Monte Vista Center—Las Vegas, Nevada

New Mexico

Charter Hospital of Albuquerque—Albuquerque, New Mexico
Charter Hospital of Santa Teresa—Santa Teresa, New Mexico
Heights Psychiatric Hospital—Albuquerque, New Mexico
HSA Valley View Hospital—Las Cruces, New Mexico
Memorial Hospital—Albuquerque, New Mexico

North Carolina

Brynn Marr Hospital—Jacksonville, North Carolina
Wayne Memorial Hospital—Goldsboro, North Carolina

Oklahoma

Great Plains Hospital—Lawton, Oklahoma
Jim Taliaferro CMH Ctr.—Lawton, Oklahoma

South Carolina

HSA Coastal Carolina Hospital—Conway, South Carolina
Medical University Hospital—Charleston, South Carolina
Southern Pines Hospital—Charleston, South Carolina

Tennessee

Charter Lakeside Hospital—Bartlet, Tennessee
Clarksville Memorial Hospital—Clarksville, Tennessee
Tennessee Christian Medical Ctr.—Madison, Tennessee

Texas

Baywood Hospital—Webster, Texas
Brazos Psychiatric Hospital—Waco, Texas
Charter Hospital Corpus Christi—Corpus Christi, Texas
Charter Lane Hospital—Austin, Texas
Charter Real Hospital—San Antonio, Texas
Colonial Hills Hospital—San Antonio, Texas
CPC Oak Bend Hospital—Fort Worth, Texas
HCA Hill Country Hospital—San Antonio, Texas
Santa Rosa Medical Ctr.—San Antonio, Texas
St. Johns Hospital—San Angelo, Texas
St. Joseph Psych Unit—Houston, Texas
Sun Valley Hospital—El Paso, Texas

Virginia

Charter Colonial Institute—Newport News, Virginia
Dominion Hospital—Falls Church, Virginia
Poplar Springs Hospital—Petersburg, Virginia
Portsmouth Psychiatric Center—Portsmouth, Virginia

Washington

Puget Sound Hospital—Tacoma, Washington

[FR Doc. 88-20064 Filed 9-2-88; 8:45 am]
BILLING CODE 3810-01-M

VETERANS ADMINISTRATION

38 CFR Part 36

Loan Guaranty; Use of Credit Reports on Proposed Reamortizations, Claims Under Guaranty and Repurchased Vendee Loans

AGENCY: Veterans Administration.

ACTION: Final regulations.

SUMMARY: The Veterans Administration (VA) is amending its regulations to require the submission of credit reports on proposed loan reamortizations and in connection with the filing of claims under the guaranty and the filing of requests for repurchase of vendee loans. Present regulations authorize VA to require credit reports in connection with loan applications, but not with vendee loan repurchases, claims or reschedulings, as required under the provisions of OMB Circular A-129, Managing Federal Credit Programs.

EFFECTIVE DATE: These regulations are effective October 6, 1988.

FOR FURTHER INFORMATION CONTACT: Mr. Raymond L. Brodie, Assistant Director for Loan Management (261), Loan Guaranty Service, Department of Veterans Benefits, Veterans Administration, 810 Vermont Avenue NW., Washington, DC 20420, (202) 233-3668.

SUPPLEMENTARY INFORMATION: Under the provisions of OMB Circular A-129, Managing Federal Credit Programs, agencies must obtain credit reports in connection with loan applications, loan reschedulings, when vendee loans are repurchased by the Government, and when claims are filed under the guaranty on loans made or guaranteed by the Government. Present regulations authorize VA to require credit reports in connection with loan applications, but not with vendee loan repurchases, claims or rescheduling.

On May 28, 1987, VA published in the **Federal Register** (52 FR 19891) proposed regulatory amendments to require credit reports in connection with vendee loan repurchases, claims and loan reschedulings. Two public comments were received on the proposed regulatory amendments, one from an industry trade group and the second from a lender. The industry trade organization noted that the regulation change would place a burden on loan servicers in the form of unreimbursed administrative costs. It further suggests that VA allow servicers to make a claim of $60 for each credit report submitted to VA as a way of eliminating the need for evidence of payment and to compensate servicers for their administrative costs. The final rule provides that the actual cost of the credit report will be allowed in the guaranty of repurchase claim if it is reasonable and customary in the locality. We believe that the administrative costs associated with obtaining the credit report and minimal, since most lenders/servicers already have established procedures for obtaining such reports. Evidence of payment for the credit report will not be required, since our local offices are familiar with the typical costs of credit reports in their jurisdiction. In maximum claim cases, the claim payment may exceed the maximum amount normally payable in order to cover the cost of the credit report.

This commenter also wrote that obtaining credit reports to assist in VA's debt collection efforts is not related to a servicer's foreclosure, repurchase or loan servicing responsibilities. We do not agree. All loan holders have servicing programs which are intended to meet their own business needs. Holders of federally guaranteed loans have additional responsibility to demonstrate proper ability to service loans adequately to protect the interests of the Government as guarantor. Adequate servicing includes taking necessary action to preserve the liability of all obligors and to provide VA with data which will facilitate the Government's efforts to seek reimbursement for paid claims from the liable obligors. The credit report is the best source of information which is readily available to satisfy this servicing responsibility. In addition, providing the credit report will verify that the holder has complied with the requirements to report the delinquency to a credit reporting agency.

The commenter also noted that there may be delays by credit bureaus in providing credit reports during peak periods of refinances and new originations. We do not believe this will be a problem. If the credit reports are requested timely during loan termination, they should be received prior to submission of the claim. For repurchase claims, holders will have to order the report in sufficient time to be received and included with the repurchase claims.

The commenter advised that holders should be able to include the cost of the credit report as part of the account arrears in cases where the borrower attempts to reinstate prior to submission of a repurchase claim. VA concurs. Borrowers can be required to be reimburse the holder for the cost of the credit report in connection with reinstatement of the loan.

The commenter also noted that not all original veteran borrowers or transferees are presently liable for repayment of the loan, the holders should not be required to obtain credit reports on these individuals. VA concurs. The regulations refer to "debtors" in describing those individuals on whom credit reports should be obtained. The use of the word debtor is in fact intended to convey that credit reports are only required on individuals who remain indebted, and are presently liable obligors.

The second commenter, a lender, suggests that VA reimburse holders for the actual costs of credit reports rather than establishing a maximum allowable fee. VA will reimburse holders for the actual costs of the credit reports, provided that such costs do not exceed those which are reasonable and customary in the locality.

The requirements for and limitations on reamortization of VA-guaranteed loans are set forth at 38 CFR 36.4279 and 36.4314. These sections are amended to require that the borrower(s) be a reasonable credit risk at the time of reamortization, as determined by the holder of the loan, based upon a review of the borrower'(s) creditworthiness, including a review of a credit report(s) on the borrower(s) by the holder. The holder would also be required to include the credit report(s) in its submission to the Administrator advising of the terms of the reamortization. This requirement should serve as a further assurance that reamortization agreements will only be entered into when they are likely to be in the best financial interest of the borrower(s), the lender, and the Government as guarantor of the loan.

The costs and expenses which may be included in claims on VA-guaranteed loans are prescribed in regulations at 38 CFR 36.4276 and 36.4313. These sections are amended to allow the cost of a credit report(s) to be included in the claim. New §§ 36.4316(c) and 36.4283(j) are added to provide that claims must include a copy of a current credit report(s) on the debtor(s). The current § 36.4283(j) is redesignated as § 36.4283(k). Except for the new requirement for a credit report(s), this change simply describes in regulatory form the current practice whereby lenders file claims in accordance with procedural guidance made available to all lenders.

A vendee loan is a loan made by the Administrator to finance the sale of a property acquired by the Administrator after foreclosure of a guaranteed loan. These loans are usually sold to investors, often with a guarantee that VA will repurchase the loan in the event of default. A new § 36.4600(c)(16) has been added to require that holders of vendee loans obtain and forward to the VA a current credit report(s) on the debtor(s) when requesting VA to repurchase the loan. Section 36.4600(e)(3) is revised to provide for reimbursement to the holder of the cost of obtaining the credit report(s).

The Administrator hereby certifies that these final regulatory amendments will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, Title 5, United States Code, sections 601–612. The cost of the credit report(s) required to be submitted with claims and repurchase requests would be reimbursable. The cost of credit reports required for proposed reamortizations may be collected by the lender from the individual borrower(s) requesting the reamortization. Individuals are not included in the definition of small entities under the Regulatory Flexibility Act. Pursuant to 5 U.S.C. 605(b), these regulatory amendments are therefore exempt from the initial and final regulatory analysis requirements of sections 603 and 604.

The regulatory amendments have been reviewed under Executive Order 12291, entitled Federal Regulation, and are not considered major regulation changes as defined in the Executive Order. These regulations will not impact on the public or private sectors as major rules. They will not have an annual effect on the economy of $100 million or more and will not cause a major increase in costs or prices for consumers, individual industries, government agencies, or geographic regions; nor will they have other significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The information collection requirements contained in §§ 36.4283(j), 36.4316(c) and 36.4600 (c) and (e) of these regulatory amendments have been approved by the Office of Management and Budget (OMB) under OMB control number 2900–0480.

Catalog of Federal Domestic Assistance Program Numbers are 64.114 and 64.119.

These amendments are proposed under authority granted the Administrator by sections 210(c), 1803(c)(1), 1819(g) and 1820 of Title 38, United States Code.

List of Subjects in 38 CFR Part 36

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

Approved: August 3, 1988.

Thomas K. Turnage,

Administrator.

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

PART 36—[AMENDED]

1. In § 36.4276 paragraph (b)(6) is revised and paragraph (b)(7) is added to read as follows:

§ 36.4276 Advances and other charges.

* * * * *

(b) * * *

(6) The cost of a credit report(s) on the debtor(s), which is (are) to be forwarded to the Administrator in connection with the claim.

(7) Any other expense or fee that is approved in advance by the Administrator.

* * * * *

(Authority: 38 U.S.C. 1820(g))

2. § 36.4278 [Amended]

In § 36.4278(e)(3) remove the word "his" and add, in its place, the words "his or her".

3. In § 36.4279 paragraphs (a), (b) and (d) are revised to read as follows:

§ 36.4279 Extensions and reamortizations.

(a) Provided the debtor(s) is (are) a reasonable credit risk(s), as determined by the holder based upon review of the debtor's (s') creditworthiness, including a review of a current credit report(s) on the debtor(s), the terms of repayment of any loan may, by written agreement between the holder and debtor(s), be extended in the event of default, to avoid imminent default, or in any other case where the prior approval of the Administrator is obtained. Except with the prior approval of the Administrator, no such extension shall set a rate of amortization less than that sufficient to fully amortize at least 80 percent of the loan balance so extended within the maximum maturity prescribed for loans of its class.

(b) In the event of a partial prepayment pursuant to § 36.4211, the balance of the indebtedness may, by written agreement between the holder and the debtor(s), be reamortized, provided the reamortization schedule will result in full repayment of the loan within the original maturity, and provided the debtor(s) is (are) a reasonable credit risk(s), as determined by the holder based upon review of the debtor's (s') creditworthiness, including a review of a current credit report(s) on the debtor(s).

* * * * *

(d) The holder shall promptly forward to the Administrator an advice of the terms of any agreement effecting a reamortization or extension of a guaranteed loan, together with cop(y)(ies) of the credit report(s) obtained on the debtor(s).

(Authority: 38 U.S.C. 1812)

4. § 36.4282 [Amended]

In § 36.4282(b) remove the words "his" where it appears, and insert in its place, the words "his or her," and in the same paragraph, remove the word "he" wherever it appears, and insert in its place the words "he or she."

5. In § 36.4283, paragraph (j) is redesignated paragraph (k) and a new paragraph (j) and an OMB control number are added to read as follows:

§ 36.4283 Foreclosure or repossession.

* * * * *

(j) A claim for the guaranty must include a cop(y)(ies) of a current credit report(s) on the debtor(s).

(Authority: 38 U.S.C. 1812)

* * * * *

(Information collection requirements contained in paragraph (j) were approved by the Office of Management and Budget under control number 2900–0480.)

6. In § 36.4313 paragraph (b)(6) is revised and paragraph (b)(7) is added to read as follows:

§ 36.4313 Advances and other charges.

* * * * *

(b) * * *

(6) The cost of a credit report(s) on the debtor(s), which is (are) to be forwarded to the Administrator in connection with the claim.

(7) Any other expense or fee that is approved in advance by the Administrator.

(Authority: 38 U.S.C. 1820(a)(3))

* * * * *

7. In § 36.4314 paragraphs (a), (b) and (e) are revised to read as follows:

§ 36.4314 Extensions and reamortizations.

(a) Provided the debtor(s) is (are) a reasonable credit risk(s), as determined by the holder based upon review of the debtor's (s') creditworthiness, including a review of a current credit report(s) on the debtor(s), the terms of repayment of any loan may by written agreement between the holder and the debtor(s), be extended in the event of default, to avoid imminent default, or in any other case where the prior approval of the Administrator is obtained. Except with the prior approval of the Administrator, no such extension shall set a rate of amortization less than that sufficient to fully amortize at least 80 percent of the loan balance so extended within the maximum maturity prescribed for loans of its class.

(b) In the event of a partial prepayment pursuant to § 36.4310, the balance of the indebtedness may, by written agreement between the holder and the debtor(s), be reamortized, provided the reamortization schedule will result in full repayment of the loan within the original maturity, and provided the debtor(s) is (are) reasonable credit risk(s), as determined by the holder based upon review of the debtor's (s') creditworthiness, including a review of a current credit report(s) on the debtor(s).

* * * * *

(e) The holder shall promptly forward to the Administrator an advice of the terms of any agreement effecting a reamortization or extension of a guaranteed or insured loan, together with a cop(y)(ies) of the credit report(s) obtained on the debtor(s).

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

8. In § 36.4316 paragraph (c) and an OMB control number are added to read as follows:

§ 36.4316 Continued default.

* * * * *

(c) A claim for the guaranty must include a cop(y)(ies) of a current credit report(s) on the debtor(s).

(Authority: 38 U.S.C. 1832)

(Information collection requirements contained in paragraph (c) were approved by the Office of Management and Budget under control number 2900–0480.)

9. In § 36.4600 paragraph (c)(16) is added, paragraph (e)(3) is revised, and an OMB control number is added to read as follows:

§ 36.4600 Sale of loans, guarantee of payment.

* * * * *

(c) * * *

(16) To obtain and forward a current credit report(s) on the debtor(s) to the Administrator when requesting that the Administrator repurchase the loan.

(Authority: 38 U.S.C. 1803(c)(1) and 1820)

* * * * *

(e) * * *

(3) The holder may be reimbursed for the cost of a current credit report(s) on the debtor(s) which is (are) forwarded to the Administrator along with the request for repurchase and for any other costs or expenses incurred which are approved in advance by the Administrator as being necessary to protect the Government's interest.

* * * * *

(Authority: 38 U.S.C. 1803(c)(1) and 1820)

(Information collection requirements contained in paragraphs (c) and (e) were approved by the Office of Management and Budget under control number 2900–0840.)

[FR Doc. 88–19964 Filed 9–2–88; 8:45 am]
BILLING CODE 8320-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 30, 50, 69, 70, 90, 147, 167, 169, and 188

[CGD 88–072]

OMB Control Numbers; Reporting and Recordkeeping Requirements

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Pursuant to the Paperwork Reduction Act of 1980, all regulations which contain reporting or recordkeeping requirements must be approved by the Director, Office of Management and Budget (OMB). Once approved, these regulations are assigned an OMB Control Number. OMB Control Numbers for regulations within Title 46, Code of Federal Regulations are displayed in a Table appearing in the Subchapter or Part to which they relate. This document updates the display tables to include OMB Control Numbers assigned to certain regulations in Chapter I of Title 46, Code of Federal Regulations, and makes minor corrections.

EFFECTIVE DATE: September 6, 1988.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander Don M. Wrye, (202) 267–1534.

SUPPLEMENTARY INFORMATION: This final rule was not preceded by a notice of proposed rulemaking. In accordance with 5 U.S.C. 553(b), the Coast Guard finds that notice and opportunity for comment are unnecessary and contrary to the public interest. This rulemaking simply updates the display tables of OMB Control Numbers assigned for regulations containing reporting or recordkeeping requirements and makes minor technical corrections. The Coast Gaurd has also determined that good cause exists under 5 U.S.C. 553(d), for making this rulemaking effective in less than 30 days after publication. The OMB Control Numbers displayed have been previously assigned during rulemaking procedures for the regulations to which they relate. Therefore, this rulemaking has no substantive effect.

Drafting Information

This rule was drafted by Lieutenant Comander Don M. Wyre, Administrative Law Branch, Regulations and Administrative Law Division, Office of Chief Counsel.

Regulatory Evaluation

This rule is considered to be non-major under Executive Order 12291, and non-significant under the DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). The economic impact of this final rule has been found to be so minimal that further evaluation is unnecessary. This rule merely displays existing OMB Control Numbers and makes technical corrections to the display tables. No new substantive requirements are imposed. Since the impact of this rule is expected to be minimal, the Coast Guard certifies that it will not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction

This rule imposes no new or additional reporting or recordkeeping requirements on the public.

Environmental Impact

The environmental impact of this rule is so minimal that further environmental documentation is unnecessary.

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects

46 CFR Part 30

Cargo vessels, Foreign relations, Hazardous materials transportation, Penalties, Reporting and recordkeeping requirements, Seamen.

46 CFR Part 50

Reporting and recordkeeping requirements, Vessels.

46 CFR Part 69

Measurement standards, Reporting and recordkeeping requirements, Vessels.

46 CFR Part 70

Marine safety, Passenger vessels, Reporting and recordkeeping requirements.

46 CFR Part 90

Cargo vessels, Marine safety, Passenger vessels, Reporting and recordkeeping requirements.

46 CFR Part 147

Arms and munitions, Hazardous materials transportation, Marine safety, Packaging and containers, Reporting and recordkeeping requirements.

46 CFR Part 167

Fire prevention, Marine safety, Reporting and recordkeeping requirements, Schools, Seamen, Vessels.

46 CFR Part 169

Fire prevention, Marine safety, Reporting and recordkeeping requirements, Schools, Vessels.

46 CFR Part 188

Marine safety, Oceanographic research vessels, Reporting and recordkeeping requirements.

This document is issued under the authority of 44 U.S.C. 3507, 49 CFR 1.45.

In consideration of the foregoing, Chapter I of Title 46, Code of Federal Regulations, is amended as follows:

PART 30—[AMENDED]

1. The Table in § 30.01–2(b), is amended by adding new entries in sequential order to read as follows:

§ 30.01–2 [Amended]

* * * * *

(b) *Display.*

* * * * *

§ 31.10–21	2115–0554
§ 31.10–22	2115–0554

* * * * *

PART 50—[AMENDED]

2. The Table in § 50.01–20(b), is revised to read as follows:

§ 50.01–20 [Amended]

* * * * *

(b) *Display.*

* * * * *

46 CFR part or section where identified or described	Current OMB control No.
Parts 50 through 64	2115-0142

PART 69—[AMENDED]

3. The Table in § 69.01–21(b), is amended by adding a new entry in sequential order to read as follows:

§ 69.01–21 [Amended]

* * * * *

(b) *Display.*

* * * * *

§ 69.02–20	2115–0567

* * * * *

PART 70—[AMENDED]

4. The Table in section 70.01–15(b), is amended by adding a new entry in sequential order to read as follows:

§ 70.01–15 [Amended]

* * * * *

(b) *Display.*

* * * * *

§ 71.50–5	2115–0554

* * * * *

PART 90—[AMENDED]

5. Subpart 90.01 is amended by adding a new § 90.01–15 to read as follows:

§ 90.01–15 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

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

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 91.40-3	2115-0554
§ 91.40-5	2115-0554

PART 147—[AMENDED]

6. Part 147 is amended by adding a new § 147.01–8 to read as follows:

§ 147.01-8 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

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

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 147.9	2115-0139
§ 147.30	2115-0139
§ 147.40	2115-0139
§ 147.60(c)(2)	2115-0139

PART 167—[AMENDED]

7. Subpart 167.01 is amended by adding a new § 167.01-20 to read as follows:

§ 167.01-20 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

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

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 167.15-35	2115-0554

PART 169—[AMENDED]

8. In Subpart 169.100, § 169.117 is amended by redesignating the existing text as paragraph (a), by redesignating the existing table as paragraph (b), adding a heading for paragraph (b), and amending the entry for § 169.233 in the table to read as follows:

§ 169.117 [Amended]

(a) * * *

(b) *Display.*

* * * * *

§ 169.233 2115-0554

* * * * *

PART 188—[AMENDED]

8. Subpart 188.01 is amended by adding a new § 188.01-15 to read as follows:

§ 180.01-15 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

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

(b) *Display.*

46 CFR part or section where identified or described	Current OMB control No.
§ 189.40-3	2115-0554
§ 189.40-5	2115-0554

Dated: August 26, 1988.

J.E. Vorbach,

Rear Admiral, U.S. Coast Guard Chief Counsel.

[FR Doc. 88-20179 Filed 9-2-88; 8:45 am]

BILLING CODE 4910-14-M

FEDERAL MARITIME COMMISSION

46 CFR Part 550

[Docket No. 88-22]

Puget Sound Tug & Barge Co.; Exemption

AGENCY: Federal Maritime Commission.

ACTION: Final rule.

SUMMARY: This Final Rule exempts Puget Sound Tug & Barge Company from the tariff filing requirements of section 18(a) of the Shipping Act, 1916, and sections 2 and 3 of the Intercoastal Shipping Act, 1933, and the rules of 46 CFR Part 550 for the transportation of general cargo in non-self-propelled barges from Seattle, Washington, to the vicinity of Kivalina, Alaska, during 1988 and 1989. This exemption, which will relieve Puget from regulatory requirements, is warranted because their proposed operation will present few of the compliance issues usually associated with regular "liner" services.

EFFECTIVE DATE: This amendment to Part 550 is effective September 6, 1988.

FOR FURTHER INFORMATION CONTACT: Robert G. Drew, Director, Bureau of Domestic Regulation, Federal Maritime Commission, 1100 L Street, NW., Washington, DC 20573, (202) 523-5796.

SUPPLEMENTARY INFORMATION: Puget Sound Tug & Barge Company ("Puget") has filed an application for an exemption pusuant to section 35 of the Shipping Act, 1916, 46 U.S.C. app. 833(a) ("1916 Act") from the tariff filing and rate regulatory requirements of certain sections of the 1916 Act and the Intercoastal Shipping Act, 1933, ("1933 Act") for transportation by Puget during 1988 and 1989 of general cargo from Seattle, Washington, to the vicinity of Kivalina, Alaska. Specifically, Puget requested exemption from the tariff filing and rate regulatory requirements of sections 2, 3, and 4 of the 1933 Act, 46 U.S.C. app. 844, 845, and 845a, and sections 16, 17, and 18 of the 1916 Act, 46 U.S.C. app. 815, 816, and 817, for all transportation service performed by Puget during 1988 and 1989 for the carriage of general cargo in non-self-propelled barges in tow of towing vessels on approximately six one-way voyages annually from Seattle, Washington to the coast of Alaska above the Arctic Circle at a point near the village of Kivalina, via the Gulf of Alaska, the Bering Sea, and the Chukchi Sea.

The Commission published Notice of Filing of the Puget application in the **Federal Register** (53 FR 16587) and requested comments thereon from interested persons. No protests or comments were received in response to the Commission's Notice of Filing.

After consideration of the Puget application, the Commission has determined to grant, in part, the exemption sought by Puget. The facts of Puget's proposed service demonstrate that the operation will present few of the compliance issues usually associated with regular "liner" services in more competitive trade environments. Puget will be discharging cargo at a mining site rather than at a commercial port and will serve only shippers associated with the mining project. Rates will be individually negotiated to take into account the unique needs of those involved in the mining operation. Accordingly, the Commission finds that the exemption from the tariff filing requirements and related rate level regulations of sections 2 and 3 of the 1933 Act and section 18(a) of the 1916 Act is warranted for Puget's proposed service during the 1988 and 1989 shipping seasons.

The Commission does not find, however, that Puget should be granted an exemption from the various proscriptions of sections 16 and 17 of the 1916 Act. The paucity of practical transportation alternatives to the mine site appears to warrant some measure of continued regulatory oversight by the Commission as to Puget's dealings with the mine project subcontractors or other potential shippers to the Alaskan site. Puget has not, in the Commission's view, presented any evidence or argument which would warrant an exemption from the specific proscriptions of sections 16 First and 17. The Commission, therefore, finds that exemption from the tariff filing requirements fulfills the basic thrust of Puget's application, without need or compelling reason to extend additional exemption authority.

In accordance with section 35 of the Shipping Act, 1916, the Commission finds that the exemption granted herein will not substantially impair effective regulation by the Commission, be unjustly discriminatory, or be detrimental to commerce.

The Federal Maritime Commission has determined that this Final Rule is not a "major rule" as defined in Executive Order 12291 dated February 17, 1981, because it will not result in:

(1) An annual effect on the economy of $100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(3) Significant adverse effect on competition, employment, investment, productivity, innovations, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Chairman of the Federal Maritime Commission certifies pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, that this rule will not have a significant economic impact on a substantial number of small entities, including small businesses, small organizational units, or small governmental jurisdictions.

The Federal Maritime Commission has determined that this action does not constitute a major Federal action significantly affecting the quality of the human environment. Therefore, no environmental assessment or environmental impact statement was prepared.

List of Subjects in 46 CFR Part 550

Maritime carriers, Rates and fares, Reporting and recordkeeping requirements.

Therefore, pursuant to 5 U.S.C. 553; sections 18(a), 35, and 43 of the Shipping Act, 1916, 46 U.S.C. app. 817, 833a, and 841a; and section 2 of the Intercoastal Shipping Act, 1933, 46 U.S.C. app. 844; the Federal Maritime Commission amends Part 550 of Title 46 of the Code of Federal Regulations as follows:

PART 550—[AMENDED]

1. The authority citation for Part 550 is revised to read:

Authority: 5 U.S.C. 553; 46 U.S.C. app. 812, 814, 815, 817, 820, 833a, 841a, 843, 844, 845, 845a, 845b and 847.

2. In § 550.1 add a new paragraph (i) to read as follows:

§ 550.1 Exemptions.

* * * * *

(i) Transportation by Puget Sound Tug & Barge Company of general cargo in non-self-propelled barges from Seattle, Washington, to the vicinity of Kivalina, Alaska, during 1988 and 1989.

By the Commission.

Joseph C. Polking,

Secretary.

[FR Doc. 88-20041 Filed 9-2-88; 8:45 am]

BILLING CODE 7630-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 87-432; RM-6002]

Radio Broadcasting Services; Chickasaw, AL; Quitman, MS

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 252C2 for Channel 252A at Chickasaw, Alabama, and modifies the Class A license of JAB Broadcasting, Inc. for Station WDLT(FM), as requested, to specify operation on the higher class channel, thereby providing that community with its first wide coverage area FM service. Additionally, Channel 255A is substituted for Channel 252A at Quitman, Mississippi, and the license of Quitman Broadcasting Company for Station WYKK-FM is modified accordingly to accommodate the Chickasaw allotment.

Channel 252C2 can be allotted to Chickasaw, AL, consistent with the minimum distance separation requirements of § 73.207(b) of the Commission's Rules, with a site restriction 27.3 kilometers west. The reference coordinates utilized in this determination are 30-47-10 and 88-21-30. Moreover, Channel 255A can be allotted to Quitman, MS, in conformity with our Rules, at the present transmitter site of Station WYKK-FM, the coordinates of which are 32-03-51 and 88-43-29. With this action, the proceeding is terminated.

EFFECTIVE DATE: October 13, 1988.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 87-432, adopted August 1, 1988, and released August 29, 1988. 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. Section 73.202(b), the Table of FM Allotments for Alabama, is amended by revising the entry for Chickasaw by removing Channel 252A and adding Channel 252C2; also § 73.202(b), the Table of FM Allotments for Mississippi, is amended by revising the entry for Quitman by removing Channel 252A and adding Channel 255A.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88-20095 Filed 9-2-88; 8:45 am]

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