

The technical amendment to Rule 15c2-8 reflects the fact that the prospectus delivery requirements under that rule are not affected by the Rule 174 amendment.

Public Comment

No commentators responded to the Commission's request for comments on the Initial Regulatory Flexibility Analysis.

Significant Alternatives

Pursuant to section 604 of the Regulatory Flexibility Act, the following types of alternatives were considered:

(1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; and

(2) The clarification, consolidation or simplification of compliance and reporting requirements under the rules for such small entities.

The scope of the relief provided under Rule 174, as amended herein, is based on investor protection concerns. Hot issue abuses and investor protection concerns arise with respect to the securities offerings of small entities as well as those of larger companies. The relief provided herein reduces unnecessary regulatory burdens and compliance costs imposed by section 4(3) to the extent consistent with investor protection.

(3) The use of performance rather than design standards. With respect to Rule 174, as amended herein, performance standards are not consistent with this agency's statutory mandate to provide adequate disclosure to investors.

(4) An exemption from coverage of the rules, or any part thereof, for small entities. Rule 174, as amended herein, provides relief from the prospectus delivery requirements of section 4(3) to the extent consistent with investor protection. Extending an exemption to or providing different prospectus delivery requirements for small entities for transactions subject to the Securities Act would not be warranted in light of the Commission's statutory mandate.

As more fully discussed in the text of the release, the Commission evaluated the alternative rule proposals and determined to provide relief under Rule 174 based on Proposal II for transactions in exchange-listed and NASDAQ securities.

V. Statutory Basis

Rule 174 is being amended by the Commission pursuant to sections 4 and 19 of the Securities Act. Rule 15c2-8 is being amended pursuant to sections 2, 15(c) and 23(a) of the Exchange Act.

Because these rule changes are intended to relieve existing regulatory restrictions within the meaning of section 553(d)(1) of the Administrative Procedure Act (5 U.S.C. 553(d)(1)), the Commission has determined to make them effective immediately upon publication in the Federal Register.

List of Subjects in 17 CFR Parts 230 and 240

Reporting and recordkeeping requirements, Securities.

VI. Text of Amendments

In accordance with the foregoing, Title 17, Chapter II of the Code of Federal Regulations is to be amended as follows:

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

1. The authority citation for Part 230 continues to read, in part, as follows: (Citations before * * * indicate general rulemaking authority).

Authority: Sec. 19, 48 Stat. 85, as amended; 15 U.S.C. 77s * * * § 230.174 also issued under sec. 4, 48 Stat. 77; 15 U.S.C. 77d.

2. § 230.174 is amended by redesignating paragraphs (d) and (e) as (e) and (f), respectively, and adding new paragraph (d) to § 230.174 to read as follows:

§ 230.174 Delivery of prospectus by dealers; exemptions under Section 4(3) of the Act.

(d) If (1) the registration statement relates to the security of an issuer that is not subject, immediately prior to the time of filing the registration statement, to the reporting requirements of section 13 or 15(d) of the Securities Exchange Act of 1934, and (2) as of the offering date, the security is listed on a registered national securities exchange or authorized for inclusion in an electronic inter-dealer quotation system sponsored and governed by the rules of a registered securities association, no prospectus need be delivered after the expiration of twenty-five calendar days after the offering date. For purposes of this provision, the term "offering date" refers to the later of the effective date of the registration statement or the first date on which the security was bona fide offered to the public.

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

1. The authority citation for Part 240 continues to read, in part, as follows:

(Citations before * * * indicate general rulemaking authority).

Authority: Sec. 23, 48 Stat. 901, as amended; 15 U.S.C. 78w * * * § 240.15c2-8 also issued under sec. 2, 52 Stat. 1075, 15 U.S.C. 78b; 15, 48 Stat. 895, as amended, 15 U.S.C. 78o.

2. The last sentence of paragraph (d) of § 240.15c2-8 is revised to read as follows:

§ 240.15c2-8 Delivery of prospectus.

(d) * * * (The 40-day and 90-day periods referred to above shall be deemed to apply for purposes of this rule irrespective of the provisions of paragraphs (b) and (d) of § 230.174 of this Chapter).

By the Commission.

Jonathan G. Katz,

Secretary.

April 4, 1988.

[FR Doc. 88-7775 Filed 4-8-88; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 157

[Docket No. RM87-16-001]

Abandonment of Sales and Purchases of Natural Gas Under Expired, Terminated, or Modified Contracts

Issued April 4, 1988.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Order granting rehearing solely for the purpose of further consideration and denying motion for stay of Order No. 490.

SUMMARY: The Federal Energy Regulatory Commission is granting rehearing solely for the purpose of further consideration of Order No. 490 (published February 12, 1988, 53 FR 4121) in order to review more fully the argument raised in the requests for rehearing of the final rule in Order No. 490. The final rule, which is effective April 12, 1988, permits abandonment of certain sales and purchases under the Natural Gas Act. The Commission is also denying a motion to stay the effective date of Order No. 490.

EFFECTIVE DATE: April 4, 1988.

FOR FURTHER INFORMATION CONTACT: Jacob Silverman, Federal Energy Regulatory Commission, 825 North

Capitol Street NE., Washington, DC 20426, (202) 357-8315.

SUPPLEMENTARY INFORMATION:

Order Granting Rehearing Solely for the Purpose of Further Consideration and Denying Motion for Stay of Order No. 490

Before Commissioners: Martha O. Hesse, Chairman; Anthony G. Sousa, Charles G. Stalon, and Charles A. Trabandt.

On February 5, 1988, the Commission issued Order No. 490, Abandonment of Sales and Purchases of Natural Gas Under Expired, Terminated or Modified Contracts, Final Rule.

The Commission has received thirty-six timely requests for rehearing in this proceeding,¹ and one party, American Public Gas Association (APGA) included in its request a motion for stay of Order No. 490 pending judicial review if the Commission did not grant the rehearing.

APGA asserts that its members, as well as others, would suffer irreparable injury during the pendency of judicial review because once the rule became effective producers would commence to exercise their right to unilaterally abandon gas under expired or terminated contracts. It alleges that producers will commence selling such gas to others and that such gas cannot be replaced.

In reviewing a request for a stay, the Commission applies the standard set forth in the Administrative Procedure Act, 5 U.S.C. 705 (1982), i.e., if the Commission finds that "justice so

requires," which entails evaluating the movants' claim of imminent, irreparable injury. If this standard is not met, this Commission follows a general policy of denying motions for stays of its orders, based on the need for definitiveness and finality in administrative proceedings.²

In this case movant merely asserts that producers may immediately exercise their rights under Order No. 490 and abandon gas that qualifies. Movant has failed to show any irreparable injury. First, the party to whom the gas is now dedicated can purchase it as well as any other party, although possibly at a higher price. Thus at most there may be an economic injury which can be readily remedied. If the current purchaser decides it does want to purchase the gas, it is clearly not subject to any immediate harm. To the extent that the "dedicated" reserves are sold to others and thus is no longer available to the current purchaser, the only harm to the current purchaser would be the need to replace that gas sometime in the future. Movant has not shown that that gas could not be replaced by purchases in the market if needed. If the purchases were made at a higher price, the harm would be economic injury as to which the party can be made whole.

Accordingly, we find that movant has not shown that implementation of the Order No. 490 regulations will cause imminent, irreparable harm to it or will not otherwise be in the public interest in its impact on consumers or the natural gas industry in general.

In light of the foregoing, the Commission finds that justice does not require further postponing the effective date of Order No. 490 and the motion for a stay is denied. However, this denial is without prejudice to the Commission's consideration of the merits of movants' request for rehearing.

In order to review more fully the arguments raised in the requests for rehearing, the Commission grants rehearing of the order solely for the purpose of further consideration. This order is effective on the date of issuance. This action does not constitute a grant or denial of the requests on their merits in whole or in part.

Pursuant to Rule 713(d) of the Commission's Rules of Practice and Procedure (18 CFR 713(d) (1987)), no

answers to the requests for rehearing will be entertained by the Commission.

By the Commission. Commissioner Trabandt concurred with a separate statement attached.

Lois D. Cashell,
Acting Secretary.

Concurring Opinion of Commissioner Charles A. Trabandt

I do not object to tolling rehearing of the Final Rule in Order No. 490 for the purpose of further consideration of arguments raised in the many requests for rehearing. I am aware of the numerous issues raised by the parties. Also, I invite your attention to my concurring opinion to Order No. 490 issued separately in the same docket for a detailed discussion of the serious legal and policy problems I find in Order No. 490. I do object, however, to the majority's argumentation in denying the motion for stay included in the rehearing request of the American Public Gas Association.

The majority reviews the applicable legal standard for reviewing a request for a stay. The legal standard, "if justice so requires," turns on an analysis of the claimed imminent, irreparable injury. The majority then addresses the facts in this situation and concludes, "if the purchases were made at a higher price, the harm would be economic injury as to which the party can be made whole." I am not persuaded by the discussion to date that parties suffering the loss of dedicated, low-cost old gas reserves under expired or modified contracts can, in fact, be made whole once the dedicated reserves are unilaterally abandoned under Order No. 490, beginning potentially on April 12, 1988. The average price of natural gas under the expired old gas contracts nationwide is \$0.90 and the total amount of old gas covered by expired contracts approximately exceeds one-fifth of the nationwide old gas supply. The analysis of economic injury in this order simply does not support the asserted conclusion that "part(ies) can be made whole." In the absence of persuasive support for that conclusion, the Commission should consider a stay until rehearing is complete.

Charles A. Trabandt,
Commissioner.

[FR Doc. 88-7794 Filed 4-8-88; 8:45 am]

BILLING CODE 6717-01-M

¹ Petitions were filed by the following parties: American Public Gas Association; Associated Gas Distributors; American Gas Association; Amoco Production Co.; Anadarko Petroleum Corporation; ANR Pipeline Co. & Colorado Interstate Gas Company; Arkla, Inc.; Columbia Gas Transmission Corp.; El Paso Natural Gas Co.; Enron Interstate Pipeline Group; Indicated Producers; Interstate Natural Gas Assoc. of America; Michcon Michigan Consolidated Gas Company; Minnesota Department of Public Services; State of Michigan and Michigan Public Service Commission; Mountain Fuel Resources; Maryland People's Counsel; National Fuel Gas Supply Corporation; Northern Illinois Gas Company; Peoples Gas Light and Coke Company and North Shore Gas Company; Pacific Gas and Electric Company; Panhandle Eastern Pipe Line Company and Trunkline Gas Company; Process Gas Consumers Group; The Georgia Industrial Group; Am. Iron and Steel Institute; Peoples Natural Gas Company; Public Service Commission of New York; Producer Associations; Southern California Gas Company; Tennessee Gas Pipe Line Company; Texas Gas Transmission Corp.; Transcontinental Gas Pipe Line Corp.; UGI Corporation; United Distribution Companies; United Gas Pipeline Co.; Valero Interstate Transmission Co.; Williams Natural Gas Company; and Williston Basin Interstate Pipeline Company.

² See, e.g., Arkansas Louisiana Gas Co., 23 FERC ¶ 61,324 (1983).

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[A-1-FRL-3359-2]

Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Reasonably Available Control Technology For Raymark Industries, Inc.**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final Rule.

SUMMARY: EPA is approving a State Implementation Plan (SIP) revision submitted by the State of Connecticut. This revision establishes and requires the use of reasonably available control technology (RACT) to control volatile organic compounds (VOC) emissions by Raymark Industries, Incorporated, a Division of Raymark Corporation in Stratford, Connecticut. The intended effect of this action is to approve a source-specific RACT determination made by the State in accordance with commitments made in its Ozone Attainment Plan which was approved by EPA on March 21, 1984 (49 FR 10542). This action is being taken in accordance with section 110 of the Clean Air Act.

EFFECTIVE DATE: This rule will become effective May 11, 1988.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Management Division, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Room 2313, Boston, MA 02203; and the Air Compliance Unit, Department of Environmental Protection, State Office Building, 165 Capitol Avenue, Hartford, CT 06106 and the Environmental Protection Agency, Public Reference Unit, 401 M Street, SW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: David B. Conroy, (617) 565-3252; FTS 835-3252.

SUPPLEMENTARY INFORMATION: On November 4, 1987 (52 42323), EPA published a Notice of Proposed Rulemaking (NPR) for the State of Connecticut. The NPR proposed approval of State Order No. 8013 as a revision to the Connecticut SIP. The final State Order was submitted by Connecticut as a formal SIP revision on October 27, 1987. The provisions of the Connecticut Department of Environmental Protection's (DEP's) State Order define and impose RACT on Raymark Industries, Inc. (Raymark) as required by subsection 22a-174-20(ee),

"Reasonably Available Control Technology for Large Sources," of Connecticut's Regulations for the Abatement of Air Pollution.

Under subsection 22a-174-20(ee), the Connecticut DEP determines and imposes RACT on all stationary sources with the potential to emit one hundred tons per year or more of VOC that are not already subject to RACT under Connecticut's regulations developed pursuant to the control techniques guidelines (CTG) documents. EPA approved this regulation on March 21, 1984 (49 FR 10542) as part of Connecticut's 1982 Ozone Attainment Plan. That approval was granted with the agreement that all source-specific RACT determinations made by the DEP would be submitted to EPA as source-specific SIP revisions.

EPA has reviewed State Order No. 8013 and has determined that the level of control required by this Order represents RACT for Raymark. RACT for Raymark consists of specified capture and destruction efficiencies for the control equipment it is operating, and daily, monthly or quarterly limitations on the emissions of VOC for other uncontrolled processes. The controls that Raymark has already installed and is operating are achieving a reduction of approximately 874 tons per year of VOC. VOC emissions from Raymark after control are approximately 68 tons per year. The specific requirements of the State Order and the rationale for EPA's proposed action are explained in the NPR and will not be restated here. No public comments were received on the NPR.

Final Action

EPA is approving Connecticut State Order No. 8013 as a revision to the Connecticut SIP. The provisions of State Order No. 8013 define and impose RACT on Raymark Industries, Incorporated to control VOC emissions as required by subsection 22a-174-20(ee) of Connecticut's regulations.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 10, 1988. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone,

Reporting and recordkeeping requirements.

Note.—Incorporation by reference of the State Implementation Plan for the State of Connecticut was approved by the Director of the Federal Register on July 1, 1982.

Date: March 28, 1988.

Lee M. Thomas,
Administrator.

PART 52—[AMENDED]

Subpart H, Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart H—Connecticut

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Section 52.370 is amended by adding paragraph (c)(42) to read as follows:

§ 52.370 Identification of plan

(c) * * *
(42) Revisions to the State Implementation Plan submitted by the Connecticut Department of Environmental Protection on October 27, 1987.

(i) Incorporation by reference.

(A) Letter from the Connecticut Department of Environmental Protection dated October 27, 1987 submitting a revision to the Connecticut State Implementation Plan.

(B) State Order No. 8013 and attached Compliance Timetable for Raymark Industries, Incorporated in Stratford, Connecticut effective on September 24, 1987.

(ii) Additional materials.

(A) Technical Support Document prepared by the Connecticut Department of Environmental Protection providing a complete description of the reasonably available control technology determination imposed on the facility.

[FR Doc. 88-7169 Filed 4-8-88; 8:45 am]

BILLING CODE 6560-50-M

GENERAL SERVICES ADMINISTRATION**41 CFR Part 101-25**

[FPMR Amdt. E-263]

Miscellaneous Changes

AGENCY: Federal Supply Service, GSA.

ACTION: Final rule.

SUMMARY: This regulation deletes text that is no longer applicable and updates

other text to reflect current policies, procedures, and GSA organizational structure. The changes provided in this regulation are necessary to ensure that Part 101-25 is current.

EFFECTIVE DATE: April 11, 1988.

FOR FURTHER INFORMATION CONTACT: Mr. John M. Boughton, Regulations and Policy Division, Washington, DC 20406 (703-557-7525).

SUPPLEMENTARY INFORMATION: GSA has determined that this is not a major rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs to consumers or others; or significant adverse effects. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

List of Subjects in 41 CFR Part 101-25

Government property management.

PART 101-25—GENERAL

1. The authority citation for Part 101-25 continues to read as follows:

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

2. The table of contents for Part 101-25 is amended by deleting §§ 101-25.4800, 101-25.4801, 101-25.4900, 101-25.4901, 101-25.4902, 101-25.4902-1473, and 101-25.4902-1473-1 and reserving the following entries: 101-25.113 [Reserved].

Subpart 101-25.48 [Reserved]

Subpart 101-25.49 [Reserved]

Subpart 101-25.1—General Policies

3. Section 101-25.110 is revised to read as follows:

§ 101-25.110 Tire identification/registration program.

The regulations issued by the Department of Transportation in 49 CFR Part 574, Tire Identification and Recordkeeping, require that tire manufacturers maintain or have maintained for them the name and address of tire purchasers, the identification number of each tire sold, and the name and address of the tire seller (or other means by which the manufacturer can identify the tire seller). In addition, distributors and dealers are required to furnish such data to manufacturers in connection with

purchases made directly from them. GSA provides support to the Federal Government for tires, and therefore has prescribed the following procedures for tires purchased from or through GSA supply sources.

4. Section 101-25.110-2 is revised to read as follows:

§ 101-25.110-2 Tires obtained through Federal Supply Schedules of regional term contracts.

When tire manufacturers ship tires direct against orders placed under Federal Supply Schedules, the tire manufacturer will record the name and address of the purchaser and the identification numbers of the tires involved.

5. Section 101-25.110-4 is revised to read as follows:

§ 101-25.110-4 Recordkeeping responsibilities.

The effectiveness of the tire identification and recordkeeping regulations depends on the active support and cooperation of all agencies to ensure that tires subject to a recall program are not to continue in service thereby endangering the lives of the occupants of the vehicle. Therefore, agencies should establish procedures for promptly identifying and locating all tires whether in storage or on vehicles so that advice from GSA, the tire manufacturer, or the vehicle manufacturer may be acted upon expeditiously.

§ 101-25.113 [Reserved]

6. Section 101-25.113 is removed and reserved.

Subpart 101-25.3—Use Standards

7. Section 101-25.301 is amended by revising paragraph (a) to read as follows:

§ 101-25.301 General.

(a) This subpart prescribes minimum use standards for certain Government-owned personal property which shall be applied by all executive agencies. Additional criteria above these minimum standards should be established by each executive agency, limiting its property to the minimum requirements necessary for the efficient functioning of the particular office concerned. This subpart does not apply to automatic data processing equipment (ADPE) which is covered in the Federal Information Resources Management Regulation (FIRMR) (41 CFR Chapter 201).

8. Section 101-25.302-2 is amended by revising paragraph (a) to read as follows:

§ 101-25.302-2 Filing cabinets.

(a) Disposing of all records that have been authorized for disposition by the Congress or, where such authorization has not been obtained, through the preparation and obtaining of authorized disposal schedules with the assistance of the National Archives and Records Administration.

§ 101-25.302-3 [Amended]

9. Section 101-25.302-3 is amended to remove paragraph (b)(6).

§ 101-25.302-6 [Amended]

10. Section 101-25.302-6 is amended by deleting the note at the end of paragraph (c).

Subpart 101-25.4—Replacement Standards

11. Section 101-25.402 is revised to read as follows:

§ 101-25.402 Motor vehicles.

Replacement of motor vehicles shall be in accordance with the standards prescribed in § 101-38.402.

Subpart 101-25.5—Guidelines For Making Purchase or Lease Determinations

12. Section 101-25.500 is revised to read as follows:

§ 101-25.500 Scope of subpart.

This subpart prescribes guidelines to be used by executive agencies in determining whether acquisition of equipment of the types specified in this subpart should be by purchase or lease. If appropriate, executive agencies should use these guidelines in the determination, allowance, or evaluation of costs under the Federal Acquisition Regulation (FAR) (48 CFR Part 31) to the extent that the guidelines are consistent therewith.

13. Section 101-25.502 is amended by revising paragraph (b) to read as follows:

§ 101-25.502 Methods of acquisition.

(b) Upon request, GSA will assist agencies in making appropriate determinations to lease or purchase equipment by providing the latest information on pending price adjustments to Federal Supply Schedule contracts and other factors such as recent or imminent technological

developments, new techniques, and industry or market trends. Inquiries should be addressed to the General Services Administration (FC), Washington, DC 20406.

14. Section 101-25.503 is amended by revising the introductory paragraph to read as follows:

§ 101-25.503 Telecommunications equipment.

Before any telecommunications equipment is selected, including facsimile equipment, Federal agencies shall forward the information required by FIRM 201-39 to the General Services Administration (KMA), Washington, DC 20405, or to the appropriate GSA regional office.

§§ 101-25.4800—101-25.4801 (Subpart 101-25.48) [Removed]

15. The text of Subpart 101-25.48 is deleted and the subpart reserved as follows:

Subpart 101-25.48 [Reserved]

§§ 101-25.4900—101-25.4902-1473-1 (Subpart 101-25.49) [Removed]

16. The text of Subpart 101-25.49 is deleted and the subpart reserved as follows:

Subpart 101-25.49 [Reserved]

Dated: March 17, 1988.

Paul Trause,

Acting Administrator of General Services.

[FR Doc. 88-7797 Filed 4-8-88; 8:45 am]

BILLING CODE 6820-24-M

41 CFR Part 101-40

[FPMR Temp. Reg. A-23, Supp. 5]

Use of Carrier Contractors For Express Small Package Transportation

AGENCY: Federal Supply Service, GSA.

ACTION: Temporary regulation.

SUMMARY: This supplement updates FPMR Temp. Reg. A-23 and supplement 3 thereto, by eliminating the requirement for the GSA transportation zone offices to notify civil agencies of delinquent DHL accounts.

DATES:

Effective date: April 11, 1988.

Expiration date: September 30, 1988.

FOR FURTHER INFORMATION CONTACT: Charles T. Angelo, Director, Travel and Transportation Management Division (FET), Washington, DC 20406, telephone FTS 557-1261 or commercial 703-557-1261.

SUPPLEMENTARY INFORMATION: GSA has determined that this rule is not a major

rule for the purposes of Executive Order 12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of \$100 million or more, a major increase in costs to consumers or others, or significant adverse effects. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for, and consequences of, this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

List of Subjects in 41 CFR Part 101-40

Freight, Government property, Moving of household goods, Office relocations, Transportation.

PART 101-40—[AMENDED]

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

In 41 CFR Chapter 101, the following temporary regulation is added to the appendix at the end of Subchapter A to read as follows:

General Services Administration

Federal Property Management Regulations Temporary Regulation A-23, Supplement 5

March 17, 1988.

To: Heads of Federal agencies.

Subject: Use of carrier contractors for express small package transportation.

1. *Purpose.* This supplement updates FPMR Temp. Reg. A-23 and supplement 3 thereto, by deleting the provision which requires the GSA zone offices to notify delinquent agency accounts in support of the express small package courier collection effort.

2. *Effective date.* This supplement is effective upon publication in the Federal Register.

3. *Expiration date.* This supplement expires September 30, 1988.

4. *Explanation of change.* Subparagraph 9-2a of FPMR Temp. Reg. A-23 and supplement 3 is revised to eliminate the requirement for the GSA zone offices to notify civilian agencies of delinquent DHL accounts and reads as follows:

a. Service to any delinquent agency account may be suspended if undisputed amounts are overdue more than 90 calendar days provided the contractor has simultaneously notified the account holder and the appropriate GSA zone office 60 calendar days after the invoice date that amounts are overdue and need

to be paid within 30 calendar days of the date of the delinquency notice.

T.C. Golden,

Administrator of General Services.

[FR Doc. 88-7798 Filed 4-8-88; 8:45 am]

BILLING CODE 6820-24-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0 and 90

[General Docket 87-112; FCC 88-132]

Development and Implementation of a Public Safety National Plan

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission has adopted a Memorandum Opinion and Order granting a request by the National Public Safety Planning Advisory Committee (NPSPAC) that the Commission realign the geographic boundaries of certain public safety planning regions. This action is taken in response to NPSPAC's Petition for Reconsideration of the Commission's Report and Order in Gen. Docket 87-112 establishing service rules and technical standards for use of the 821-824/866-869 MHz bands by the public safety services, 53 FR 1022 (January 15, 1988).

EFFECTIVE DATE: April 11, 1988.

ADDRESS: Federal Communications Commission, 1919 M Street NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Marty Liebman, Private Radio Bureau, Land Mobile and Microwave Division, Policy and Planning Branch, (202) 632-6497.

SUPPLEMENTARY INFORMATION:

Memorandum Opinion and Order

Adopted: March 30, 1988.

Released: April 11, 1988.

By the Commission

I. Introduction

1. On December 18, 1987, the Commission released a *Report and Order*¹ in the above-captioned proceeding adopting policies, service rules, and technical standards to govern usage of the 821-824/866-869 MHz public safety spectrum. J. Y. Nasser, past chairman of the National Public Safety Planning Advisory Committee (NPSPAC),² has requested

¹ Report and Order, Gen. Docket No. 87-112, 3 FCC Red 905 (1988).

² Mr. Nasser noted in the petition that the Commission's charter for NPSPAC officially expired

Continued