publish a proposed rule, is further required to prepare and make available for public comment an initial regulatory flexibility analysis to describe the impact of the proposed rule on small entities. In this instance, the rate adjustment relates to nonregulatory services provided by Western.

Under 5 U.S.C. 601(2), rates or services of particular applicability are not considered "rules" within the meaning of the Act. Because the proposed rate is of limited applicability and is being set in accordance with specific legislation under particular circumstances, no flexibility analysis is required.

Determination Under Executive Order 12291

The Department of Energy has determined that this is not a major rule because it does not meet the criteria of section 1(b) of Executive Order 12291 (46 FR 13193, February 19, 1981). In addition, Western is exempt from sections 3, 4, and 7 of Executive Order 12291.

Conclusion

Following the consultation and comment period and after consideration of comments received, the Deputy Secretary will issue a rate order confirming and approving a transmission rate to be placed in effect on an interim basis and will promptly submit such rate to the Federal Energy Regulatory Commission for confirmation and approval on a final basis.

Issued at Golden, Colorado, November 23, 1988.

William H. Clagett,

Administrator.

[FR Doc. 88-28168 Filed 12-6-88; 8:45 am]

BILLING CODE 6450-01-M

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Requirements Submitted to Office of Management and Budget for Review

November 30, 1988.

The Federal Communications Commission has submitted the following information collection requirements to the Office of Management and Budget for review and clearance under the Paperwork Reduction Act, as amended (44 U.S.C. 3501 *et seq.*).

Copies of the submissions may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037. For further information on these submissions contact Jerry Cowden, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on these information collections should contact Eyvette Flynn, Office of Management and Budget, Room 3235 NEOB, Washington, DC 20503, (202) 395-3785.

OMB Number: 3060-0259.

Title: Section 90.263, Substitution of frequencies below 25 MHz.

Action: Extension.

Respondents: Businesses and state and local governments.

Frequency of Response: On occassion.

Estimated Annual Burden: 60 responses; 30 hours; 30 minutes each.

Needs and Uses: This rule requires an applicant to make a special showing to demonstrate safety-of-life reasons why frequencies above 25 MHz will not meet the applicant's operational requirements. The Commission uses this information to evaluate the applicant's need for such frequencies and the interference potential to other stations operating on the proposed frequencies.

OMB Number: 3060-0221.

Title: Section 90.155(b), Time in which station must be placed in operation (exceptions).

Action: Extension.

Respondents: State or local governments.

Frequency of Response: On occasion.

Estimated Annual Burden: 55 responses; 55 hours; 1 hour each.

Needs and Uses: State and local governments may, upon a showing of need, take more than eight months to place their stations in operation. The Commission uses this information to determine if the exception to the eight month requirement is warranted.

OMB Number: 3060-0218.

Title: Section 90.41(b), Disaster relief organizations "Special eligibility showing."

Action: Extension.

Respondents: Non-profit institutions and small businesses.

Frequency of Response: On occasion.

Estimated Annual Burden: 75 responses; 13 hours; 10 minutes each.

Needs and Uses: This rule is used to establish the eligibility of disaster relief organizations for Special Emergency Radio Service frequencies that are primarily used for emergency medical services. The Commission uses this information to ensure efficient communications operations.

OMB Number: 3060-0224.

Title: Section 90.151, Requests for waiver.

Action: Extension.

Respondents: Individuals or households, state or local governments, businesses (including small businesses), and non-profit institutions.

Frequency of Response: On occasion.

Estimated Annual Burden: 60 responses; 120 hours; 2 hours each.

Needs and Uses: Applicants that request waiver of various rules must submit justification for the proposed waiver. This is necessary to enable the Commission to make an informed decision on requests.

OMB Number: 3060-0261.

Title: Section 90.215, Transmitter measurements.

Action: Extension.

Respondents: Individuls or households, state or local governments, businesses (including small businesses), and non-profit institutions.

Frequency of Response: On occasion.

Estimated Annual Burden: 129,900 recordkeepers; 4,287 hours; 2 minutes each.

Needs and Uses: Rule requires technical measurements on each transmitter upon initial installation. Requirement helps ensure proper operation of transmitters, thereby reducing instances of interference.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 88-28132 Filed 12-6-88; 8:45 am]

BILLING CODE 6712-01-M

[Report No. 1760]

Petitions for Reconsideration of Actions in Rulemaking Proceedings

December 1, 1988.

Petitions for reconsideration have been filed in the Commission rule making proceeding listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of these documents are available for viewing and copying in Room 239, 1919 M Street, NW., Washington, DC, or may be purchased from the Commission's copy contractor, International Transcription Service (202-857-3800). Oppositions to these petitions must be filed Insert date of 16 days after FR. Pub. date. See § 1.4(b)(1) of the Commission's rules (47 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: Amendment of § 73.202(b), Table of Allotments, FM Broadcast Stations. (New Ulm, Bryan, Huntsville, Cameron, Creedmoor and La Grange, Texas. (MM Docket No. 87-209, RM's 5700, 5768, 5926, 6079 & 6080); Number of petitions received: 1.

Subject: Amendment of § 73.202(b), Table of Allotments, FM Broadcast

Stations. (Albert Lea, Red Wing and Stewartville, Minnesota) (MM Docket No. 87–306, RM's 5837, 6120 & 6121); Number of petitions received: 1.

Subject: Amendment of § 73.202(b), Table of Allotments, FM Broadcast Stations. (West Palm Beach, Florida) (MM Docket No. 87–438, RM–5894); Number of petitions received: 1.

Subject: Amendment of § 73.202(b), Table of Allotments, FM Broadcast Stations. (Oakdale, Tioga and West Monroe, Louisiana) (MM Docket No. 88–47, RM's 5977, 6148, 6364 & 6365); Number of petitions received: 2.

Subject: Amendment of § 73.202(b), Table of Allotments, FM Broadcast Stations. (Vero Beach, Florida) (MM Docket No. 88–111, RM–5359)

Filed By: John C. Quale & Jerry V. Haines, Attorneys for Gilmore Boardcasting Corporation, (WLVE–FM) on 11–22–88).

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 88–28133 Filed 12–6–88; 8:45 am]

BILLING CODE 6712–01–M

FEDERAL MARITIME COMMISSION

Ocean Freight Forwarder License; Applicants

Notice is given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarder and Passenger Vessel Operations, Federal Maritime Commission, Washington, DC 20573.

Miami Valley Worldwide, Inc., 2382 South Dixie Drive, Dayton, OH 45409. Officers: John Francis Sweeney, President, Michael J. Serrney, Vice President

IPS Freight Services Limited, 1060 Randolph Road, Rahway, NJ 07065. Officers: Peter Maybury, President/Treasurer, Terri Brennan, Director/Stockholder, Andrew Finn, Director/Stockholder

Future Freight Systems, Inc., 48 Third Street, South Kearny, NJ 07032. Officers: Joseph Sade, President/Director/Stockholder, Owen Stewart, Vice President

MBC Freight Consultants (USA), Inc., 515 Saratoga Street, E. Boston, MA 02128. Officers: Christopher Staub, President, Leo Staub, Director, Timothy Staub, Director

Phoenix Global Services, Inc., Unit A–129 The Commons at Chadds Ford, Chadds Ford, PA 19139. Officers; Jamal Abu-Hakemeh, President, Steven G. Sewell, Exec. Vice President, Khalil Hamid, Exec. Vice President

By the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

Dated: December 2, 1988.

[FR Doc. 88–28159 Filed 12–6–88; 8:45 am]

BILLING CODE 6730–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Public Health Service

National Vaccine Injury Compensation Program; Statement of Organization, Functions and Delegations of Authority

Part H, Chapter HB (Health Resources and Services Administration) of the Statement of Organization, Functions and Delegations of Authority of the Department of Health and Human Services (47 FR 39409–24, August 31, 1982, as amended most recently at 53 FR 34588, September 7, 1988) is amended to reflect the establishment of the National Vaccine Injury Compensation Program under Part A (42 U.S.C. 300aa–10 et seq.) and Part D (42 U.S.C. 300aa–31 et seq.), Subtitle 2, Title XXI of the Public Health Service Act, as amended, within the Bureau of Health Professions, Health Resources and Services Administration.

Under HB–10, Organization and Functions, amend the functional statements for the *Bureau of Health Professions (HBP)* by deleting the "and" after item number (11), changing the period after item number (12) to a semicolon, and adding the following after item number (12): "and (13) administers the National Vaccine Injury Compensation Program."

Date: November 28, 1988.

Otis R. Bowen,

Secretary.

[FR Doc. 88–28097 Filed 12–6–88; 8:45 am]

BILLING CODE 4160–15–M

National Vaccine Injury Compensation Program; Delegation of Authority

Notice is hereby given that I have delegated to the Assistant Secretary for Health, with authority to redelegate, all the authorities vested in the Secretary of Health and Human Services under Part A (42 U.S.c. 300aa–10 et seq.) and Part D (42 U.S.C. 300aa–31 et seq.), Subtitle 2 of Title XXI of the Public Health Service Act, as amended, pertaining to the National Vaccine Injury Compensation Program, excluding the authority under section 2114(e) (42 U.S.C. 300aa–14) to recommend to Congress revisions to the Vaccine Injury Table to change the vaccines covered by the table in section 2114 (42 U.S.C. 300aa–14) of the Public Health Service Act, as amended. Also excluded were the authority to promulgate regulations, to appoint members of the Advisory Commission under section 2119 (42 U.S.C. 300aa–19), and the authority to submit reports to the Congress.

This delegation became effective upon the date of signature. In addition, notification is hereby given that, effective on the date of this delegation, I have affirmed and ratified any actions taken by the Assistant Secretary for Health and his subordinates which involved the exercise of the delegated authorities prior to the effective date of delegation.

Date: November 28, 1988.

Otis R. Bowen,

Secretary.

[FR Doc. 88–28098 Filed 12–6–88; 8:45 am]

BILLING CODE 4160–15–M

Food and Drug Administration

[Docket No. 88F–0376]

M&T Chemicals, Inc.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that M&T Chemicals, Inc., has filed a petition proposing that the food additive regulations be amended to provide for the safe use of hydrated monobutyltin oxide, monobutyltin trioctoate, and dibutyltin oxide in the production of polyester resins to be used in resinous and polymeric coatings and cross-linked polyester resins. The polyesters are intended for use in contact with food.

FOR FURTHER INFORMATION CONTACT: Rudolph Harris, Center for Food Safety and Applied Nutrition (HFF–335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 8B4113) has been filed by M&T Chemicals, Inc., c/o 1150 17th St. NW., Washington, DC 20036, proposing

that § 175.300 *Resinous and polymeric coatings* (21 CFR 175.300) and § 177.2420 *Polyester resins, cross-linked* (21 CFR 177.2420) be amended to provide for the safe use of hydrated monobutyltin oxide, monobutyltin trioctoate, and dibutyltin oxide in the production of polyester resins to be used in resinous and polymeric coatings and cross-linked polyester resins. The polyesters are intended for use in contact with food.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c).

Dated: November 18, 1988.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 88-28090 Filed 12-6-88; 8:45 am]

BILLING CODE 4160-01-M

Consumer Participation; Open Meeting

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the following district consumer exchange meeting: *Nashville District Office*, chaired by Hayward Mayfield, District Director. The topic to be discussed is the tampon absorbency labeling.

DATE: Monday, December 12, 1988, 1:30 p.m. to 3 p.m.

ADDRESS: FDA District Office, 297 Plus Park Blvd., Nashville, TN 37217.

FOR FURTHER INFORMATION CONTACT: Sandra Baxter, Consumer Affairs Officer, Food and Drug Administration, 297 Plus Park Blvd., Nashville, TN 37217, 615-736-2088.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is to encourage dialogue between consumers and FDA officials, to identify and set priorities for current and future health concerns, to enhance relationships between local consumers and FDA's District Offices, and to contribute to the agency's policymaking decisions on vital issues.

Dated: December 1, 1988.

Ronald G. Chesemore,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 88-28091 Filed 12-6-88; 8:45 am]

BILLING CODE 4160-01-M

Public Health Service

National Vaccine Injury Compensation Program; Content of Medical Records

AGENCY: Public Health Service, HHS.

ACTION: Notice.

SUMMARY: The Public Health Service (PHS) is publishing this notice to advise the public of the content of medical records to be attached to petitions for compensation of vaccine related injuries under the National Vaccine Injury Compensation Program (the "Program"). The information set forth below does not constitute a requirement for filing, as the publication of such requirements is the prerogative of the United States Claims Court, but rather provides a statement of what information PHS views as necessary for it to carry out its responsibilities under the Program.

FOR FURTHER INFORMATION CONTACT: National Vaccine Injury Compensation Program, Parklawn Building, 5600 Fishers Lane, Room 4-101, Rockville, Maryland 20857, (301) 443-6593.

SUPPLEMENTARY INFORMATION: The Program provides a system of no-fault compensation for certain individuals who have been injured by specified childhood vaccines. Subtitle 2 of Title XXI of the PHS Act, 42 U.S.C. 300aa-10 *et seq.*, provides that those seeking compensation are to file a petition with the United States Claims Court, which is responsible for adjudicating the petition. A copy of the petition is also to be served upon the Secretary of Health and Human Services, who is named as the respondent in each proceeding.

Section 2111(c)(2) of the PHS Act provides that each petition is to be accompained by:

> All available relevant medical records (including autopsy reports, if any) relating to the person who suffered such injury or who died from the administration of the vaccine and an identification of any unavailable records known to the petitioner and the reasons for their unavailability * * *.

While the United States Claims Court is responsible for issuing rules on the content of petitions and their accompanying medical and related records, PHS, as the respondent, will have the responsibility of reviewing these documents and advising the Court of its view as to whether compensation should be awarded. Accordingly, we are advising the public of the information that we would view as necessary for us to carry out this responsibility. For petitions that are not accompanied by sufficient information, we intend to request the missing materials, and if they are not provided (or an adequate explanation of their unavailability is not submitted), we may be forced to advise the Court that the records submitted are insufficient to support a determination that the petitioner is entitled to compensation.

Under the statue, the determination regarding eligibility for compensation requires examination of records related to the following: (a) The health status of the injured individual before the administration of the vaccine, (b) information related to the actual administration of the vaccine, (c) the effects of the vaccine, (d) the period in which those effects first occurred, and (e) the period for which the effects continued. Accordingly, while we recognize that not all of these materials will be relevant in each case, the materials that we would view as constituting complete medical and related records are as follows:

1. Maternal prenatal and delivery records;
2. Newborn hospital records, including all physicians' and nurses' notes and test results;
3. Vaccination records associated with the vaccine allegedly causing the injury;
4. Pre- and post-injury physician or clinic records, including all relevant growth charts and test results;
5. All post-injury outpatient records, including all provider notes, test results, and medication records;
6. If applicable, death certificate; and
7. If applicable, autopsy results (if an autopsy was conducted).

We are also requesting that petitioners make every effort to provide medical and related records that are legible. Clearly, our task of evaluating petitons will be significantly impeded if the records provided are not legible.

Section 2111(c)(3) of the PHS Act provides that petitions for compensation must also be accompanied by:

> Appropriate assessments, evaluations, and prognoses and such other records and documents as are reasonably necessary for the determination of the amount of compensation to be paid to, or on behalf of, the person who suffered such injury or who died from the administration of the vaccine.

This notice does not cover the medical and other records necessary to determine the amount of compensation once eligibility for compensation has been established. Accordingly, the Secretary (or the Department of Justice, which represents the Secretary in proceedings before the United States Claims Court) may require additional records in order to determine the amount of compensation.

Chapter 35 of Title 44, United States Code, related to paperwork reduction,