

*Schweiker*, Civil No. 83 CIV 0726 (S.D.N.Y., 1983), *aff'd*, *State of New York v. Heckler*, 719 F.2d 1191 (2nd Cir., 1983); *Planned Parenthood Federation of America, Inc. v. Schweiker*, 559 F. Supp. 658 (D.D.C., 1983), *aff'd*, *Planned Parenthood Federation of America, Inc. v. Heckler*, 712 F.2d 650 (D.C. Cir., 1983). The decisions of the Courts of Appeal were not appealed further. Consequently, the parental notification regulations never went into effect.

In order to remove the parental notification regulations from Part 59 of 42 Code of Federal Regulations, it is necessary to issue a rule removing them. Accordingly, the rule below removes 42 CFR 59.5(a)(12). Furthermore, the revocation of the last sentence of the definition of "low income family" in 42 CFR 59.2 effected by the January 26, 1983 amendment was likewise ineffective, for the reasons set out above. Thus, the rule below restores the definition of that term, as it will appear in the Code of Federal Regulations, to the one in effect prior to January 26, 1983:

"Low income family" means a family whose total annual income does not exceed 100 percent of the most recent Community Services Administration Income Poverty Guidelines (45 CFR 1060.2). "Low-income family" also includes members of families whose annual family income exceeds this amount, but who, as determined by the project director, are unable, for good reasons, to pay for family planning services. For example, unemancipated minors who wish to receive services on a confidential basis must be considered on the basis of their own resources.

## Regulatory Procedures

### Regulatory Flexibility Act

Because this provision is issued as a final rule without being preceded by a general notice of proposed rulemaking, a final regulatory analysis under section 604 of the Regulatory Flexibility Act (94 Stat. 1167) is not required. In any event, the rule will not have a significant impact on a substantial number of small entities, as the recipients of most of the funds under Title X are state agencies. Further, the primary effect of the amendments below is to remove, rather than add, regulatory requirements. Accordingly, the Secretary certifies that a regulatory flexibility analysis is not required.

### Executive Order 12291

There are no cost impacts resulting from the revocation of these regulations since the regulations have never been implemented. This is simply a technical change, intended to bring the Code of Federal Regulations into conformance

with current practice. Accordingly, the Secretary certifies that there is no impact on small entities, and a regulatory flexibility analysis is not required under the Regulatory Flexibility Act of 1980. Further, this action does not constitute a major rule and a regulatory impact analysis is not required under Executive Order 12291.

### Paperwork Reductions

These amendments to the Title X regulations do not require review by the Office of Management and Budget under the Paperwork Reduction Act of 1980, as they impose no information collection requests or requirements. The sole effect of the amendments is to revoke previously approved information collection requirements.

In view of the fact that the amendments below simply make the provisions of the Code of Federal Regulations consistent with the court orders previously entered against the Department, the Secretary has determined that notice and public comment on the amendments would be impractical, unnecessary and contrary to the public interest.

### List of Subjects in 42 CFR Part 59

Family planning, Grant programs—health, Youth.

### PART 59—[AMENDED]

Accordingly, 42 CFR Part 59 Subpart A is hereby amended as set forth below.

1. The authority citation for Part 59 Subpart A continues to read as follows:

Authority: Sec. 6(c), 84 Stat. 1507, 42 U.S.C. 300 a-4; sec. 6(c), 84 Stat. 1506, 42 U.S.C. 300.

#### § 59.5 [Amended]

2. 42 CFR 59.5(a)(12) is removed.

#### § 59.2 [Amended]

3. The definition of "low income family" at 42 CFR 59.2 is amended by adding at the end thereof the following words: "For example, unemancipated minors who wish to receive services on a confidential basis must be considered on the basis of their own resources."

Dated: August 20, 1984.

Edward N. Brandt, Jr., M.D.,  
Assistant Secretary for Health.

Dated: September 14, 1984.

Approved:

Margaret M. Heckler,  
Secretary.

[FR Doc. 84-25596 Filed 9-24-84; 9:29 am]

RILLING CODE 4160-17-M

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Parts 1, 8, 59 and 151

### Technical Amendments to Federal Emergency Management Regulations

AGENCY: Federal Emergency  
Management Agency.

ACTION: Final rule.

**SUMMARY:** This document makes technical amendments to sundry FEMA regulations. These technical amendments change inaccuracies in the present regulations.

**EFFECTIVE DATE:** September 27, 1984.

**FOR FURTHER INFORMATION CONTACT:** William L. Harding, Office of General Counsel, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Telephone (202) 289-0377.

**SUPPLEMENTARY INFORMATION:** The regulation makes technical amendments to FEMA regulations and is not substantive in nature. It is routine. Therefore, it is not subject to any of the requirements of 5 U.S.C. 553, Executive Order 12291, the Regulatory Flexibility Act, 44 CFR Part 10 relating to environmental matters, or the Paperwork Reduction Act.

### List of Subjects

#### 44 CFR Part 1

Administrative practice and procedure.

#### 44 CFR Part 8

National security information.

#### 44 CFR Part 59

General provisions.

#### 44 CFR Part 151

Government property, fire prevention. Reimbursement for costs of firefighting on Federal property.

**Authority:** The amendments to Parts 1, 8, 59, and 151 issued under Reorganization Plan No. 3 of 1978, and E.O. 12127, 44 FR 19367, April 3, 1979, E.O. 12148, 44 FR 43239, July 24, 1979 and E.O. 12356, 44 FR 14874, April 6, 1982, and corrected at 44 FR 15557, April 12, 1982.

Accordingly, Chapter I of Title 44, Code of Federal Regulations, is amended as follows:

## PART 1—RULEMAKING; POLICY AND PROCEDURES

### § 1.2 [AMENDED]

1. § 1.2(a)(2) is amended by removing the words "of allowances" and adding "or allowances" in place thereof.



**§ 1.4 [Amended]**

2. § 1.4(d) is amended by removing the words "forums of panels" and adding "forums or panels" in place thereof.

3. The first sentence of paragraph (f)(3) of § 1.12 is revised to read:

**§ 1.12 Notice of Proposed rulemaking.**

(f) \*\*\*

(3) The initial regulatory flexibility analysis or a summary thereof as required by the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*), or a certification that the rule, if promulgated, will not have a significant economic impact on a significant number of small entities pursuant to 5 U.S.C. 605. Such certification may be made by any FEMA official with rulemaking authority. \*\*\*

**PART 8—NATIONAL SECURITY INFORMATION****§ 8.1 [Amended]**

4. § 8.1(b) is amended by removing the word "notice" and adding the word "regulation" in place thereof.

**§ 8.4 [Amended]**

5. § 8.4(g)(1) is amended by adding "her" after "his".

**PART 59—GENERAL PROVISIONS****§ 59.1 [Amended]**

6. § 59.1 is amended by adding, in alphabetical sequence, after the definition of "eligible community" the following definition:

*Elevated Building* for insurance purposes, means a non-basement building which was initially designed or built to have the bottom of the lowest floor beam (or equivalent floor support) above the ground level by extended wall foundations, shear walls, posts, piers, pilings or columns such that there would be air space between the lowest floor beam and the ground.

And by deleting the last sentence of the definition of "Start of construction".

**PART 151—REIMBURSEMENT FOR COSTS OF FIREFIGHTING ON FEDERAL PROPERTY****§ 151.12 [Amended]**

7. Section 151.12(a)(2) is amended by making the second and third sentences as separate, flush, undesignated paragraph to follow paragraph (a)(2).

Dated: September 24, 1984.

George Jett,  
General Counsel.

[FR Doc. 84-25626 Filed 9-26-84; 8:45 am]

BILLING CODE 6817-01-M

**DEPARTMENT OF TRANSPORTATION****Coast Guard****46 CFR Ch. I****OMB Control Numbers**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Paperwork Reduction Act of 1980 (Pub. L. 96-511; 44 U.S.C. 3501 *et seq.*), requires, generally, that all regulations which contain recordkeeping or reporting requirements must be approved by the Director, Office of Management and Budget (OMB). Once approved, these regulations are assigned an OMB Control Number. This rule amends Title 46 Ch. I, Code of Federal Regulations to display OMB Control Numbers which have been assigned to Coast Guard regulations contained therein.

**EFFECTIVE DATE:** This rule is effective September 27, 1984.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bruce Novak, (202) 426-1477.

**SUPPLEMENTARY INFORMATION:** This final rule was not preceded by a notice of proposed rulemaking and is being made effective in less than 30 days after publication in the *Federal Register*. This rule merely displays existing OMB Control Numbers pertaining to specific Coast Guard regulations for the public's information. Therefore, the Coast Guard has determined that notice and public procedure thereon are unnecessary under 5 U.S.C. 553(b)(3). Since this rule has no substantive effect, good cause exists for making it effective in less than 30 days after publication, under 5 U.S.C. 553(d).

**Drafting Information**

The regulation was drafted by LT Dave Shippert, Project Attorney, Office of the Chief Counsel.

**Discussion**

The purpose of the Paperwork Reduction Act of 1980 (Pub. L. 96-511; 44 U.S.C. 3501 *et seq.*) is to reduce the burden placed upon the public by recordkeeping and reporting requirements imposed by federal agencies. To achieve this goal, the Act requires that agencies must, generally, obtain approval from the Director, Office of Management and Budget

(OMB), before promulgating regulations which impose a recordkeeping or reporting requirement. Once approved an OMB Control Number is assigned to the regulations.

While the Coast Guard has continually strived to minimize the burden imposed upon the public, certain recordkeeping and reporting requirements have been imposed through many of the regulations contained in Title 46 of the Code of Federal Regulations (CFR). These paperwork requirements have been approved as necessary to fulfill the Coast Guard's roles and missions and have been assigned OMB Control Numbers. The Coast Guard has compiled a list of OMB Control Numbers which pertain to regulations within Title 46 of the CFR. This rule revises Title 46 by displaying the OMB Control Numbers in table format for each Subchapter which contains recordkeeping or reporting requirements.

The display of OMB Control Numbers in the CFR will provide assurance to the public that the paperwork requirements have been carefully reviewed and determined to be necessary. Moreover, publication in the CFR is an efficient method of displaying OMB Control Numbers as required by the Paperwork Reduction Act. (44 U.S.C. 3512.)

This display of 46 CFR cites and relevant OMB Control Numbers does not provide an exclusive list of all recordkeeping and reporting requirements within the Title. The regulatory process is an ongoing one and changes are frequent in response to current conditions. Therefore, recently assigned OMB Control Numbers may not be included in this rule. The Coast Guard also utilizes other methods to display applicable OMB Control Numbers to affected parties and many may not have been included in this compilation. As a service to the public and in an effort to achieve the goals of the Paperwork Reduction Act, the Coast Guard will revise and update the tables and individual rules when additional OMB Control Numbers are assigned and compiled.

**Regulatory Analysis**

This regulation is considered to be non-Major under Executive Order 12291 and non-significant under the DOT Regulatory Policies and Procedures (44 FR 11304; February 26, 1979). The economic impact of this proposal has been found to be so minimal that further evaluation is unnecessary. This rule merely displays existing OMB Control Numbers for the public's information and imposes no new requirement. Since



the impact of this rule is expected to be minimal, the Coast Guard certifies that it will not have a significant economic impact on a substantial number of small entities.

#### PART 1—[AMENDED]

Accordingly, Title 46, Code of Federal Regulations is revised as follows:

(1) By amending Part 1 to add a new § 1.30 to read as follows:

##### § 1.30 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 2.01.....	2115-0007
§ 2.95-10.....	2115-0141
§ 3.10.....	2115-0053
Part 4.....	2115-0003
Part 6.....	2115-0005

#### PART 10—[AMENDED]

(2) By amending Part 10 to add a new § 10.01-6 to read as follows:

##### § 10.01-6 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980, (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 10.25-7(3)(9).....	2115-0063
§ 12.02-1.....	2115-0514
Part 12.....	2115-0063
§ 12.02-4.....	2115-0502
§ 12.02-5(6).....	2115-0069

46 CFR part or section where identified or described	Current OMB control No.
§ 12.02-7(a)(6).....	2115-0069
§ 12.02-9.....	2115-0008
§ 12.02-10.....	2115-0502
§ 12.02-13.....	2115-0067
§ 12.02-14.....	2115-0067
§ 14.05-2.....	2115-0061
§ 14.05-10(6).....	2115-0068
§ 14.05-20.....	2115-0015
§ 14.20.....	2115-0053

#### PART 30—[AMENDED]

(3) By amending Part 30 to add a new § 30.01-2 to read as follows:—

##### § 30.01-2 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 31.10-5(a).....	2115-0131
§ 31.10-32.....	2115-0131
§ 31.10-33.....	2115-0131
§ 31.37-15.....	2115-0131
§ 31.40-35.....	2115-0131

#### PART 42—[AMENDED]

(4) By amending Part 42 to add a new § 42.01-5 to read as follows:

##### § 42.01-5 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
Part 42.....	2115-0043
Part 44.....	2115-0043
Part 45.....	2115-0043
Part 46.....	2115-0043

#### PART 50—[AMENDED]

(5) By amending Part 50 to add a new § 50.01-20 to read as follows:

##### § 50.01-20 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
Part 61.....	2115-0142
Part 63.....	2115-0142

#### PART 70—[AMENDED]

(6) By amending Part 70 to add a new § 70.01-15 to read as follows:

##### § 70.01-15 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 70.01-15.....	2115-0136



**PART 107—[AMENDED]**

(7) By amending Part 107 to add a new § 107.05 to read as follows:

**§ 107.05 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.**

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 107.305.....	2115-0505
§ 107.309.....	2115-0505

**PART 110—[AMENDED]**

(8) By amending Part 110 to add a new § 110.01-2 to read as follows:

**§ 110.01-2 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.**

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 110.25.....	2115-0115

**PART 146—[AMENDED]**

(9) By amending Part 146 to add a new § 146.01-5 to read as follows:

**§ 146.01-5 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.**

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and

recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 146.02-20.....	2115-0054
§ 146.29-13.....	2115-0013

**PART 150—[AMENDED]**

(10) By amending Part 150 to add a new § 150.105 to read as follows:

**§ 150.105 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.**

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 150.01-15.....	2115-0016
§ 153.5.....	2115-0016
§ 153.905.....	2115-0089
§ 153.910.....	2115-0089
§ 153.968.....	2115-0089
§ 154.12.....	2115-0016

**PART 157—[AMENDED]**

(11) By amending Part 157 to add a new § 157.01-15 to read as follows:

**§ 157.01-15 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.**

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980, (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which

requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 157.15.....	2115-0514

(12) By amending Part 159 to add a new § 159.001-9 to read as follows:

**§ 159.001-9 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.**

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980, (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 159.007-11.13.....	
§ 2115-0090.....	
§ 160.002-5.....	2115-0090
§ 160.047-5.....	2115-0090
§ 160.048-5.....	2115-0090
§ 160.050-5.....	2115-0090
§ 160.052-7.....	2115-0090
§ 160.053-4.....	2115-0090
§ 160.055-4.....	2115-0090
§ 160.064-6.....	2115-0090
§§ 161.001 through 161.010.....	2115-0121
§§ 162.001 through 161.018.....	2115-0525
§ 162.041.....	2115-0525
§ 162.043.....	2115-0525
§ 164.012-13.....	2115-0121

**PART 175—[AMENDED]**

(13) By amending Part 175 to add a new § 175.01-3 to read as follows:

**§ 175.01-3 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.**

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director



of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 179.01-30	2115-0136
§ 177.05	2115-0095
§ 179.10-3	2115-0095
§ 179.20-1	2115-0095
§ 186.10	2115-0514

## PART 401—[AMENDED]

(14) By amending Part 401 to add a new § 401.105 to read as follows:

### § 401.105 OMB Control Numbers assigned pursuant to the Paperwork Reduction Act.

(a) *Purpose.* This section collects and displays the control numbers assigned to information collection and recordkeeping requirements in this subchapter by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1980, (44 U.S.C. 3501 et seq.). The Coast Guard intends that this section comply with the requirements of 44 U.S.C. 3507(f) which requires that agencies display a current control number assigned by the Director of the OMB for each approved agency information collection requirement.

(b) *Display.*

46 CFR part of section where identified or described	Current OMB control No.
Part 401	2115-0022

Authorization: 44 U.S.C. 3507; 49 CFR 1.45.

Dated: September 24, 1984.

E.H. Daniels,

Rear Admiral, U.S. Coast Guard, Chairman,  
Marine Safety Council.

[FR Doc. 84-25663 Filed 9-26-84; 8:45 am]

BILLING CODE 4910-14-M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 0

#### Amendment To Update Regulations Dealing With the Freedom of Information Act and the Privacy Act; Correction

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects an erroneous authority citation in the Order in this proceeding concerning regulations dealing with the Freedom of Information Act and Privacy Act,

published in the Federal Register on April 4, 1984 (49 FR 13366).

**FOR FURTHER INFORMATION CONTACT:** Kathleen Fagan, (202) 632-6390.

### SUPPLEMENTARY INFORMATION:

#### Erratum

In the Matter of Amendment of Part 0 of the Commission's Rules to Update Regulations dealing with the Freedom of Information Act and the Privacy Act.

Released: September 18, 1984.

On March 29, 1984, the Commission, by its Managing Director, released an Order (Mimeo #3172) in the captioned proceeding. The authority citation given for the amended rules contained several errors. The correct language should be inserted on page 13367, column one, lines 4-9 to read as follows:

"Authority for this action is contained in sections 4(i) and 303(n) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(n) and Section 0.231(d) of the Commission's rules and regulations. [47 CFR 0.231(d)]."

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 84-25671 Filed 9-26-84; 8:45 am]

BILLING CODE 6712-01-M

### 47 CFR Part 31

[Docket No. 82-681]

#### Letter Regarding Declaratory Ruling To Clarify Questions Concerning Certain Amendments to the Uniform System of Accounts

**AGENCY:** Federal Communications Commission.

**ACTION:** Declaratory Ruling.

**SUMMARY:** In response to a request by the New York Department of Public Service, the Common Carrier Bureau under delegated authority is issuing a declaratory ruling to clarify several questions which have been raised in reference to CC Docket No. 82-681. These questions concern the amendments to the Uniform System of Accounts which relate to the installation costs associated with public telephone equipment, the costs of replacing a public telephone with an operating spare, and the costs associated with company official business equipment.

**FOR FURTHER INFORMATION CONTACT:** Gerald P. Vaughan, Accounting and Audits Division, Common Carrier Bureau, (202) 634-1861.

### SUPPLEMENTARY INFORMATION:

#### List of Subjects in 47 CFR Part 31

Communications common carriers, Telephone, Uniform system of accounts.

William J. Tricarico,

Secretary, Federal Communications Commission.

September 20, 1984.

State of New York Department of Public Service,

Three Empire State Plaza, Albany, New York  
Attention: David E. Blabey, Counsel.

Gentlemen: This is in reply to your letter of July 23, 1984, in which you request clarification of certain accounting changes ordered in the Report and Order of CC Docket No. 82-681 (Order), published in the Federal Register of November 2, 1983, Volume 48, No. 213. The Order amended the Uniform System of Accounts, Part 31, for telephone companies to make the accounting rules consistent with previous Commission decisions concerning the detariffing of customer premises equipment and the expensing of inside wiring. These amendments were necessary to separate certain regulated and nonregulated costs currently recorded in the same accounts and to clarify certain accounting instructions. The Order established, among other things, new account classifications and accounting instructions for coin-operated and credit card telephones (public telephone equipment), company-used station apparatus, key systems, and large private branch exchanges.

Your first question requests clarification of paragraphs 42 and 46 of the Order. You state that paragraph 42 required the investment in public telephones to be transferred to the new account 235, "Public telephone equipment," but did not specify whether both the embedded station apparatus costs in account 231, "Station apparatus," as well as the embedded installation costs recorded in account 232, "Station connections-inside wiring," are to be transferred. You further state that, on the other hand paragraph 46 required all costs of installing new public telephone equipment including premise wiring to be capitalized in account 235. You believe that the Order was unclear as to whether the installation costs associated with pay telephones and booths recorded in account 232 are to be transferred to account 235 along with the embedded public telephone equipment recorded in account 231.

In paragraph 42 of the Order, the Commission stated that since the effort to separately identify the new and embedded telephone equipment would cause extreme hardship on the carriers, the public telephone equipment transferred (reclassified) to account 235 should not be limited to only the new equipment but should include the embedded equipment. The Commission also required this reclassification to be on a flash-cut basis. Additionally, paragraph 46 of the Order stated that since the costs of installing new public telephones are recovered in future revenues from users of public telephones, it is appropriate to capitalize the costs of installing public telephones and to depreciate