

would necessarily be more than 30 days after publication in proposed form. Accordingly, it has been determined that publication of proposed regulations prior to publication of final regulations is impracticable, unnecessary, and contrary to the public interest.

(Catalog of Federal Domestic Assistance Program numbers, 64.113, 64.114, and 64.119)

These regulations are adopted under authority granted to the Administrator by sections 210(c), 1803(c)(1), 1811(d)(1) and 1819 (f) and (g) of title 38, United States Code.

These decreases are accomplished by amending §§ 36.4212(a) (1), (2), and (3), and 36.4311 (a), (b), and (c) and 36.4503(a), title 38, Code of Federal Regulations.

#### List of Subjects in 38 CFR Part 36

Condominiums, Handicapped, Housing, Loan programs—housing and community development, Manufactured homes, Veterans.

Approved: January 29, 1988.

By direction of the Administrator.

James E. DeWire,

Chief of Staff.

38 CFR Part 36, Loan Guaranty, is amended as follows:

#### PART 38—[AMENDED]

1. In § 36.4212, paragraph (a) is revised to read as follows:

##### § 36.4212 Interest rates and late charges.

(a) The interest rate charged the borrower on a loan guaranteed or insured pursuant to 38 U.S.C. 1819 may not exceed the following maxima except on loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the Veterans Administration prior to the respective effective date:

(Authority: 38 U.S.C. 1819(f))

(1) Effective February 1, 1988, 12 percent simple interest per annum for a loan which finances the purchase of a manufactured home unit only.

(2) Effective February 1, 1988, 11½ percent simple interest per annum for a loan which finances the purchase of a lot only and the cost of necessary site preparation, if any.

(3) Effective February 1, 1988, 11½ percent simple interest per annum for a loan which will finance the simultaneous acquisition of a manufactured home and a lot and/or the site preparation necessary to make a lot acceptable as the site for the manufactured home.

2. In § 36.4311, paragraphs (a), (b), and (c) are revised to read as follows:

##### § 36.4311 Interest rates.

(a) Excepting loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the VA which specify an interest rate in excess of 9½ per centum per annum, effective February 1, 1988, the interest rate on any home or condominium loan, other than a graduated payment mortgage loan, guaranteed or insured wholly or in part on or after such date may not exceed 9½ per centum per annum on the unpaid principal balance.

(Authority: 38 U.S.C. 1803(c)(1))

(b) Excepting loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the VA which specify an interest rate in excess of 9¼ per centum per annum, effective February 1, 1988, the interest rate of any graduated payment mortgage loan guaranteed or insured wholly or in part on or after such date may not exceed 9¼ per centum per annum.

(Authority: 38 U.S.C. 1803(c)(1))

(c) Effective February 1, 1988, the interest rate on any loan solely for energy conservation improvements or other alterations, improvements or repairs, which is guaranteed or insured wholly or in part on or after such date may not exceed 11 per centum per annum on the unpaid principal balance.

(Authority: 38 U.S.C. 1803(c)(1))

3. In § 36.4503, paragraph (a) is revised to read as follows:

##### § 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after October 1, 1980, shall not exceed an amount which bears the same ratio to \$33,000 as the amount of the guaranty to which the veteran is entitled under 38 U.S.C. 1810 at the time the loan is made bears to \$27,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Except as to home improvement loans, loans made by the VA shall bear interest at the rate of 9½ percent per annum. Loans solely for the purpose of energy conservation improvements or other alterations, improvements, or repairs shall bear interest at the rate of 11 percent per annum.

(Authority: 38 U.S.C. 1811(d) (1) and (2)(A))

[FR Doc. 88-2267 Filed 2-3-88; 8:45 am]

BILLING CODE 8320-01-M

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### 44 CFR Part 64

[Docket No. FEMA 6774]

#### Flood Insurance, Alabama et al.; Suspension of Community Eligibility

**AGENCY:** Federal Emergency Management Agency, FEMA.

**ACTION:** Final rule.

**SUMMARY:** This rule lists communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective date shown in this rule because of noncompliance with the revised floodplain management criteria of the NFIP. If FEMA receives documentation that the community has adopted the required revisions prior to the effective suspension date given in this rule, the community will not be suspended and the suspension will be withdrawn by publication in the *Federal Register*.

**EFFECTIVE DATE:** February 4, 1988.

**FOR FURTHER INFORMATION CONTACT:** Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, Federal Center Plaza, 500 C Street, SW., Washington, DC, (202) 646-2717.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting live and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4022), prohibits flood insurance coverage as authorized under the NFIP (42 U.S.C. 4001-4128) unless an appropriate public body shall have adopted adequate floodplain management measures with effective enforcement measures.

On August 25, 1986, FEMA published a final rule in the *Federal Register* that revised the NFIP floodplain management criteria. The rule became effective on October 1, 1986. As a condition for continued eligibility in the NFIP, the NFIP criteria at 44 CFR 60.7 require communities to revise their floodplain management regulations to make them consistent with any revised NFIP regulation within 6 months of the effective date of that revision or be subject to suspension from participation in the NFIP.

The communities listed in this notice have not amended or adopted floodplain management regulations that incorporate the rule revision. Accordingly, the communities are not compliant with NFIP criteria and will be suspended on the effective date shown in this final rule. However, some of these communities may adopt and submit the required documentation of legally enforceable revised floodplain management regulations after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the Federal Register. In the interim, if you wish to determine if a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

The Administrator finds that notice

and public procedures under 5 U.S.C. 533(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified. Each community receives a 90- and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. For the same reasons, this final rule may take effect within less than 30 days.

Pursuant to the provision of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, FEMA, hereby certifies that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As stated in section 2 of the Flood Disaster Protection Act of 1973, the establishment of local floodplain management together with the availability of flood insurance decreases the economic impact of future

flood losses to both the particular community and the nation as a whole. This rule in and of itself does not have a significant economic impact. Any economic impact results from the community's decision not to adopt adequate floodplain management measures, thus placing itself in noncompliance with the Federal standards required for community participation.

#### List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

#### PART 64—[AMENDED]

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 40001 et seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

2. Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

#### § 64.6 List of Eligible Communities.

State	Community name	County	Effective date
Alabama	Alabaster, city of	Shelby	Feb. 4, 1988.
Do	Athens, city of	Limestone	Do.
Do	Autaugaville, town of	Autauga	Do.
Do	Bessemer, city of	Jefferson	Do.
Do	Brighton, town of	Jefferson	Do.
Do	Carbon Hill, town of	Walker	Do.
Florida	Unincorporated areas	Alachua	Do.
Do	Altamonte Springs, city of	Seminole	Do.
Do	Apalachicola, city of	Franklin	Do.
Do	Atlantis, city of	Palm Beach	Do.
Do	Belle Glade, city of	Palm Beach	Do.
Do	Belleair Bluffs, city of	Pinellas	Do.
Do	Belleair Shore, city of	Pinellas	Do.
Do	Brooksville, city of	Hernando	Do.
Do	Callaway, city of	Bay	Do.
Do	Casselberry, city of	Seminole	Do.
Do	Cedar Grove, city of	Bay	Do.
Do	Cedar Key, city of	Levy	Do.
Do	Unincorporated areas	Charlotte	Do.
Do	Unincorporated areas	Clay	Do.
Do	Clewiston, city of	Hendry	Do.
Do	Coconut Creek, city of	Broward	Do.
Georgia	Berkeley Lake, city of	Gwinett	Do.
Do	Unincorporated areas	Bryan	Do.
Do	Cave Spring, city of	Floyd	Do.
Do	Columbus, city of	Muscogee	Do.
Do	Fort Oglethorpe, city of	Catoosa	Do.
Kentucky	Cattlettsburg, city of	Boyd	Do.
Do	Georgetown, city of	Scott	Do.
Do	Grayson, city of	Carter	Do.
Do	Greenup, city of	Greenup	Do.
Do	Unincorporated areas	Greenup	Do.
Do	Hazard, city of	Perry	Do.
Do	Unincorporated areas	Jefferson	Do.
Do	Jeffersonton, city of	Jefferson	Do.
Do	St. Matthews, city of	Jefferson	Do.
Do	Unincorporated areas	Woodford	Do.
Mississippi	Bay St. Louis, city of	Hancock	Do.
Do	Crenshaw, city of	Panola	Do.
Do	Florence, town of	Rankin	Do.
Do	Grenada, city of	Grenada	Do.
Do	Unincorporated areas	Grenada	Do.
Do	Gulfport, city of	Harrison	Do.
Do	Inverness, town of	Sunflower	Do.
Do	Isola, town of	Humphreys	Do.
North Carolina	Unincorporated areas	Chowan	Do.
Do	Creswell, town of	Washington	Do.
Do	Edenton, town of	Chowan	Do.

State	Community name	County	Effective date
Do	Gatesville, town of	Gates	Do
Do	Hamilton, town of	Martin	Do
Do	Kitty Hawk, town of	Dare	Do
Do	Pantego, town of	Beaufort	Do
Do	Unincorporated areas	Perquimans	Do
Do	Southern Shores, town of	Dare	Do
Do	Stonewall, town of	Famlico	Do
Do	Unincorporated areas	Washington	Do
Do	Washington Park, town of	Beaufort	Do
South Carolina	Bowman, town of	Orangeburg	Do
Do	Branchville, town of	Orangeburg	Do
Do	Unincorporated areas	Chester	Do
Do	Columbia, city of	Richland	Do
Do	Unincorporated areas	Dorchester	Do
Do	Holly Hill, town of	Orangeburg	Do
Do	Honea Path, town of	Anderson	Do
Tennessee	Alcoa, city of	Blount	Do
Do	Unincorporated areas	Anderson	Do
Do	Arlington, town of	Shelby	Do
Do	Bartlett, town of	Shelby	Do
Do	Bristol, city of	Sullivan	Do
Do	Charleston, city of	Bradley	Do
Do	Clarksville, town of	Montgomery	Do
Do	Collierville, town of	Shelby	Do
Do	Cowan, city of	Franklin	Do
Do	Dechard, town of	Franklin	Do
Do	East Ridge, city of	Hamilton	Do
Do	Unincorporated areas	Wilson	Do

Issued: January 28, 1988.

Harold T. Duryee,

Administrator, Federal Insurance  
Administration.

[FR Doc. 88-2288 Filed 2-3-88; 8:45 am]

BILLING CODE 6718-03-M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 2, 22, and 90

[CC Docket No. 86-495; FCC 87-387]

#### Common Carrier Services; Amendments to Rural Radio Service and Private Radio Services

**AGENCY:** Federal Communications  
Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission establishes basic exchange telecommunications radio service within the purview of the existing Rural Radio Service. The Commission makes frequencies available for this service from the Public Land Mobile Service and from the Private Land Mobile Service.

**EFFECTIVE DATE:** February 29, 1988.

**ADDRESS:** Federal Communications  
Commission, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:**  
Susan Magnotti, Mobile Services  
Division, Common Carrier Bureau, 202/  
632-6450.

**SUPPLEMENTARY INFORMATION:** This is a  
summary of the Commission's Report  
and Order, CC Docket 86-495, adopted

December 10, 1987, and released January  
19, 1988.

The full text of Commission decisions are 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.

#### Summary of Report and Order

On January 16, 1987, the Commission issued a Notice of Proposed Rulemaking requesting comment on the establishment of a new radio service to be known as the Basic Exchange Telecommunications Radio Service (BETRS). The NPRM was issued in response to a Petition for Rulemaking filed by the Rural Electrification Administration, the National Rural Telecom Association, the National Telephone Cooperative Association, the Organization for the Protection and Advancement of Small Telephone Companies, and the United States Telephone Association (hereinafter "Petitioners").

In the NPRM, the Commission acknowledged the Petitioners' estimate that almost 900,000 households do not have standard telephone service because the cost bringing wire or cable to their remote locations is prohibitive. The Commission found that Rural Radio Service is not adequately fulfilling its purpose because, first, the Rural Radio

Service has secondary access to frequencies allocated to the Public Land Mobile Service, and second, because removal of the separate frequency allocation for PLMS wireline and non-wireline licensees could result in telephone companies losing Rural Radio Service frequencies to a radio common carrier apply for PLMS use.

Accordingly, in the NPRM, the Commission proposed three alternatives for making more frequencies available for radio loop technology to remote subscriber locations. First, the Commission proposed that the Rural Radio Service be changed from secondary to co-primary status with PLMS licensees. Second, the Commission proposed that Rural Service Area cellular licensees be permitted to use the cellular frequencies in any manner they choose to provide basic exchange telephone service to subscribers within their Cellular Geographic Service Area. Third, the Commission proposed that fifty frequency pairs in the Private Radio Service in the 800 MHz frequency band be available on a co-primary basis for BETRS.

In the Report and Order, the Commission finds that demand for BETRS is subject to widely differing estimates and therefore a discrete frequency band would not, at this time, be allocated. The Commission finds that BETRS can be accommodated by sharing frequency bands with existing services whose frequency allocations are lightly used or vacant in the rural areas where BETRS would operate.

Accordingly, BETRS is placed within the Rural Radio Service of Part 22 of the Commission's Rules, and Rural Radio Service is given co-primary access to PLMS frequencies. In addition, fifty pairs of Private Radio Service frequencies in the 800 MHz band are also made available on a co-primary basis for BETRS. Regarding the proposed expansion of cellular frequency use for fixed service, the Commission has, on October 15, 1987, released a Notice of Proposed Rulemaking (General Docket 87-390) which proposed to allow more flexible use of the cellular allocations. The Commission therefore deferred the question of fixed cellular service for consideration in that docket.

Eligibility for BETRS is limited to entities which are either a certificated local exchange carrier, or which can demonstrate authority from the state to provide BETRS, or which can show that no such authority is required by the state.

#### Ordering Clauses

Wherefore, for the foregoing reasons, Parts 2, 22 and 90 of the Commission's Rules are hereby amended as discussed herein and as shown in this Order;

It is further ordered that all Rural Radio Service licensees whose licenses were granted on a secondary basis are hereby upgraded to co-primary status with Public Land Mobile Service stations;

It further ordered that the rule changes made herein will become effective February 29, 1988;

It is further ordered that this proceeding is terminated.

#### List of Subjects in 47 CFR Parts 2, 22, and 90

Communications equipment, Radio.

#### Amendments to the Commission's Rules

Part 2 of Title 47 of the Code of Federal Regulations is 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: Sec. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted.

#### § 2.106 [Amended]

1a. Section 2.106 is amended by adding a reference to note "NG31" to the table section stating "806-821—LAND MOBILE" in column 5 (non-government allocation in the United States).

2. Section 2.106 is amended by adding a reference to note "NG31" to the table section stating "851-866—LAND MOBILE" in column 5 (non-government allocation in the United States).

3. Section 2.106 is amended by adding note "NG31" to read as follows:

\* \* \* \* \*

NG31 Stations in the Rural Radio Service licensed for Basic Exchange Telecommunications Radio Service may be authorized to use some frequencies in the bands 816-820 MHz (fixed subscriber) and 861-865 MHz (central office or base), on a co-primary basis with private land mobile radio licensees, pursuant to Part 22 Subpart H.

\* \* \* \* \*

Part 22 of Title 47 of the Code of Federal Regulations is amended as follows:

### PART 22—PUBLIC MOBILE SERVICE

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

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended (47 U.S.C. 154, 303), sec. 553 of the Administrative Procedure Act (5 U.S.C. 553), unless otherwise noted.

2. Section 22.2 is amended by adding the definition "Basic Exchange Telecommunications Radio Service" and revising paragraph (1) of the "Rural Radio Service" definition as follows:

#### § 22.2 Definitions.

\* \* \* \* \*

Basic Exchange Telecommunications Radio Service. One of the public radio services available through the Rural Radio Service. This Service provides public message communication service between a central office and subscribers located in rural areas.

\* \* \* \* \*

*Rural Radio Service.* \* \* \* (1) Basic Exchange Telecommunications Radio Service, which is public message communication service between a central office and subscribers located in rural areas. \* \* \*

\* \* \* \* \*

3. Section 22.601(a) is revised to read as follows:

#### § 22.601 Frequencies.

(a) Licensees authorized pursuant to this section may offer fixed service only. However, nothing in this part is intended to change the requirement of § 22.501(c) for entities licensed in the Public Land Mobile Service.

(1) The frequencies in paragraph (b) of this section are available to applicants in the Rural Radio Service, including Basic Exchange Telecommunications Radio Service, on a co-primary basis

with stations in the Public Land Mobile Service;

(2) The frequencies in paragraph (c) of this section are available to applicants in the rural radio service, for the provision of Basic Exchange Telecommunications Radio Service, provided the following conditions are met:

(i) Rural radio service licensees may not use these frequencies within 100 miles of the border of the top 54 SMSAs as defined in the Domestic Cellular Radio Service;

(ii) The frequencies must be used as grouped and paired;

(iii) Rural radio licensees must protect licensed systems at the time of grant;

(iv) The same frequency group may not be reassigned to a base station within 70 miles of another base station on the same channels or channels offset by 12.5 kHz;

(v) Technical parameters for the use of these frequencies are contained in Subpart S and Subpart M of Part 90 of the Commission's Rules;

(vi) Applications for the use of these frequencies should be submitted by applicant to the Common Carrier Bureau for review, from where they will be forwarded to the Private Radio Bureau for coordination and frequency availability;

(3) For the Canadian Regions and within 68.4 miles of the Mexican border, the frequencies in paragraph (c) of this section are not available.

(4) All applicants in the Basic Exchange Telecommunications Radio Service must have first acquired whatever authorization is needed to provide this service from the state in which applicant proposes to offer BETRS. If no authorization is needed in the state in which applicant proposes to offer BETRS, applicant should so indicate in its application.

\* \* \* \* \*

4. Existing §§ 22.601(c) through 22.601(f) are redesignated as §§ 22.601(d) through 22.601(g), and a new § 22.601(c) is added which will read as follows:

#### § 22.601 Frequencies.

(c) The following frequencies are available on a co-primary basis for Basic Exchange Telecommunications Radio Service:

Subscriber location	Central office
816.2375.....	861.2375
817.2375.....	862.2375
818.2375.....	863.2375
819.2375.....	864.2375

Subscriber location	Central office
820.2375	865.2375
816.2125	861.2125
817.2125	862.2125
818.2125	863.2125
819.2125	864.2125
820.2125	865.2125
816.1875	861.1875
817.1875	862.1875
818.1875	863.1875
819.1875	864.1875
820.1875	865.1875
816.1625	861.1625
817.1625	862.1625
818.1625	863.1625
819.1625	864.1625
820.1625	865.1625
816.1375	861.1375
817.1375	862.1375
818.1375	863.1375
819.1375	864.1375
820.1375	865.1375
816.1125	861.1125
817.1125	862.1125
818.1125	863.1125
819.1125	864.1125
820.1125	865.1125
816.0875	861.0875
817.0875	862.0875
818.0875	863.0875
819.0875	864.0875
820.0875	865.0875
816.0625	861.0625
817.0625	862.0625
818.0625	863.0625
819.0625	864.0625
820.0625	865.0625
816.0375	861.0375
817.0375	862.0375
818.0375	863.0375
819.0375	864.0375
820.0375	865.0375
816.0125	861.0125
817.0125	862.0125
818.0125	863.0125
819.0125	864.0125
820.0125	865.0125

**PART 90—PRIVATE LAND MOBILE RADIO SERVICES**

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

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

1a. Section 90.362 is amended by adding new paragraph (f) to read as follows:

**§ 90.362 Selection and assignment of frequencies.**

(f) Channel numbers 401-410, 441-450, 481-490, 521-530, and 561-570 are available on a co-primary basis to stations in the Basic Exchange Telecommunications Radio Service as described in Part 22 of the Commission's Rules.

2. Section 90.621 is amended by adding new paragraph (j) to read as follows:

**§ 90.621 Selection and assignment of frequencies.**

(j) Channel numbers 401-410, 441-450, 481-490, 521-530, and 561-570 are available on co-primary basis to station in Basic Exchange Telecommunications Radio Service as described in Part 22 of the Commission's Rules.

Federal Communication Commission.

H. Walker Feaster III,

Acting Secretary.

[FR Doc. 88-2199 Filed 2-3-88; 8:45 am]

BILLING CODE 6712-01-M

**47 CFR Part 76**

[MM Docket No. 85-349, GEN Docket No. 87-107; FCC 87-396]

**Carriage of Television Broadcast Stations on Cable Television Systems and Technical Standards for Input Selector Switches**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final Rule; Stay of Compliance Date.

**SUMMARY:** Action taken herein stays the date for compliance with the requirements of § 76.66 of the Commission's rules (input selector switch and consumer education) that was adopted in MM Docket 85-349 and GEN. Docket 87-107 until further notice.

**EFFECTIVE DATE:** December 23, 1987.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Scott Roberts, Mass Media Bureau, (202) 632-6302.

**SUPPLEMENTARY INFORMATION:** 1. On December 11, 1987, the United States Court of Appeals for the District of Columbia Circuit invalidated the must carry rules adopted by the Commission in MM Docket 85-349 (52 FR 45961, December 3, 1987), as incompatible with the first amendment. *Century Communications Corp. v. FCC*, slip op. (D.C. Cir., December 11, 1987). The court held that the Commission had not demonstrated that the new must carry rules furthered any substantial government interest so as to justify the incidental burden on first amendment interests under the test set forth in *United States v. O'Brien*, 391 U.S. 367 (1968).

2. There is some uncertainty in the wake of this decision as to the scope of the court's ruling. In particular, it is unclear whether the court's ruling invalidates all aspects of the Commission's order in that proceeding, that is, whether the ruling extends beyond the interim mandatory carriage obligations set forth in § 76.5 through 76.65 to include, as well, the input selector switch and consumer education requirements imposed by 47 CFR 76.66. Therefore, the Commission has today filed a motion for clarification of the *Century* decision with the United States Court of Appeals in order to resolve this matter.

3. In view of this motion, we believe it is appropriate to suspend the effectiveness of § 76.66 of the Commission's rule until the uncertainties of this decision are resolved. Therefore, we hereby stay the compliance date of § 76.66 of the Commission's rules as adopted in MM Docket No. 85-349 and GEN. Docket 87-107, pending further court and Commission action.

4. Accordingly, *it is ordered* That the date for compliance with Section 76.66 of the Commission's rules, 47 CFR § 76.66, is stayed until further notice. Authority for this action is provided in sections 4(i) and 303 of the Communications Act of 1934, as amended.

**List of Subjects in 47 CFR Part 76**

Cable television.  
Federal Communications Commission.  
H. Walker Feaster III,  
Acting Secretary.  
[FR Doc. 88-2201 Filed 2-3-88; 8:45 am]  
BILLING CODE 6712-01-M

5. Section 22.609(d) introductory text and paragraph (d)(1) are revised to read as follows:

**§ 22.609 Supplementary showing required with applications for rural radio service.**

(d) All applications for Central Office, Inter Office and Relay Stations shall provide the following information:

(1) A showing listing all co-channel facilities required by § 22.15(b) and interference studies, pursuant to § 22.15(b)(2), demonstrating that the proposed facility will not cause harmful electrical interference to those co-channel facilities identified in § 22.15(b);

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