(ii) *Additional material.*

(A) February 20, 1985, narrative plan revision designed to achieve the ozone standard in Tulsa County, including control strategy, modeling analysis, transportation control plan and measures, I/M program description, and negative declarations.

(B) A written interpretation by the DPS dated June 26, 1987, of the term "proper replacement" in § 856.1(C) of the Oklahoma statutes to mean "original equipment manufacturer (OEM) or equivalent".

40 CFR part 81, is amended as follows:

PART 81—[AMENDED]

1. The Authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401–7642.

2. Section 81.337 is amended by revising the Ozone (O_3) table to read as follows:

§ 81.337 Oklahoma.

* * * * *

OKLAHOMA—OZONE (O_3)

Designated area	Does not meet primary standards	Cannot be classified or better than national standards
AQCR 017		X
AQCR 164:		
Oklahoma Co		X
Cleveland Co		X
Remainder of AQCR		X
AQCR 165		X
AQCR 186:		
Tulsa County		X
Remainder of AQCR		X
AQCR 187		X
AQCR 188		X
AQCR 189		X

* * * * *

[FR Doc. 91–2086 Filed 1–30–91; 8:45 am]

BILLING CODE 6560–50–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2 and 80

[GEN Docket No. 88–372; FCC 91–16]

Automated Maritime Telecommunications Systems (AMTS)

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document changes rules applicable to Automated Maritime Telecommunications Systems (AMTS), an automated, integrated communications system for vessels to use as they move along an entire river system. The changes are to expand the geographic area of the service to make it available nationwide, and to license AMTS operators as systems including the users and to eliminate individual licenses for ship users. These changes are intended to make AMTS available in more areas.

EFFECTIVE DATE: March 11, 1991.

FOR FURTHER INFORMATION CONTACT: James Shaffer, Private Radio Bureau, (202) 632–7197.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, Gen. Docket No. 88–372, adopted January 10, 1991, and released January 25, 1991. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Downtown Copy Center, (202) 452–1422, 1919 M Street, NW., room 246, Washington, DC 20037.

Summary of Report and Order

An AMTS provides automated voice and data communications for tugs and barges along an entire river system. The FCC established the AMTS in 1981 to serve the Mississippi River System. The FCC expanded it to the Gulf Intracoastal Waterway in 1982 and the Gulf of Mexico in 1984, but said then it was prudent to evaluate an operating system before extending AMTS nationwide. The AMTS band (216–220 MHz) is adjacent to TV channel 13 (210–216 MHz) and the FCC has rules to forestall the possibility of interference to TV reception. Of the four AMTS channel Groups, A, B, C and D, the rules presently prohibit the use of Groups C and D, which are closer to channel 13 than Groups A and B, within 105 miles of a channel 13 station.

The FCC noted that an AMTS system had been operating for over 4 years on the Mississippi River and Gulf Intracoastal waterways. No cases of interference have occurred. The Report and Order permits nationwide expansion of the A and B channels but delays the full use of the C and D channels pending the outcome of RM–6196 a proposal to use part of this spectrum for a new interactive video and data service.

Currently the FCC licenses the AMTS operator and the ship users individually. The Report and Order provides to license only the operator, as a system, and eliminate licensing the ship users individually. Thus a ship could begin service as soon as it has a service agreement with the AMTS licensee, without having to obtain an FCC license itself.

Ordering Clauses

Accordingly, *it is ordered* that pursuant to the authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r), parts 2 and 80 of the Commission's Rules *are amended* as set forth below effective March 11, 1991.

It is further ordered that a copy of this Report and Order will be sent to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects

47 CFR Part 2

Communications equipment, Radio.

47 CFR Part 80

Communications equipment, Vessels, Automated maritime telecommunications system.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

Final Rules

Parts 2 and 80 of chapter I of title 47 of the Code of Federal Regulations are amended as follows:

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

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

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

§ 2.106 [Amended]

2. Section 2.106, the Table of Frequency Allocations, is amended by removing footnote NG 121 from column 5 of the 216–220 MHz band and by removing the text of the footnote at the end of the table, § 2.106 Table of Frequency Allocations.

PART 80—STATIONS IN THE MARITIME SERVICES

1. The authority citation for part 80 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609; 3 U.S.T. 3450, 3 U.S.T. 4726, 12 U.S.T. 2377, unless otherwise noted.

2. Section 80.5 is amended by revising the definition of automated maritime

telecommunications system to read as follows:

§ 80.5 Definitions.

* * * * *

Automated maritime telecommunications system (AMTS). An automatic, integrated and interconnected maritime communications system.

* * * * *

3. Section 80.29(a) is amended by adding one additional entry at the end of the table, to read as follows:

§ 80.29 Changes during license term.

(a) * * *

Type of change	Required action
* * * * *	
Increased number of mobiles (AMTS).	Written notice to the Commission.

* * * * *

4. A new § 80.54 is added to read as follows:

§ 80.54 Automated Maritime Telecommunications System (AMTS)—System Licensing.

AMTS licensees will be issued blanket authority for a system of coast stations and mobile units (subscribers). AMTS applicants will specify the maximum number of mobile units to be placed in operation during the license period.

5. Section 80.215 is amended by revising paragraph (h)(3) introductory text, by removing paragraph (h)(5) and redesignating paragraph (h)(6) as (h)(5) to read as follows:

§ 80.215 Transmitter power.

* * * * *

(h) * * *

(3) When located as described in paragraph (h)(2) of this section, the coast station (or stations affecting the same TV Grade B contour) will be authorized if the applicant's plan has limited the interference contour(s) to fewer than 100 residences or if the applicant:

* * * * *

6. Section 80.385 is amended by revising paragraph (a)(1) to read as follows:

§ 80.385 Frequencies for automated systems.

* * * * *

(a) * * *

(1) The Automated Maritime Telecommunications System (AMTS) is an integrated and interconnected maritime communications system.

* * * * *

7. Section 80.475 is amended by removing paragraph (a), redesignating paragraphs (b) and (c) as paragraphs (a) and (b); and by revising new paragraph (a) introductory text to read as follows:

§ 80.475 Scope of Service of the Automated Maritime Telecommunications System (AMTS).

(a) AMTS applicants proposing to serve inland waterways must show how the proposed system will provide continuity of service along more than 60% of each of one or more navigable inland waterways. Inland waterways less than 240 kilometers (150 miles) long must be served in their entirety. AMTS applicants proposing to serve portions of the Atlantic, Pacific or Gulf of Mexico coastline must define a substantial navigational area and show how the proposed system will provide continuity of service for it. A separate Form 503 is not required for each coast station in a system. However, the applicant must provide the technical characteristics for each proposed coast station, including transmitter type, operating frequencies, emissions, transmitter output power, antenna arrangement and location.

* * * * *

§ 80.1169 [Removed and Reserved]

8. Section 80.1169 and the heading "Automated Systems" immediately preceding it are removed and reserved.

[FR Doc. 91-2268 Filed 1-30-91; 8:45 am]

BILLING CODE 6712-01-M

---

47 CFR Parts 15 and 68

[Gen. Docket No. 89-605; FCC 91-12]

Cordless Telephones

AGENCY: Federal Communications Commission (FCC).

ACTION: Final rule.

SUMMARY: The Commission is adopting rules requiring cordless telephones to be equipped with security provisions that protect the public switched telephone network from unintentional line seizure and telephone dialing. This action is intended to reduce the harm being caused by cordless telephones to the "911" Emergency Services Telephone System and to the telephone network in general.

EFFECTIVE DATE: March 11, 1991.

FOR FURTHER INFORMATION CONTACT: George Harenberg, Technical Standards Branch, Office of Engineering and Technology, (202) 653-7314.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order (R&O) in Gen. Docket No. 89-605, FCC 91-12, adopted on January 8, 1991 and released on January 25, 1991.

The full text of this R&O, including the final regulatory flexibility analysis, is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Downtown Copy Center, (202) 452-1422, 1114 21 Street, NW., Washington, DC 20036.

Summary of Notice

1. On September 1, 1988, the Personal Communications Section of the Telecommunications Industry Association (TIA) filed a petition requesting that the Commission consider rules requiring that cordless telephones provide increased protection to the telephone network from unintentional line seizure and dialing, and to the user from unintentional ringing. TIA recommended that this be achieved by requiring the transmission and use of a digital security code, or an equivalent method, so that a cordless telephone would not inadvertently respond to either electronic noise or another cordless telephone with a different security code. TIA expressed concern that, based on its studies, cordless telephones not equipped with security coding were causing significant interference to many telephone company services, to customers with low digit telephone numbers, and to the "911" Emergency Services Telephone System. In response to the TIA petition, the Commission, on December 11, 1989, adopted a Notice of Proposed Rule Making (NPRM) 55 FR 879, January 10, 1990, to consider adoption of rules requiring that cordless telephones be equipped with security features to prevent unintentional line seizure and false ringing.

2. From the evidence presented in this proceeding, it appears that interference to the public switched telephone network from cordless telephones, as well as the unintentional ringing of cordless telephones, is a growing problem. Furthermore, there is evidence that the Emergency Services Telephone System is being adversely affected by unintentional dialing by cordless telephones. It also appears that security coding is not being included in cordless telephones voluntarily by manufacturers at a rate satisfactory to resolve this problem. Thus, it appears that regulation is needed to protect the public switched telephone network from unintentional line seizure and dialing and to ensure that cordless telephones do not ring

unintentionally when in the presence of signals from other cordless telephones or other interfering electrical or electromagnetic emissions. The commenting parties were unanimous in supporting a requirement for cordless telephones to use digital security codes. Based on the record, the Commission believes that digital security coding offers a satisfactory means for achieving the Commissions objectives in this matter. Accordingly, the Commission is adopting regulations requiring digital security coding requirements.

3. The Commission is adopting regulations requiring digital security coding with a minimum of 256 code combinations and requiring manufacturers to continuously vary the security code of each telephone as it is manufactured, or to vary the security codes either randomly, sequentially, or by using any other systematic method. In addition, manufacturers of cordless telephones that utilize user-selectable security coding will be required either to continuously vary the initial security code or to provide cordless telephones that are incapable of transmitting until the user selects a security code. The Commission is also allowing combination of fixed, automatic, and user-selectable coding provided the coding schemes are consistent with these policies. To expedite the waiver process, the Commission authorizes the Chief Engineer to grant waivers allowing alternative methods of equivalent security coding, on a case-by-case basis.

4. In view of estimates submitted in the comments, that 10 million cordless telephones will be sold in the next year and that about half of these telephones could cause harmful interference to the telephone network, it appears that swift action is necessary. Based on the record, the Commission believes that it is economically feasible for manufacturers and importers to comply with these requirements within six months. Therefore, the Commission will require that, within six months of the effective date of this action, all cordless telephones manufactured or imported employ security coding. In addition, applications for a grant of equipment authorization of cordless telephones without digital coding, as specified above, will not be accepted by the Commission 60 days after the effective date of these rules. Cordless telephones that have already received equipment authorization and, without modification, already comply with the requirements of the rules that the Commission is adopting herein, need not be reauthorized.

5. Although not discussed in the NPRM, the Commission is also consolidating the general requirements for cordless telephones currently contained in 47 CFR 15.233 (h), (i), and (j), under the new 47 CFR 15.214. This change constitutes a minor amendment to the Commission's rules. It imposes no new requirement but, rather, eliminates possible confusion in the existing rules. Therefore, the Commission finds for good cause that, for this change, compliance with the notice and comment procedure of the Administrative Procedure Act is unnecessary. See 5 U.S.C. 553(b)(B).

6. *Regulatory Flexibility Final Analysis.* Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. 601 *et seq.*, the following final flexibility analysis has been prepared:

I. Need for and Objective of the Rules

Cordless telephones without digital coding appear to be causing significant interference to many telephone company services. In some cases, telephone line seizures have nearly closed down central offices and are causing significant unnecessary interference to many telephone company services, particularly to customers with low telephone numbers and to the "911" Emergency Services Telephone System. The objective of the rules being adopted is to reduce the amount of harm that is being caused by cordless telephones to the public switched telephone network and the "911" Emergency Services Telephone System.

II. Summary of Issues Raised by Public Comments in Response to the Initial Regulatory Flexibility Analysis, Commission Assessment of Such Comments, and Changes Made as a Result

No commenting parties raised issues specifically in response to the initial regulatory flexibility analysis. The regulations being adopted in this Report and Order require cordless telephones to incorporate circuitry which makes use of a security code to provide protection against unintentional access to the public switched telephone network by the base unit of a cordless telephone and unintentional ringing by the handset of a cordless telephone. These functions will be required to operate such that each access of the telephone network or ringing of the handset is preceded by the transmission of a code word. Access to the telephone network will occur only if the code transmitted by the handset matches the code set in the base unit. Similarly, ringing of the handset is to occur only if the code transmitted by the base unit matches the code set in the handset. The proposed regulations are technically and economically achievable without undue burden on any entity. Manufacturers are being given substantial flexibility on how to implement security coding. Because these changes to the regulations will have an impact on a number of manufacturers, requiring redesign of their equipment, transition periods are being adopted. These transition periods will lessen the impact to manufactures, allowing manufacturers sufficient time to implement any needed design changes before compliance with the regulations adopted by this Report and Order is required.

III. Significant Alternatives Considered

The Commission has considered all of the alternatives presented in this proceeding and has adopted standards that can be achieved by industry while still providing adequate protection to the public switched telephone network. Alternatives that were considered include deleting all standards and restrictions on the marketing of non-complying equipment, retaining the present regulations, adopting the regulations proposed in the NPRM, or adopting tighter standards than proposed.

7. The Office of Management and Budget has approved the collection of information requirement contained in this rule. The OMB control number for this collection of information requirement is 3060–0436.

8. In accordance with the above discussion, *It is ordered,* That under the authority contained in sections 4(i), 301, 302, 303(e), 303(f), 303(r), 303(s), 304, and 307 of the Communications Act of 1934, as amended, parts 15 and 68 of the Commission's Rules and Regulations are amended as set forth below. These rules and regulations are effective March 11, 1991.

It is also ordered, That authority is delegated to the Chief Engineer to grant waivers to manufacturers employing alternative security coding methods, provided there is basis for finding that the coding employed will provide at least the same level of protection as that provided in the rules adopted herein. *It is further ordered,* That this proceeding is terminated.

List of Subjects

47 CFR Part 15

Radio, Communications equipment.

47 CFR Part 68

Terminal equipment, Telephone, Communications equipment.

Rule Changes

A. Title 47 of the Code of Federal Regulations, part 15 is amended as follows:

PART 15—[AMENDED]

1. The authority citation for part 15 continues to read as follows:

Authority: Sections 4, 302, 303, 304, and 307 of the Communications Act of 1934, as amended, 47 U.S.C. sections 154, 302, 303, 304, and 307.

2. Section 15.37 is amended by adding a new paragraph (e) to read as follows:

§ 15.37 Transition provisions for compliance with the rules.

* * * * *

(e) For cordless telephones: The manufacture and importation of cordless telephones not complying with § 15.214(d) of this part shall cease on or before September 11, 1991. These provisions will not apply to cordless telephones which are repaired or refurbished, or re-imported after repair or refurbishment. Applications for a grant of equipment authorization of cordless telephones not complying with § 15.214(d) of this part will not be accepted by the Commission after May 10, 1991. Cordless telephones that have previously received equipment authorization and that, without modification, already comply with the requirements of § 15.214(d) of this part, need not be reauthorized.

3. A new § 15.214 is added, prior to the heading "Radiated Emission Limits, Additional Provisions", to read as follows:

§ 15.214 Cordless telephones.

(a) For equipment authorization, a single application form, FCC Form 731, may be filed for a cordless telephone system, provided the application clearly identifies and provides data for all parts of the system to show compliance with the applicable technical requirements. When a single application form is submitted, both the base station and the portable handset must carry the same FCC identifier. The application shall include a fee for certification of each type of transmitter and notification or certification, if appropriate, for each type of receiver included in the system.

(b) A cordless telephone which is intended to be connected to the public switched telephone network shall also comply with the applicable regulations in part 68 of this chapter. A separate application for registration under part 68 of this chapter is required.

(c) The label required under subpart A of this part shall also contain the following statement: "Privacy of communications may not be ensured when using this phone."

(d) Cordless telephones shall incorporate circuitry which makes use of a digital security code to provide protection against unintentional access to the public switched telephone network by the base unit and unintentional ringing by the handset. These functions shall operate such that each access of the telephone network or ringing of the handset is preceded by the transmission of a code word. Access to the telephone network shall occur only if the code transmitted by the handset matches code set in the base unit. Similarly, ringing of the handset shall occur only if the code transmitted by the base unit matches the code set in the handset. The security code required by this section may also be employed to perform other communications functions, such as providing telephone billing information. This security code system is to operate in accordance with the following provisions.

(1) There must be provision for at least 256 possible discrete digital codes. Factory-set codes must be continuously varied over at least 256 possible codes as each telephone is manufactured. The codes may be varied either randomly, sequentially, or using another systematic procedure.

(2) Manufacturers must use one of the following approaches for facilitating variation in the geographic distribution of individual security codes:

(i) Provide a means for the user to readily select from among at least 256 possible discrete digital codes. The cordless telephone shall be either in a non-operable mode after manufacture until the user selects a security code or the manufacturer must continuously vary the initial security code as each telephone is produced.

(ii) Provide a fixed code that is continuously varied among at least 256 discrete digital codes as each telephone is manufactured.

(iii) Provide a means for the cordless telephone to automatically select a different code from among at least 256 possible discrete digital codes each time it is activated.

(iv) It is permissible to provide combinations of fixed, automatic, and user-selectable coding provided the above criteria are met.

(3) A statement of the means and procedures used to achieve the required protection shall be provided in any application for equipment authorization of a cordless telephone.

4. Section 15.233 is amended by removing paragraphs (h), (i), (j), and (k), and adding new paragraph (h) to read as follows:

§ 15.233 Operation within the bands 46.60–46.98 MHz and 49.66–50.0 MHz.

* * * * *

(h) For cordless telephones that do not comply with § 15.214(d) of this part, the box or other package in which the individual cordless telephone is to be marketed shall carry a statement in a prominent location, visible to the buyer before purchase, which reads as follows:

Notice: The base units of some cordless telephones may respond to other nearby units or to radio noise resulting in telephone calls being dialed through this unit without your knowledge and possibly calls being misbilled. In order to protect against such occurrences, this cordless telephone is provided with the following features: (to be completed by the responsible party).

An application for certification of a cordless telephone shall specify the complete text of the statement that will be carried on the package and indicate where, specifically, it will be located on the carton.

B. Title 47 of the Code of Federal Regulations, part 68 is amended as follows:

PART 68—[AMENDED]

1. The authority citation for part 68 continues to read as follows:

Authority: Secs. 4, 201, 202, 203, 204, 205, 208, 215, 218, 313, 314, 403, 404, 410, 602, 48 Stat. as amended, 1066, 1070, 1071, 1072, 1073, 1076, 1077, 1087, 1094, 1098, 1102; 47 U.S.C. 154, 201, 202, 203, 204, 205, 208, 215, 218, 313, 403, 404, 410, 602, unless otherwise noted.

2. Section 68.200 is amended by adding a new paragraph (k) to read as follows:

§ 68.200 Application for equipment registration.

* * * * *

(k) Any application for registration of a cordless telephone operating under the provisions of part 15 of this chapter shall be accompanied by a statement indicating that the device contains appropriate provision for protection of the public switched telephone network, pursuant to the requirements in § 15.214 of this chapter.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 91–2265 Filed 1–30–91; 8:45 am]

BILLING CODE 6712–01–M