Appendix F—Addresses of Freedom of Information Officers

DCSC—Defense Construction Supply Center, ATTN: FOIA Officer, P.O. Box 3990, Columbus, Ohio 43216–5000
DESC—Defense Electronics Supply Center, ATTN: FOIA Officer, 1507 Wilmington Pike, Dayton, Ohio 45444–5000
DFSC—Defense Fuel Supply Center, ATTN: FOIA Officer, Cameron Station, Alexandria, VA 22304–6160
DGSC—Defense General Supply Center, ATTN: FOIA Officer, Richmond, VA 23297–5000
DISC—Defense Industrial Supply Center, ATTN: FOIA Officer, 700 Robbins Avenue, Philadelphia, PA 19111–5096
DPSC—Defense Personnel Support Center, ATTN: FOIA Officer, 2800 South 20th Street, Philadelphia, PA 19101–8419
DDMP—Defense Depot Mechanicsburg, ATTN: FOIA Officer, 5450 Carlisle Pike, P.O. Box 2030, Mechanicsburg, PA 17055–0789
DDMT—Defense Depot Memphis, ATTN: FOIA Officer, 2163 Airways Blvd., Memphis, TN 28114–5297
DDOU—Defense Depot Ogden, ATTN: FOIA Officer, Ogden, Utah 84407–5000
DDTC—Defense Depot Tracy, ATTN: FOIA Officer, Tracy, California 95376
DTIC—Defense Technical Information Center, ATTN: FOIA Officer, Cameron Station, Alexandria, VA 22304–6145
DASC—DLA ATTN: FOIA Officer (DASC-RA), Administrative Support Center, Cameron Station, Alexandria, VA 22304–6130
DIPEC—Defense Industrial Plant Equipment Center, ATTN: FOIA Officer, 2163 Airways Blvd., Memphis, TN 38114–5297
DLSC (* DRMS)—Defense Logistics Center, ATTN: FOIA Officer, Federal Center, 74 N Washington, Battle Creek, MI 94017–3084
DSAC—DLA Systems Automation Center, ATTN: FOIA Officer, P.O. Box 1605, 3990 East Broad Street, Columbus, Ohio 43216–5002
DCASR ATL—Defense Contract Administration Services Region, Atlanta, ATTN: FOIA Officer, 805 Walker Street, Marietta, Georgia 30060–2789
DCASR BOS—Defense Contract Administration Services Region, Boston, ATTN: FOIA Officer, 495 Summer Street, Boston, MA 02110–2184
DCASR CHI—Defense Contract Administration Services Region, Chicago, ATTN: FOIA Officer, O'Hare International Airport, P.O. Box 66475, Chicago, Illinois 60666–0475
DCASR CLE—Defense Contract Administration Services Region, Cleveland, ATTN: FOIA Officer, 1240 East Ninth Street, Cleveland, Ohio 44199
DCASR DAL—Defense Contract Administration Services Region, Dallas, ATTN: FOIA Officer, 1200 Main Street, 6th Floor, Dallas,TX 75202–4399
DCASR LA—Defense Contract Administration Services Region, Los Angeles, ATTN: FOIA Officer, 11099 South La Cienega Blvd. Los Angeles, California 90045–6197
DCASR NY—Defense Contract Administration Services Region, New York, ATTN: FOIA Officer, 201Varick Street, New York, New York 10014–4811
DCASR PHI—Defense Contract Administration Services Region, Philadelphia, ATTN: FOIA Officer, P.O. Box 7478, Philadelphia, PA 19101–7478
DCASR STL—Defense Contract Administration Services Region, St. Louis, ATTN: FOIA Officer, 1136 Washington Avenue, St. Louis, Missouri 63101–1194
HQ DLA—Defense Logistics Agency, ATTN: FOIA Officer, Cameron Station, Alexandria, VA 22304–6130

* The Defense Logistics Center (DLSC) services the Defense Reutilization & Marketing Service (DRMS).

Note.—The envelope used for Freedom of Information Act requests should plainly display the words *FREEDOM OF INFORMATION ACT REQUEST* on the lower left hand corner.

For the Director:

Preston B. Speed,

Chief, Administrative Management Branch.

[FR Doc. 86–23938 Filed 10–21–86; 8:45 am]

BILLING CODE 3620–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

42 CFR Parts 413 and 417

[BERC–369–FC]

Medicare Program; Redesignation of Reasonable Cost Regulations

Correction

In FR Doc. 86–21810 beginning on page 34790, in the issue of Tuesday, September 30, 1986, make the following corrections:

1. On page 34794, first column, fifth line, "Limits" is misspelled. Also, in the tenth line from the bottom of the column insert "maintenance" before "dialysis".

2. On page 34795, second column, in § 413.5(c)(4), in the third line, "or" should read "of".

3. On page 34796, third column, in § 413.13(c), in the fifteenth line, insert "to" after "is".

4. On page 34803, third column, in § 413.40(c)(1)(ii), the second line should read "beginning on or after October 1, 1982 and before October 1, 1983".

5. On page 34809, third column, in § 413.56(b)(6), in the seventh line, insert, "provision of its malpractice insurance" after "coinsurance".

6. On page 34830, in § 413.170(g)(2), first column in the fifth line, "or" should read "of". Also, in the ninth line insert "basis" after "this".

7. On page 34832, second column, tenth line from the bottom, "§ 417.536(d)" should read "417.536(b)".

BILLING CODE 1505–01–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2, 15, 22, 25, and 90

[Gen. Docket Nos. 84–1231, 84–1233, and 84–1234]

Cellular Radio, Private Land Mobile Radio, and a Mobile Satellite Service

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has adopted a Report and Order addressing allocations from the 900 MHz reserve band spectrum for cellular radio, private land mobile radio including public safety, a mobile satellite service, and a general purpose mobile radio service. The Commission took this action in response to growing demand for cellular and private land mobile radio, and indicated demand for new mobile satellite and general purpose mobile radio services.

EFFECTIVE DATE: November 21, 1986.

ADDRESS: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT:

Cellular: Rodney Small, (202) 653–8116
Private Land Mobile: Stuart Overby, (202) 634–2443
Land Mobile Satellite: Melvin Murray, (202) 653–8114
General Purpose Mobile Radio Service: Lex Felker, (202) 653–5940.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order* in Gen. Docket Nos. 84–1231, 84–1233, and 84–1234, adopted July 24, 1986, and released September 26, 1986. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, 2100 M Street NW., Washington, DC 20037, telephone (202) 857–3800.

Summary of Report and Order

1. On November 21, 1984, the Commission adopted *Notices of Proposed Rule Makings* in Gen. Docket Nos. 84–1231, 84–1233, and 84–1234 proposing to allocate the remaining 32 megahertz of 800–900 MHz band reserve spectrum for various uses. (See 50 FR 3809 (January 28, 1985), 50 FR 1582 (January 11, 1985), and 50 FR 8149 (February 28, 1985) respectively.) In these proceedings the Commission

proposed to allocate 12 megahertz of the reserve for expansion of the cellular radio service, 12 megahertz for the private land mobile radio services including public safety, and 8 megahertz for a new mobile satellite service (MSS). Additional allocations in the 1–2 GHz area (L-band) were proposed for MSS. Also, as an alternative allocation approach to the private land mobile and cellular proposals, the Commission set forth a plan whereby the 24 megahertz addressed for those services would be combined for general purpose mobile communications without specifying service categories.

2. After considering the comments and weighing the relative merits and spectrum requirements of the various services for which allocations had been proposed, the Commission decided to depart somewhat from the original proposals. The *Report and Order* takes the following actions: (a) Allocates 10 megahertz of additional spectrum for cellular systems. The 824–825/869–870 MHz and 845–846.5/890–891.5 MHz bands are allocated to the non-wireline block and the 846.5–849/891.5–894 MHz bands are allocated to the wireline block. This spectrum is divided into 30 kHz channel pairs to provide an additional 83 channels for each block, giving each block a total allocation of 416 channels in the 824–849/869–894 MHz bands. (b) Allocates 10 megahertz of spectrum in the 896–901/935–940 MHz bands for private land mobile use other than public safety, and sets forth technical and operational rules for use of this spectrum. The 10 megahertz is divided into 12.5 kHz channels and apportioned among specialized mobile radio (SMR), business radio, and industrial/land transportation radio pools. Initially, in the SMR pool only, applications for facilities in the top fifty urban areas will be accepted. A subsequent public notice will specify further details concerning the filing of applications for use of this 10 megahertz allocation. (c) Allocates 6 megahertz of spectrum in the 821–824/866–869 MHz bands for private land mobile use to address specifically the communications requirements of public safety entities. This spectrum will be utilized in the development of a national plan concerning public safety communications needs. The national plan will be addressed in a later proceeding. (d) Allocates 27 megahertz of spectrum in the L-band for MSS. The 1549.5–1558.5/1651–1660 MHz bands are allocated on a co-primary basis to aeronautical mobile satellite (AMSS) and the MSS, with AMSS having priority access. The 1545–1549.5/1646.5–1651 MHz bands are allocated to MSS on a secondary basis with respect to AMSS. (e) Allocates 2 megahertz of spectrum in the 901–902/940–941 MHz bands for a general purpose mobile radio service accessible by land mobile, maritime mobile, and aeronautical mobile entities. (f) Temporarily holds the 849–851/894–896 MHz bands in reserve pending further negotiations concerning a possible joint U.S./Canadian mobile satellite allocation to be used as an adjunct to the L-band spectrum, or alternative allocations for other purposes.

3. Subsequent Commission actions will address operational and technical rules for use of the public safety, MSS, and general purpose mobile radio allocations. Use of the private land mobile SMR pool channels outside the top 50 urban areas will also be addressed in a subsequent proceeding.

4. Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. 604, a final regulatory flexibility analysis has been prepared. It is available for public viewing as part of the full text of this decision, which may be obtained from the Commission or its copy contractor.

5. The decisions contained herein have been analyzed with respect to the Paperwork Reduction Act of 1980 and found to contain no new or modified form, information collection and/or recordkeeping, labeling, disclosure, or record retention requirements, and will not increase or decrease burden hours imposed on the public.

6. Accordingly, it is ordered, that pursuant to the authority of 47 U.S.C. 4(i), 301 and 303(r), that Parts 2, 15, 22, 25, and 90 of Chapter I of Title 47 of the Code of Federal Regulations are amended as shown below. These amendments become effective November 21, 1986.

List of Subjects

47 CFR Part 2

Frequency allocations.

47 CFR Part 15

Communications equipment, Radio.

47 CFR Part 22

Cellular radio service.

47 CFR Part 25

Satellite radio communications.

47 CFR Part 90

Private land mobile radio services, Public safety radio services, Radio.

Rule Changes

Parts 2, 15, 22 and 90 of the Code of Federal Regulations are amended as follows:

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

1. The authority citation for Part 2 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

2. Section 2.1 is amended by adding the following definition in alphabetical order:

§ 2.1 Terms and definitions.

* * * * *

General Purpose Mobile Service. A mobile service that includes all mobile communications uses including those within the Aeronautical Mobile, Land Mobile, or the Maritime Mobile Services.

* * * * *

3. Section 2.106, Table of Frequency Allocations for the U.S. entries are amended by replacing the text in columns 4, 5 and 6 for the following entries 821–825, 825–845, 845–851, 866–870, 870–890, 890–896, 896–902, 935–941, 1545–1559, 1646.5–1660 and 1660–1660.5 MHz with the text and entries set forth below, respectively, and by adding the text of footnote US308 to the list of footnotes at the end of the table as follows:

§ 2.106 Table of Frequency Allocations

United States Table		FCC use designators
Government Allocation (MHz)	Non-Government Allocation (MHz)	Rule part(s)
* * *	* * *	* *
* * *	821–824, Land Mobile, NG30, NG43, NG63.	Private Land Mobile (90).
	824–849, Land Mobile, NG30, NG43, NG63.	Domestic Public, Land Mobile (22).
	849–851, Land Mobile, NG30, NG63.	Reserve.
*	* * *	* *
	866–869, Land Mobile, NG30, NG63.	Private Land Mobile (90).
	869–894, Land Mobile, NG30, NG63, US116, US268.	Domestic Public, Land Mobile (22).
	894–896, Land Mobile, US116, US268.	Reserve.
	896–901, Land Mobile, US116, US268.	Private Land Mobile (90).
	901–902, Mobile, US116, US268.	General Purpose, Mobile ( ).
*	* * *	* *
	935–940 Land Mobile, US116, US215, US268.	Private Land Mobile (90).
	940–941, Mobile, US116, US268.	General Purpose Mobile ( )

United States Table		FCC use designators
Government Allocation (MHz)	Non-Government Allocation (MHz)	Rule part(s)
* * * * *		
1545–1549.5, Aeronautical, Mobile-Satellite (R) (space-to-Earth), Mobile-Satellite (space-to-Earth), 722, 729, US308.	1545–1549.5, Aeronautical Mobile Satellite (R) (space-to-Earth), Mobile-Satellite (space-to-Earth), 722, 729, US308.	Aviation (87).
1549.5–1558.5, Aeronautical, Mobile-Satellite (R) (space-to-Earth), Mobile-Satellite (space-to-Earth) 722, 729, US308.	1549.5–1558.5, Aeronautical, Mobile-Satellite (R) (space-to-Earth), Mobile-Satellite (space-to-Earth) 722, 729, US308.	Aviation (87).
1558.5–1559, Aeronautical, Mobile-Satellite (R) (space-to-Earth) 722, 729, US308.	1558.5–1559, Aeronautical, Mobile-Satellite (R) (space-to-Earth) 722, 729, US308.	Aviation (87).
* * * * *		
1646.5–1651.0, Aeronautical, Mobile-Satillite (R) (Earth-to-space), Mobile-Satellite (Earth-to-space), 722, 735, US39, US308.	1646.5–1651.0, Aeronautical, Mobile-Satellite (R) (Earth-to-space), Mobile-Satellite (Earth-to-space), 722, 735, US39, US308.	Aviation (87).
1651–1660, Aeronautical, Mobile-Satellite (R) (Earth-to-space), Mobile-Satellite (Earth-to-space), 722, 735, US39, US308.	1651–1660, Aeronautical, Mobile-Satellite (R) (Earth-to-space), Mobile-Satellite(Earth-to-space), 722, 735, US39, US308.	Aviation (87).
1660–1660.5, Aeronautical, Mobile-Satellite (R) (Earth-to-space), Radio Astronomy, 722, 735, 736, US308.	1660–1660.5, Aeronautical, Mobile-Satellite (R) (Earth-to-space), Radio Astronomy, 722, 735, 736, US308.	Aviation (87).
* * * * *		
U.S. Footnotes		
* * * * *		

US308 In the frequency bands 1549.5–1558.5 MHz and 1651–1660 MHz, the Aeronautical-Mobile-Satellite (R) requirements that cannot be accommodated in the 1545–1549.5 MHz, 1558.5–1559 MHz, 1646.5–1651 MHz and 1660–1660.5 MHz bands shall have priority access in the Mobile-Satellite service. All other users of the Mobile-Satellite service are subject to preemption based upon this priority access.

* * * * *

PART 15—RADIO FREQUENCY DEVICES

4. The authority citation for Part 15 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

5. Section 15.63 is amended by revising the introductory language in paragraph (a) to read as follows (the table in that paragraph remains unchanged):

§ 15.63 Radiation interference limits.

(a) The radiation from all radio receivers that operate (tune) in the range 30 to 901 MHz, or 935—940, including frequency modulation broadcast receivers and television broadcast receivers, shall not exceed the following field strength limits at a distance of 100 feet or more from the receiver:

* * * * *

6. Section 15.69 is amended by revising paragraph (a) to read as follows:

§ 15.69 Equipment authorization for a receiver.

(a) Each radio receiver that tunes (operates) on a frequency between 30 and 901 MHz, or 935 to 940 MHz and each CB receiver, as defined in § 15.59, shall have the necessary equipment authorization as listed in paragraph (b) below to show compliance with the technical specifications of this Part. The equipment authorization is a prerequisite of marketing, pursuant to Subpart I of Part 2 of this Chapter.

* * * * *

7. Section 15.72 is amended by revising paragraph (b) introducing text to read as fo11ows:

§ 15.72 Date when an equipment authorization is required.

* * * * *

(b) For other receivers. All radio receivers other than television broadcast receivers that operate (tune) in the range 30 to 901 MHz, or 935 to 941 MHz shall comply with the equipment authorization requirements with respect to radiation of radiofrequency energy, except as follows:

* * * * *

8. Section 15.79 is amended by revising the introductory paragraph to read as follows:

§ 15.79 Report of measurements: Receivers other than TV or FM.

The report of measurements of a receiver other than an FM or TV broadcast receiver and for each band in the range 30 to 890 MHz, 896 to 901 MHz, or 935 to 940 MHz in a multiband broadcast receiver shall include the information listed below if the receiver is subject to certification pursuant to § 15.69. If the receiver is subject to notification or verification, that report of measurements, including the information listed below, shall be submitted to the Commission only if it is specifically requested.

* * * * *

PART 22—PUBLIC MOBILE RADIO SERVICES

9. The authority citation for Part 22 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 5 U.S.C. 553.

10. Section 22.902 is amended by revising paragraphs (b)(1), (b)(2), and (e) to read as follows:

§ 22.902 Frequencies.

* * * * *

(b) * * *

(1) Cellular System A: 416 frequency pairs with 30 kHz channel spacing as follows:

Mobile frequencies

824.040, 824.070 ..... 834.990 MHz
845.010, 845.040 ..... 846.480 MHz

Base frequencies

869.040, 869.070 ..... 879.990 MHz
890.010, 890.040 ..... 891.480 MHz

(2) Cellular System B: 416 frequency pairs with 30 kHz channel spacing as follows:

Mobile frequencies

835.020, 835.050 ..... 844.980 MHz
846.510, 846.540 ..... 848.970 MHz

Base frequencies

880.020, 880.050 ..... 889.980 MHz
891.510, 891.540 ..... 893.970 MHz

* * * * *

(e) All mobile units must initially be capable of communicating on the 666 channels established by order in Docket No. 79–318, released May 4, 1981.

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

11. The authority citation for Part 90 continues to read:

Authority: Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.

12. Section 90.205 is amended in the table in paragraph (b), by adding the following two new entries in numerical order by frequency range.

§ 90.205 Power.

* * * * *

(b) * * *

Frequency range (MHz)	Maximum output power (watts)	Maximum effective radiated power (watts)
* * * * *		
896 to 901	(6)	(6)
935 to 940	(7)	(6)
* * * * *		

* * * * *

§ 90.209 [Amended]

12a. Section 90.209 is amended by redesignating paragraph (h), which reads in part "(h) All out of band emissions, . . .", as paragraph (i).

13. Section 90.209 is amended by revising paragraph (b)(4), redesignating paragraphs (b)(5), (b)(6), (b)(7) and (b)(8) as (b)(6), (b)(7), (b)(8), and (b)(9) respectively; adding new paragraph (b)(5); revising the introductory text in paragraph (c); redesignating subparagrahs (c)(1), (c)(2) and (c)(3) as subparagraphs (c)(1)(i), (c)(1)(ii) and (c)(1)(iii), respectively; adding new subparagraphs (c)(2)(i), (c)(2)(ii) and (c)(2)(iii); and redesignating existing paragraphs (h) and (i) as new paragraphs (i) and (j), respectively; and by adding a new paragraph (h), as follows:

§ 90.209 Bandwidth limitations.

* * * * *

(b) * * *

(4) For all F3 emissions, on frequencies below 947 MHz, except for the frequency bands 896 to 901 MHz and 935 to 940 MHz, the maximum authorized bandwidth shall be 20 kHz and the maximum authorized frequency deviation shall be 5 kHz. However, stations authorized for operation on or before December 1, 1961, in the frequency band 73.0–74.6 MHz may continue to operate with a bandwidth of 40 kHz and a deviation of 15 kHz. For stations operating on frequencies above 947 MHz, except as provided in sub-paragraph (6) of this section, the maximum authorized bandwidth and frequency deviation will be specified in the station authorization.

(5) For all emissions on the frequency bands 896–901 MHz and 935–940 MHz, the maximum authorized bandwidth shall be 13.6 kHz. The maximum authorized frequency deviation for all frequency modulated emissions shall be 2.5 kHz.

* * * * *

(c) Except as noted in paragraphs (d), (f), (g), (h), or (i) of this section, the mean power of any emission shall be attenuated below the mean output power of the transmitter in accordance with the following schedule:

(1) For transmitters operating on bands other than 896–901 MHz or 935–940 MHz:

* * * * *

(2) For transmitters operating in the 896–901 or 935–940 MHz bands:

(i) On any frequency removed from the center of the authorized bandwidth by a displacement frequency equal to or greater than 6.8 kHz up to 9.0 kHz: at least 25 decibels;

(ii) On any frequency removed from the center of the authorized bandwidth by a displacement frequency equal to or greater than 9.0 kHz up to 15 kHz: at least 35 decibels;

(iii) On any frequency removed from the center of the authorized bandwidth by a displacement frequency equal to or greater than 15 kHz: at least 43 plus 10 log (mean output power in watts) or 70 decibels, whichever is the lesser attenuation.

* * * * *

(h) For transmitters that operate in the frequency bands 896–901 MHz and 935–940 MHz, and are not equipped with an audio low-pass filter in accordance with the provisions of § 90.211(d)(1), the power of any emission shall be attenuated below the unmodulated carrier power of the transmitter (P) in accordance with the following schedule:

(1) On any frequency removed from the center of the authorized bandwidth by a displacement frequency (f_d in kHz) of more than 2.5 kHz up to and including 6.25 kHz: At least 53 log (f_d/2.5) decibels;

(2) On any frequency removed from the center of the authorized bandwidth by a displacement frequency (f_d in kHz) of more than 6.25 kHz up to and including 9.5 kHz: At least 103 log (f_d/3.9) decibels;

(3) On any frequency removed from the center of the authorized bandwidth by a displacement frequency (f_d in kHz) of more than 9.5 kHz up to and including 15 kHz: At least 157 log (f_d/5.3) decibels;

(4) On any frequency removed from the center of the authorized bandwidth by a displacement frequency greater than 15 kHz. At least 50 plus 10 log (P) or 70 decibels, whichever is the lesser attenuation.

* * * * *

14. Section 90.211 is amended by revising the introductory language to paragraph (d); by adding a new subparagraph (d)(1)(iii); and by revising paragraph (d)(2) as follows:

§ 90.211 Modulation requirements.

* * * * *

(d) Each transmitter shall meet the requirements provided in paragraph (d) (1) or (2) of this section. The requirements of this paragraph do not apply to mobile stations which are authorized to operate with maximum power output of 2 watts or less and to any radio-telecommunication system operating wholly within the limits of one or more of the territories or possessions of the United States, or Alaska, or Hawaii, except those systems operating in the frequency ranges 806 to 821 MHz, 851 to 866 MHz, 896 to 901 MHz, and 935 to 940 MHz.

(1) * * *

(iii) For transmitters that operate in the frequency bands 896–901 MHz or 935–940 MHz, the attenuation of the low-pass filter between the frequencies of 3 kHz and 20 kHz shall be greater that the attenuation at 1 kHz by at least 100 log f/3 decibels where "f" is the frequency in kHz.

(2) Transmitters subject to the emission limitations of paragraphs (f), (g), (h) or (i) of § 90.209 shall be exempt from the audio low-pass filter requirements of this section, provided that transmitters used for digital emissions must be type accepted with the digital modulating signal or signals specified by the manufacturer. The type acceptance application shall contain such information as may be necessary to demonstrate that the transmitter complies with the emission limitations specified in paragraphs (f), (g), (h) or (i) of § 90.209.

15. Section 90.213 is amended by adding the following two new entries in numerical order by frequency range to the table in paragraph (a) and by revising associated footnote 11 to read as follows:

§ 90.213 Frequency tolerance.

(a) * * *

FREQUENCY TOLERANCE

Frequency range	Fixed and base stations		Mobile stations	
	Over 200 W output power	200 W or less output power	Over 2 W output power	2 W or less output power
* * *	*	*	*	*
896 to 901	(11)(16).00001	(11)(16).00001	(16).00015	(16).00015
935 to 940	(16).00001	(16).00001	(16).00015	(16).00015
* * *	*	*	*	*

* * * * *

11. Control stations may operate with the frequency tolerance specified for associated mobile stations.

* * * * *

14. Section 90.477 is amended by revising paragraph (b) introductory text to read as follows:

§ 90.477 Interconnected Systems.

* * * * *

(b) In the frequency ranges 806–821 MHz, 851–866 MHz, 896–901 MHz, and

935–940 MHz, interconnection with the public switched telephone network is authorized under the following conditions:

* * * * *

15. Section 90.492 is revised to read as follows:

§ 90.492 One way paging operations in the 806–821/851–866 MHz and 896–901/935–940 Mn. bands.

Paging operations are permitted in the 806–821/851–866 MHz and 896–901/935–940 MHz bands only in accordance with § § 90.378 and 90.645(e) and (f).

16. The heading for Part 90, Subpart S, of the Rules and Regulations is revised to read as follows:

Subpart S—Regulations Governing Licensing and Use of Frequencies in the 806–821, 851–866, 896–901, and 935–940 MHz Bands

17. Section 90.601 is revised to read as follows:

§ 90.601 Scope.

This subpart sets out the regulations governing the licensing and operations of all conventional systems operating in the 806–821/851–866 MHz and 896–901/935–940 MHz bands, and trunked systems operating in the 809.750–816/854.750–861 MHz and 896–901/935–940 MHz bands. Trunked systems operating in the 816–821/861–866 MHz bands are governed by the rules in subpart M until September 1, 1987. After that time they will be governed by the rules in this subpart. This subpart also governs the use of frequencies in the 806–821/851–866 MHz bands along the Mexican and Canadian border areas in accordance with existing agreements. It includes eligibility requirements, applications procedures, and operational and technical standards for stations licensed in these bands. The rules in this subpart are to be read in conjunction with the applicable requirements contained elsewhere in this part; however, in case of conflict, the provisions of this subpart shall govern with respect to licensing and operation in these frequency bands.

18. Section 90.603 is amended by revising the introductory paragraph to read as follows:

§ 90.603 Eligibility.

The following persons are eligible for licensing in the 806–821/851–866 MHz and 896–901/935–940 MHz Bands.

* * * * *

19. The heading immediately preceding § 90.611 is revised to read as follows:

Policies Governing the Processing of Applications and the Selection and Assignment of Frequencies for Use in the 806–821/851–866 MHz and 896–901/935–940 MHz Bands

20. Section 90.613 is amended by revising the introductory paragraph, by removing the parenthetical text under the heading to the table, each time it appears, and by adding a new table to read as follows:

§ 90.613 Frequencies available.

The following table indicates the channel designations of frequencies available for assignment to eligible applicants under this subpart. Frequencies shall be assigned in pairs, with mobile and control station frequencies taken from the 806–821 MHz band with corresponding base station frequencies being 45 MHz higher and taken from the 851–866 MHz band, or with mobile and control station frequencies taken from the 896–901 MHz band with corresponding base station frequencies being 39 MHz higher and taken from the 935–940 MHz band. Only the lower half of each frequency pair is listed in the table.

* * * * *

TABLE OF 896–901/935–940 MHz CHANNEL DESIGNATIONS

Channel No.	Mobile frequency (MHz)
1	896.0125
2	.0250
3	.0375
4	.0500
5	.0625
6	.0750
7	.0875
8	.1000
9	.1125
10	.1250
11	.1375
12	.1500
13	.1625
14	.1750
15	.1875
16	.2000
17	.2125
18	.2250
19	.2375
20	.2500
21	.2625
22	.2750
23	.2875
24	.3000
25	.3125
26	.3250
27	.3375
28	.3500
29	.3625
30	.3750
31	.3875
32	.4000
33	.4125
34	.4250
35	.4375
36	.4500
37	.4625
38	.4750
39	.4875
40	.5000
41	.5125
42	.5250
43	.5375
44	.5500
45	.5625
46	.5750
47	.5875
48	.6000
49	.6125
50	.6250
51	.6375
52	.6500
53	.6625
54	.6750
55	.6875
56	.7000
57	.7125
58	.7250
59	.7375
60	.7500
61	.7625
62	.7750
63	.7875
64	.8000
65	.8125
66	.8250
67	.8375
68	.8500
69	.8625
70	.8750
71	.8875
72	.9000
73	.9125
74	.9250
75	.9375
76	.9500
77	.9625
78	.9750
79	.9875
80	897.0000
81	.0125
82	.0250
83	.0375
84	.0500
85	.0625
86	.0750
87	.0875
88	.1000
89	.1125
90	.1250
91	.1375
92	.1500
93	.1625
94	.1750
95	.1875
96	.2000
97	.2125
98	.2250
99	.2375
100	.2500
101	.2625
102	.2750
103	.2875
104	.3000
105	.3125
106	.3250
107	.3375
108	.3500
109	.3625
110	.3750
111	.3875
112	.4000
113	.4125
114	.4250
115	.4375
116	.4500
117	.4625
118	.4750
119	.4875
120	.5000
121	.5125
122	.5250
123	.5375
124	.5500
125	.5625
126	.5750
127	.5875
128	.6000
129	.6125
130	.6250
131	.6375
132	.6500

TABLE OF 896-901/935-940 MHz CHANNEL DESIGNATIONS—Continued

Channel No.	Mobile frequency (MHz)
133	.6625
134	.6750
135	.6875
136	.7000
137	.7125
138	.7250
139	.7375
140	.7500
141	.7625
142	.7750
143	.7875
144	.8000
145	.8125
146	.8250
147	.8375
148	.8500
149	.8625
150	.8750
151	.8875
152	.9000
153	.9125
154	.9250
155	.9375
156	.9500
157	.9625
158	.9750
159	.9875
160	898.0000
161	.0125
162	.0250
163	.0375
164	.0500
165	.0625
166	.0750
167	.0875
168	.1000
169	.1125
170	.1250
171	.1375
172	.1500
173	.1625
174	.1750
175	.1875
176	.2000
177	.2125
178	.2250
179	.2375
180	.2500
181	.2625
182	.2750
183	.2875
184	.3000
185	.3125
186	.3250
187	.3375
188	.3500
189	.3625
190	.3750
191	.3875
192	.4000
193	.4125
194	.4250
195	.4375
196	.4500
197	.4625
198	.4750
199	.4875
200	.5000
201	.5125
202	.5250
203	.5375
204	.5500
205	.5625
206	.5750
207	.5875
208	.6000
209	.6125
210	.6250
211	.6375
212	.6500
213	.6625
214	.6750
215	.6875
216	.7000
217	.7125
218	.7250
219	.7375
220	.7500
221	.7625

TABLE OF 896-901/935-940 MHz CHANNEL DESIGNATIONS—Continued

Channel No.	Mobile frequency (MHz)
222	.7750
223	.7875
224	.8000
225	.8125
226	.8250
227	.8375
228	.8500
229	.8625
230	.8750
231	.8875
232	.9000
233	.9125
234	.9250
235	.9375
236	.9500
237	.9625
238	.9750
239	.9875
240	899.0000
241	.0125
242	.0250
243	.0375
244	.0500
245	.0625
246	.0750
247	.0875
248	.1000
249	.1125
250	.1250
251	.1375
252	.1500
253	.1625
254	.1750
255	.1875
256	.2000
257	.2125
258	.2250
259	.2375
260	.2500
261	.2625
262	.2750
263	.2875
264	.3000
265	.3125
266	.3250
267	.3375
268	.3500
269	.3625
270	.3750
271	.3875
272	.4000
273	.4125
274	.4250
275	.4375
276	.4500
277	.4625
278	.4750
279	.4875
280	.5000
281	.5125
282	.5250
283	.5375
284	.5500
285	.5625
286	.5750
287	.5875
288	.6000
289	.6125
290	.6250
291	.6375
292	.6500
293	.6625
294	.6750
295	.6875
296	.7000
297	.7125
298	.7250
299	.7375
300	.7500
301	.7625
302	.7750
303	.7875
304	.8000
305	.8125
306	.8250
307	.8375
308	.8500
309	.8625
310	.8750

TABLE OF 896-901/935-940 MHz CHANNEL DESIGNATIONS—Continued

Channel No.	Mobile frequency (MHz)
311	.8875
312	.9000
313	.9125
314	.9250
315	.9375
316	.9500
317	.9625
318	.9750
319	.9875
320	900.0000
321	.0125
322	.0250
323	.0375
324	.0500
325	.0625
326	.0750
327	.0875
328	.1000
329	.1125
330	.1250
331	.1375
332	.1500
333	.1625
334	.1750
335	.1875
336	.2000
337	.2125
338	.2250
339	.2375
340	.2500
341	.2625
342	.2750
343	.2875
344	.3000
345	.3125
346	.3250
347	.3375
348	.3500
349	.3625
350	.3750
351	.3875
352	.4000
353	.4125
354	.4250
355	.4375
356	.4500
357	.4625
358	.4750
359	.4875
360	.5000
361	.5125
362	.5250
363	.5375
364	.5500
365	.5625
366	.5750
367	.5875
368	.6000
369	.6125
370	.6250
371	.6375
372	.6500
373	.6625
374	.6750
375	.6875
376	.7000
377	.7125
378	.7250
379	.7375
380	.7500
381	.7625
382	.7750
383	.7875
384	.8000
385	.8125
386	.8250
387	.8375
388	.8500
389	.8625
390	.8750
391	.8875
392	.900(
393	.912(
394	.9250
395	.9375
396	.9500
397	.9625
398	.9750

TABLE OF 896-901/935-940 MHz CHANNEL DESIGNATIONS—Continued

Channel No.	Mobile frequency (MHz)
399	.9875

21. Section 90.617 is amended by revising the section heading, revising the heading on Tables 2, 3, and 4 and redesignating those tables as 2A, 3A, and 4A, respectively, and by adding new Tables 2B, 3B, and 4B, as follows:

§ 90.617 Frequencies in the 809.750-816/854.750-861 MHz and 896-901/935-940 MHz bands available for trunked or conventional system use in nonborder areas.

* * * * *

(b) * * *

Table 2A—Industrial/Land Transportation Category 806-821/851-866 MHz Band Channels (50 Channels):

* * * * *

Table 2B—Industrial/Land Transportation Category 896-901/935-940 MHz Band Channels (99 Channels):

For multichannel systems channels may be grouped vertically or horizontally as they appear in the table.

Channel Nos.

31-32-33-34-35
36-37-38-39-40
71-72-73-74-75
76-77-78-79-80
111-112-113-114-115
116-117-118-119-120
151-152-153-154-155
156-157-158-159-160
191-192-193-194-195
196-197-198-199-200
231-232-233-234-235
236-237-238-239-240
271-272-273-274-275
276-277-278-279-280
311-312-313-314-315
316-317-318-319-320
351-352-353-354-355
356-357-358-359-360
391-392-393-394-395
396-397-398-399.

(c) * * *

Table 3A—Business Category 806-821/851-866 MHz Band Channels (50 Channels):

* * * * *

Table 3B—Business Category 896-901/935-940 MHz Band Channels (100 Channels):

For multichannel systems, channels may be grouped vertically or horizontally as they appear in the table.

11-12-13-14-15
16-17-18-19-20
51-52-53-54-55
56-57-58-59-60
91-92-93-94-95
96-97-98-99-100
131-132-133-134-135
136-137-138-139-140
171-172-173-174-175
176-177-178-179-180
211-212-213-214-215
216-217-218-219-220
251-252-253-254-255
256-257-258-259-260
291-292-293-294-295
296-297-298-299-300
331-332-333-334-335
336-337-338-339-340
371-372-373-374-375
376-377-378-379-380.

(d) * * *

Table 4A—SMR Category 806-821/851-866 MHz Band Channels (80 Channels):

* * * * *

Table 4B—SMR Category 896-901/935-940 MHz Band Channels (200 Channels) available only for trunked operation:

Group No.	Channels Nos.
1	1-2-3-4-5-6-7-8-9-10
21	21-22-23-24-25-26-27-28-29-30
41	41-42-43-44-45-46-47-48-49-50
61	61-62-63-64-65-66-67-68-69-70
81	81-82-83-84-85-86-87-88-89-90
101	101-102-103-104-105-106-107-108-109-110
121	121-122-123-124-125-126-127-128-129-130
141	141-142-143-144-145-146-147-148-149-150
161	161-162-163-164-165-166-167-168-169-170
181	181-182-183-184-185-186-187-188-189-190
201	201-202-203-204-205-206-207-208-209-210
221	221-222-223-224-225-226-227-228-229-230
241	241-242-243-244-245-246-247-248-249-250
261	261-262-263-264-265-266-267-268-269-270
281	281-282-283-284-285-286-287-288-289-290
301	301-302-303-304-305-306-307-308-309-310
321	321-322-323-324-325-326-327-328-329-330
341	341-342-343-344-345-346-347-348-349-340
361	361-362-363-364-365-366-367-388-369-370
381	381-382-383-384-385-386-387-388-389-390

22. Section 90.621 is amended by revising paragraphs (a)(1) (i) and (iv), (a)(2)(i), and (g) to read as follows:

§ 90.621 Selection and assignment of frequencies.

(a) * * *

(1) * * *

(i) Channel groups will be chosen and assigned in accordance with §§ 90.617 or 90.619.

* * * * *

(iv) The maximum number of frequency pairs that will be assigned from the 806-821/821-866 MHz band to an SMR applicant at any one time is five. The maximum number of frequency pairs that will be assigned from the 896-901/935-940 MHz band to an SMR applicant at any one time is ten.

(2) * * *

(i) Channels will be chosen and assigned in accordance with §§ 90.615, 90.617, or 90.619. The 896-901/935-940 MHz band channel listed in the SMR pool are not available for conventional systems.

* * * * *

(g) The 806-821/851-866 MHz channels listed as available for eligibles in the Public Safety/Special Emergency, Industrial/Land Transportation, and Business Categories are available on a shared basis to all persons eligible in these categories under the following conditions. The 896-901/935-940 MHz channels listed as available for eligibles in the Industrial/Land Transportation and Business Categories will be available on a shared basis to all persons eligible in these categories under the following conditions 36 months from the date the first license in this spectrum is issued.

23. Section 90.627 is amended by revising paragraphs (a) and (b)(2) and by adding new paragraph (b)(3) to read as follows:

§ 90.627 Limitation on the number of frequency pairs that may be assigned for trunked systems and on the number of trunked systems.

(a) The maximum number of frequency pairs that may be assigned at any one time for the operation of a trunked radio system is twenty, except as specified in § 90.621(a)(1)(iv).

(b) * * *

(2) The licensee's existing trunked system is loaded to at least 80 vehicular and portable mobile units and control stations per channel; or,

(3) A licensee of an SMR system in the 806-821/851-866 MHz bands seeks authorization to operate an SMR system in the 896-901/935-940 MHz bands.

24. The heading immediately preceding § 90.635 is revised to read as follows:

Technical Regulations Regarding the Use of Frequencies in the 806-821/851-866 MHz and 896-901/935-940 MHz Bands

25. Section 90.635(d) is amended by revising the titles of Tables 2, 3, and 4 to read as follows:

§ 90.635 Limitations on power and antenna height.

* * * * *

Table 2—Equivalent Power and Antenna Heights for Base Stations in the

851–866 MHz and 935–940 MHz Bands Which Have a Requirement for a 32 km (20mi.) Service Area Radius.

* * * * *

Table 3—Equivalent Powers and Antenna Heights for Suburban Conventional Base Stations in the 851–866 MHz and 935–940 MHz Bands Which Have a Requirement for Less than 20-mi Service Area Radius-Maximum Effective Radiated Power (Watts).

* * * * *

Table 4—Equivalent Powers and Antenna Heights for Urban-Conventional and Trunked System Base Stations in the 851–866 MHz and 935–940 MHz Bands Which Have a Requirement for Less Than 20-mi Service Area Radius-Maximum Effective Radiated Power (Watts).

* * * * *

26. Section 90.637 is amended by revising paragraph (a) to read as follows:

§ 90.637 Restrictions on Operational Fixed Stations.

(a) Except for control stations, operational-fixed operations will not be authorized in the 806–821/851–866 MHz or 896–901/935–940 MHz bands.

* * * * *

27. Section 90.645 is amended by revising paragraphs (f) and (g), by redesignating the existing paragraph (h) as paragraph (i), and by adding a new paragraph (h) to read as follows:

§ 90.645 Permissible operations.

* * * * *

(f) Where the channel(s) is assigned to an SMRS licensee or exclusively to a single licensee, or where all users of a system agree, more than a single emission may be utilized within the authorized bandwidth. In such cases, the frequency stability requirements of § 90.213 shall not apply, but out-of-band emission limits of § 90.209 shall be met.

(g) Up to five (5) contiguous 806–821/851–866 band channels as listed in §§ 90.615, 90.617, and 90.619 may be authorized after justification for systems requiring more than the normal single channel bandwidth. If necessary, licensees may trade channels amongst themselves in order to obtain contiguous frequencies. Notification of such proposed exchanges shall be made to the appropriate frequency coordinator(s) and to the Commission for approval.

(h) Up to 10 contiguous 896–901/935–940 MHz band channels as listed in § 90.617 may be combined for systems requiring more than the normal single channel bandwidth. If necessary, licensees may trade channels amongst themselves in order to obtain contiguous frequencies. Notification of such proposed exchanges shall be made to the appropriate frequency coordinator(s) and to the Commission for approval.

* * * * *

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 86–23506 Filed 10–21–86; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 85–344; RM–5060]

Radio Broadcasting Services; Newberry, FL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 263A to Newberry, Florida, as a first local FM service, at the request of Newberry Broadcasters. With this action, this proceeding is terminated.

EFFECTIVE DATE: November 17, 1986; The window period for filing applications will open on November 18, 1986, and close on December 17, 1986.

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree, (202) 634–6530, Mass Media Bureau.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 85–344, adopted September 24, 1986, and released October 10, 1986. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857–3800, 2100 M Street NW, Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. In § 73.202, paragraph (b), the table of allotments in the entry for Newberry, Florida, Channel 263A is added.

Federal Communications Commission.

Charles Schott,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 86–23803 Filed 10–21–86; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 90

[FCC 86–188]

Elimination of Industrial Communications Emergency Plan (ICEP), Land Transportation Industries Communications Emergency Plan (LATICEP)

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This Order implements a recommendation made by the Radio Communications Subcommittee of the National Industry Advisory Committee (NIAC) which proposed to delete ICEP and LATICEP from Part 90, Subpart R of the Commission's rules. These were plans originally created in response to Presidential Executive Order 11490 and similar preceding Executive Orders which dealt with the assignment of emergency preparedness functions to federal departments and agencies. Both plans were prepared as a framework for development of detailed communications emergency plans. The change in title of Subpart R to *Frequency List* is consistent with the deletion of §§ 90.525 and 90.527.

EFFECTIVE DATE: October 22, 1986.

FOR FURTHER INFORMATION CONTACT: Michael Rentfrow, Management Planning and Program Evaluation Office, Office of the Managing Director, (202) 634–1592.

SUPPLEMENTARY INFORMATION:

1. The Radio Communications Subcommittee of NIAC reviewed ICEP and LATICEP and found that they were not current, not being used, and did not seem to be serving a useful purpose. The Subcommittee found that there were a sufficient number of generalized rules for emergency communcations in existence.

2. Because there are several generalized areas concerning emergency communications, deletion of ICEP and LATICEP has little or no impact on the emergency planning process or emergency operation during an actual emergency.

3. The Commission's policy is that whenever possible, unnecessary or outdated rules should be eliminated.

Elimination of ICEP and LATICEP is consistent with this policy.

4. Therefore, Subpart R of Part 90 is renamed *Frequency List* and the references to ICEP and LATICEP are stricken.

5. Because this amendment does not affect the normal operation of the services which might have used these outmoded plans, these changes constitute only minor amendments to our rules. The public is not likely to be interested in such minor amendments. Therefore, we find for good cause that compliance with the notice and comment procedures of the Administrative Procedures Act is unnecessary. See Section 5 U.S.C. 553(b)(3)(B).

6. Because we find that it is not in the public interest to maintain these outmoded emergency plans any longer, these rule deletions are effective immediately upon publication in the **Federal Register**. *See* 5 U.S.C. 553(d)(3).

7. Although section 601(2) applies the Regulatory Flexibility Act of 1980 (RFA) [Pub. L. 96–354] to rules adopted pursuant to Section 553 of the Administrative Procedures Act, the RFA is inapplicable to rules adopted without an opportunity for public notice and comment. Nevertheless, we find that this will have little or no economic impact on small entities.

8. For further information regarding matters covered in this document, contact Michael Rentfrow (202) 634–1592.

List of Subjects in 47 CFR Part 90

Civil defense Emergency medical services, Radio.

Federal Communications Commission.

William J. Tricarico,

Secretary.

Rules Changes

Part 90 of Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 90—PRIVATE MOBILE RADIO SERVICES

1. The authority citation for Part 90 continues to read as follows:

Authority: Section 4, 303, 48 Stat., as amended, 1066 1082; 47 U.S.C.154, 303, unless otherwise noted.

2. The Title of Subpart R of Part 90 is revised to read:

Subpart R—Frequency List

§ 90.525 [Removed]

3. Section 90.525 Industrial Communications Emergency Plan (ICEP) is removed.

§ 90.527 [Removed]

4. Section 90.527 Land Transportation Industries Communications Emergency Plan (LATICEP) is removed.

[FR Doc. 86–23712 Filed 10–21–86; 8:45 am]

BILLING CODE 6712–01–M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1057

[Ex Parte No. MC–43 (Sub-No. 16)]

Lease and Interchange of Vehicles; Identification Devices

AGENCY: Interstate Commerce Commission.

ACTION: Final rules.

SUMMARY: Final rules are adopted governing the removal and/or return of carrier identification devices on termination of a lease agreement (*see* appendix). The present rules requiring carriers to: (1) Retrieve their identification devices; and (2) obtain a receipt when equipment owners retake possession of their equipment are removed. The final rules require that these matters be negotiated between the parties and addressed in the lease agreement. Additionally, the final rules permit carriers to withhold payment to equipment owners pending removal and return of their identification devices.

EFFECTIVE DATE: November 21, 1986.

FOR FURTHER INFORMATION CONTACT:

Paul W. Schach, (202) 275–7885

or

Mark Shaffer (202) 275–7805

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. Infosystems, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC 20423, or call 289–4357 (DC Metropolitan area) or toll-free (800) 424–5403.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Regulatory Flexibility Analysis

We reaffirm our prior certification. The rules we are adopting here will not have a significant economic impact on a substantial number of small entities. While the rules we adopt will affect a substantial number of small entities, *i.e.*, independent owner-operators, their economic impact will not be substantial. Equipment owners required by the lease contract to remove, package, and return identification devices to the carriers may incur some additional but minimal expense, but, as stated in our earlier decision, such additional costs can ultimately be the subject of negotiations between the equipment owner and the carrier entering into a lease contract. This same analysis applies to those owner-operators required by the lease to provide the carrier with a receipt when they retake possession of the equipment. Finally, the other rule revisions that we adopt here do not have any direct economic impact.

List of Subjects in 49 CFR Part 1057

Motor carriers.

Decided: October 10, 1986.

By the Commission, Chairman Gradison, Vice Chairman Simmons, Commissioners Sterrett, Andre, and Lamboley

Noreta R. McGee,

Secretary.

Appendix—Final Rules

Part 1057 of the Code of Federal Regulations, Title 49, is amended as follows:

PART 1057—LEASE AND INTERCHANGE OF VEHICLES

1. The authority citation for 49 CFR Part 1057 continues to read as follows:

Authority: 49 U.S.C. 11107 and 10321; 5 U.S.C. 553.

2. Section 1057.11(b)(2) is revised to read as follows:

§ 1057.11 General leasing requirements.

* * * * *

(b) * * *

(2) When possession of the equipment by the authorized carrier ends, a receipt shall be given in accordance with the terms of the lease agreement if the lease agreement requires a receipt.

* * * * *

3. The second sentence of 49 CFR 1057.11(c)(1) is removed.

4. Two sentences are added to 49 CFR 1057.12(e) at the beginning of the section to follow the heading as follows:

§ 1057.12 Written lease requirements.

* * * * *

(e) The lease shall clearly specify which party is responsible for removing identification devices from the equipment upon the termination of the lease and when and how these devices, other than those painted directly on the equipment, will be returned to the carrier. The lease shall clearly specify the manner in which a receipt will be given to the authorized carrier by the equipment owner when the latter retakes possession of the equipment