general, this would be the registrant (or manufacturer) of a system's common equipment.

(4) ***

(5) ***

(6) ***

(7) The manufacturer(s); a brief description of the wire which will be used (model number or type); its conformance with recognized standards for wire if any (e.g., Underwriters Laboratories listing, Rural Electrification Administration listing, "KS-" specification, etc.); and a general description of the attachment of the wiring to the structure (e.g., run in conduit or ducts exclusively devoted to telephone wiring, "fished" through walls, surface attachment, etc.).

(8) ***

(9) ***

6. Section 68.304 is amended by revising note (a) thereto, and by adding a new note (e), as follows:

§ 68.304 Leakage current limitations.

NOTES

(a) If, in any operational state, one of the telephone connections or auxiliary leads has an intentional conducting path to earth ground, that lead may be excluded from the leakage current test in that operational state. Connections excluded for this reason must comply with the requirements of § 68.306(c) in addition to other applicable rules. However, leakage current tests between telephone connections and auxiliary leads are required unless both points have intentional conducting paths to earth ground.

(e) For multiple-unit equipment interconnected by cables, which is evaluated and registered as an interconnected combination or assembly, the specified 10 milliamperes peak maximum leakage current limitation,

other than between power connection points and other points, may be increased as described here to accommodate cable capacitance. The leakage current limitation may be increased to $(10N + 0.04L)$ milliamperes peak, where L is the length of interconnecting cable in the leakage path in feet, and N is the number of equipment units which the combination or assembly will place in parallel across a telephone connection. However, all combinations of electrical connections requiring this increased leakage current limitation and involving point (3) surfaces (exposed conductive surfaces) must comply with the requirements of § 68.306(c) in addition to other applicable rules.

7. Section 68.306(a) is amended by adding additional language, as follows:

§ 68.306 Hazardous voltage limitations.

(a) *General.* Under no condition of failure of registered terminal equipment or registered protective circuitry, or of equipment connected thereto, which can be conceived to occur in the handling, operation or repair of such equipment or circuitry, shall the open circuit voltage on telephone connections or auxiliary leads exceed 70 volts peak for more than one second, except for voltages for network control signaling and supervision, which in any case, should be consistent with standards employed by the telephone companies.

8. Section 68.502 is amended to delete several sub-sub sections, as follows:

§ 68.502 Configurations.

- (b) *Series configurations.* ***
- (6) [Deleted]
- (c) *Data configurations.* ***
- (7) [Deleted]
- (8) [Deleted]

[FR Doc. 79-4413 Filed 2-7-79; 8:45 am]

[6712-01-M]

PART 73—RADIO BROADCAST SERVICES

Reregulation of Radio and TV Broadcasting; Correction

AGENCY: Federal Communications Commission.

ACTION: Correction—Final Rules.

SUMMARY: This erratum is issued to correct Section 73.99, to delete incorrect text which reads "See § 73.1735", and to insert paragraphs (a) through (i)—the entire text of the rule—which was inadvertently omitted, as adopted on September 22, 1978, and published in the FEDERAL REGISTER on October 4, 1978, at 43 FR 43852.

EFFECTIVE DATE: November 1, 1978.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Steve Crane, Broadcast Bureau, (202) 632-9660.

SUPPLEMENTARY INFORMATION:

In the matter of reregulation of radio and TV broadcasting. Erratum.

Released: February 1, 1979.

In the above-captioned Order, FCC 78-681, adopted September 22, 1978, and published in the FEDERAL REGISTER on October 4, 1978, at 43 FR 45842, the text of Section 73.99 in paragraph 24 of Appendix A is incorrectly stated as "See § 73.1735." It should be corrected to read: § 73.99 Presunrise service authorizations (PSA).

(a) In order to afford the maximum uniformity in early morning operations compatible with interference considerations, the following classes of AM broadcast permittees and licensees are eligible to request presunrise service authority (PSA):

(1) Class II stations operating on clear channels, except those operating on Canadian I-A clear channels and those located east of cochannel U.S. Class I-A stations.

(2) Class III stations.

(b) When issued, a PSA will permit:

(1) Class II stations operating on Mexican and Bahamian I-A clear channels to commence operation with their daytime antenna systems at 6 a.m. local time, and to continue such operation until the sunrise times specified in their basic instruments of authorization; and other Class II stations, where eligible under paragraph (a)(1) of this section, to commence operation with their daytime or critical hours antenna systems either at 6 a.m. local time, or at the time of sunrise at the westernmost Class I station located east of the Class II station (whichever is later), and to continue such operation until the sunrise times specified in their basic instruments of authorization: *Provided*, That the permissible power to be specified in the PSA shall not exceed 500 watts (or the authorized daytime or critical hours power, if less than 500 watts), or such lesser power as may be determined by computations made pursuant to paragraph (c) of this section.

(2) Class III stations to commence operation with their daytime antenna systems at 6 a.m. local time, and to continue such operation until local sunrise: *Provided*, That the permissible power, to be specified in the PSA, shall not exceed 500 watts or such lesser power as may be determined on the basis of calculations made pursuant to paragraph (c) of this Section.

(c) Notwithstanding the provisions of §§ 1.571 and 1.580 of this chapter, requests for PSA's shall be treated as proposals for minor changes in existing facilities and, as such, are not subject to the procedural requirements or remedies applicable to applications for new facilities and major changes therein. PSA requests shall be submitted by letter, signed in the manner specified in § 1.513 of this chapter, with the following information:

(1) Name, call letters, and station location.

(2) For Class II stations operating on clear channels other than Class I-A clear channels, a showing that objectionable interference as determined by the Standard Broadcast Technical Standards (§§ 73.182 to 73.190), or by the engineering standards of the NARBA (whichever is controlling), will not be caused within the 0.5 mV/m 50 percent skywave contour of any domestic Class I-B stations, or of a Class I-B station in any country signatory to the NARBA, where the Class II stations are located east of the Class I-B station; for Class II stations operating on Mexican Class I-A clear channels, and for Class II stations located east of co-channel Mexican Class I-B stations, a showing under the engineering standards of the United States/Mexican Agreement that the Class II station does not produce a signal in excess of 25 uV/m 10 percent skywave at any point on the co-channel Mexican Class I station's 0.5 mV/m 50 percent skywave contour which falls on Mexican territory, or more than 50 uV/m 10 percent skywave at any point on the Mexican border or boundary where the signal of the Mexican Class I station exceeds 0.5 mV/m 50 percent skywave in strength. In addition, the applicant must show that foreign Class II stations (if any) assigned to the same channel as the U.S. Class II station will receive full protection under the standards for nighttime operation set forth in the applicable agreement. If the foregoing protections cannot be achieved by the Class II station while operating with 500 watts, a showing may be submitted to establish the level to which power must be limited to preclude objectionable interference: *Provided*, That, in relation to Canadian Class II stations, the permissible power level may be established in the manner described in paragraph (c)(3) of this section by the use of Figure 12 of § 73.190.

NOTE: PSA applicants for the Bahamian I-A clear channel (1540 kHz) need not submit the nighttime interference study required of other PSA applicants under this subparagraph. Instead, the FCC will assign a power and time of commencement of presunrise operation consistent with the provisions of the U.S.-Bahamian presun-

rise agreement (1974) and the protection requirements of U.S. I-B and foreign Class II full-time station assignments on this frequency.

(3) For Class III stations, a showing that co-channel stations in foreign countries will receive full treaty protection. If such protection cannot be achieved on the basis of 500-watt operation, calculations may be submitted to establish the level to which power must be reduced to preclude objectionable interference. *Provided*, That, with respect to Canadian Class III stations, such power level may be established by a showing that the radiation at the pertinent vertical angle toward co-channel Canadian stations does not exceed that defined in Figure 12 of § 73.190. If the latter showing cannot be made on the basis of 500-watt operation, calculations may be submitted to establish the level to which power must be reduced in order to limit radiation at the pertinent vertical angle to the values specified in Figure 12 of § 73.190.

(4) A description of the method whereby any proposed power reduction will be achieved.

(d) Calculations made under paragraph (c) of this section shall not take outstanding PSA's into account, nor shall the grant of a PSA confer any degree of interference protection on the holder thereof.

(e) Operation under a PSA is not mandatory, and will not be included in determining compliance with the requirements of § 73.71. To the extent actually undertaken, however, presunrise operation will be considered by the FCC in determining overall compliance with past programming representations and station policy concerning commercial matter.

(f) The PSA is secondary to the basic instrument of authorization and may be suspended, modified, or withdrawn by the FCC without prior notice or right to hearing, if necessary to resolve interference conflicts, to implement agreements with foreign governments, or in other circumstances warranting such action.

(g) The PSA will be issued for a term coinciding with the current basic instrument of authorization and, unless surrendered by the holder or suspended, modified or withdrawn by the FCC will have continuing or renewed effect under succeeding instruments.

(h) The issuance of a PSA is intended to indicate the waiver of §§ 73.45, 73.182, and 73.188 where the operation might otherwise be considered as technically substandard. Further, the requirements of paragraphs (a)(5), (b)(2), (c)(2), and (d)(2) of § 73.1215 concerning the scale ranges of transmission system indicating instruments are waived for PSA operation except for the radio frequency ammeters used

in determining antenna input power. A station having an antenna monitor incapable of functioning at the authorized PSA power when using a directional antenna shall take the monitor reading using unmodulated carrier at the authorized daytime power immediately prior to commencing PSA operations. Special conditions as the FCC may deem appropriate may be included in the PSA to insure operation of the transmitter and associated equipment in accordance with all phases of good engineering practice.

(i) In the event of permanent discontinuance of presunrise operation, the PSA shall be forwarded to the FCC's Washington office for cancellation, and the Engineer in Charge of the radio district in which the station is located shall be notified accordingly.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

FEDERAL COMMUNICATIONS
COMMISSION,
WILLIAM J. TRICARICO,
Secretary.

[FR Doc. 79-4263 Filed 2-7-79; 8:45 am]

[6712-01-M]

[BC Docket No. 78-271; RM-3044]

PART 73-RADIO BROADCAST SERVICES

Television Broadcast Station in DeKalb, Ill; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Report and order.

SUMMARY: Action taken herein substitutes noncommercial television Channel *33 for *48 at DeKalb, Illinois, at the request of the Northern Illinois Public Telecommunications Corporation. The station would provide for a noncommercial educational television service to the northern region of Illinois which is not now receiving such service.

EFFECTIVE DATE: March 19, 1979.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Mildred B. Nesterak, Broadcast Bureau, 202-632-7792.

SUPPLEMENTARY INFORMATION: In the matter of amendment of § 73.606(b), Table of Assignments, Television Broadcast Stations, (DeKalb, Illinois). Report and order (proceeding terminated).

Adopted: February 1, 1979.

Released: February 2, 1979.

1. The Commission has before it the *Notice of Proposed Rule Making*, adopted August 24, 1978, 43 FR 39593, in response to a petition filed by Northern Illinois Public Telecommunications Corporation ("NIPTC"). The *Notice* proposed substituting reserved TV Channel *33 for existing reserved Channel *48 at DeKalb, Illinois. Channel *48 is unoccupied and no applications are pending for its use. Supporting comments were filed by NIPTC.¹

2. DeKalb (pop. 32,949), in DeKalb County (pop. 71,654),² is located in north central Illinois, approximately 90 kilometers (55 miles) west of Chicago. Channel *48 is the only television channel assigned to DeKalb.

3. NIPTC states that its purpose is to enable northwestern counties of Illinois to participate in the state educational television network. It notes that the northwestern region of Illinois is the largest area in the state not covered by educational television service. NIPTC claims that in order to provide the maximum educational television service to this vast region, the best possible signal should be used. It believes that use of Channel *33 could achieve this purpose.

4. As long as an appropriate transmitter site is selected, Channel *33 can be assigned in compliance with the Commission's distance separation requirements and other technical criteria. NIPTC has reaffirmed its intention to file for the use of this channel as a noncommercial educational assignment, if assigned. NIPTC notes that a transmitter site for the proposed station may be chosen in a large area west of DeKalb which provides adequate flexibility to avoid a short-spacing.³

5. We have carefully considered the proposal and conclude that it would be in the public interest to assign Channel *33 to DeKalb, Illinois, and to delete the present Channel *48 assignment. The proposed assignment would confer a substantial benefit upon the public by enabling petitioner to provide a noncommercial educational television service to the northwestern region of Illinois which is not presently receiving such service. In addition, we note that less preclusion would result from the assignment of Channel *33 than exists with the present Channel *48 assignment.

¹NIPTC filed a Motion to Accept late-filed comments in support of its proposal. Since there has been no objection to our acceptance of these comments, and no other parties would be affected thereby, we are granting NIPTC's Motion and will accept its comments.

²Population figures are taken from the 1970 U.S. Census.

³Therefore, any application for use of the channel should specify a site meeting the spacing requirements of Section 73.610 of the rules.