

[Declaration of Disaster Loan Area #2670; Amendment #2]**North Dakota; Declaration of Disaster Loan Area**

The above-numbered Declaration is hereby amended effective August 4, 1993 to include Cavalier and Eddy Counties in the State of North Dakota as a disaster area as a result of damages caused by severe storms and flooding beginning on June 22, 1993 and continuing.

All counties contiguous to the above-named primary counties have been previously declared.

All other information remains the same, i.e., the termination date for filing applications for physical damage is September 27, 1993 and for economic injury the deadline is April 26, 1994.

The economic injury number for North Dakota is 795500.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: August 12, 1993.

Bernard Kulik,

Assistant Administrator for Disaster Assistance.

[FR Doc. 93-20553 Filed 8-24-93; 8:45 am]

BILLING CODE 8025-01-M

[Declaration of Disaster Loan Area #2660; Amendment #4]**Wisconsin; Declaration of Disaster Loan Area**

The above-numbered Declaration is hereby amended in accordance with a Notice from the Federal Emergency Management Agency dated August 10, 1993 to include Monroe County in the State of Wisconsin as a disaster area as a result of damages caused by severe storms and flooding beginning on June 7, 1993 and continuing.

All counties contiguous to the above-named primary county have been previously declared.

All other information remains the same, i.e., the termination date for filing applications for physical damage is September 1, 1993 and for economic injury the deadline is April 4, 1994.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: August 13, 1993.

Bernard Kulik,

Assistant Administrator for Disaster Assistance.

[FR Doc. 93-20560 Filed 8-24-93; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION**National Highway Traffic Safety Administration****Petition for Exemption From the Vehicle Theft Prevention Standard; General Motors Corp.**

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.
ACTION: Grant of petition for exemption.

SUMMARY: This document grants in full the petition by General Motors Corporation (GM) to exempt the Buick Riviera and Oldsmobile Aurora from the parts marking requirements of the vehicle theft prevention standard. The petition is granted pursuant to 49 CFR part 543, Exemption from Vehicle Theft Prevention Standard, for Model Year 1995 and beyond. The petition is granted because the agency has determined that the antitheft device to be placed on the car lines as standard equipment is likely to be as effective in deterring and reducing motor vehicle theft as compliance with parts marking requirements.

DATES: The exemption granted by this notice is effective beginning with the 1995 Model Year.

FOR FURTHER INFORMATION CONTACT: Ms. Barbara A. Gray, Office of Market Incentives, NHTSA, 400 Seventh Street, SW., Washington, DC 20590. Ms. Gray's telephone number is (202) 366-1740.

SUPPLEMENTARY INFORMATION: On April 21, 1993, the agency received a submission from General Motors Corporation (GM) requesting an exemption from the theft prevention standard for its Buick Riviera (Riviera) and Oldsmobile Aurora (Aurora) car lines, pursuant to 49 CFR part 543, Exemption From Vehicle Theft Prevention Standard, for Model Year (MY) 1995 and beyond. GM did not request confidential treatment for any of the information provided in its petition.

The information submitted by GM constitutes a complete petition, as required by 49 CFR 543.7, in that it meets the general requirements contained in § 543.5 and the specific content requirements of § 543.6. Accordingly, April 21, 1993 is the date on which the statutory 120 day period for processing GM's petition began.

In its petition for the Riviera and Aurora car lines, GM requests an exemption from parts marking based on the inclusion of the "PASS-Key II" theft deterrent system as standard equipment for these car lines. GM noted that the "PASS-Key II" is a modification of the "PASS-Key" theft deterrent system. GM also noted that in August 1989 and on

[Declaration of Disaster Loan Area #2668]**South Dakota; Amendment #3; Declaration of Disaster Loan Area**

The above-numbered Declaration is hereby amended effective August 10, 1993 to include Beadle, Jerauld, and McPherson Counties in the State of South Dakota as a disaster area as a result of damages caused by severe storms, tornadoes, and flooding beginning on May 6, 1993 and continuing.

Any counties contiguous to the above-named primary counties and not listed herein have been previously declared.

All other information remains the same, i.e., the termination date for filing applications for physical damage is September 20, 1993 and for economic injury the deadline is April 19, 1994.

The economic injury number for South Dakota is 793800.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: August 13, 1993.

Bernard Kulik,

Assistant Administrator for Disaster Assistance.

[FR Doc. 93-20551 Filed 8-24-93; 8:45 am]

BILLING CODE 8025-01-M

Investment Advisory Council; Meeting

Time and Date: 9 a.m.-4 p.m., Friday, September 24, 1993.

Place: The meeting will be held in the Eisenhower Conference Room on the eighth floor of SBA headquarters at 409 3rd Street, SW., Washington, DC.

Purpose: The meeting is being held to identify and discuss provisions in the Small Business Investment Company (SBIC) proposed rules that should be revised prior to the adoption of final regulations to implement title IV of Public Law 102-366. The Council also will consider the impact of the proposed regulatory changes on currently licensed SBICs and Specialized SBICs, as well as potential investors and licensees.

For further information, contact Maureen C. Glebes, room 6300, U.S. Small Business Administration, 409 3rd Street, SW., Washington, DC 20416, telephone (202) 205-6510.

Dated: August 18, 1993.

Wayne S. Foren,

Associate Administrator for Investment.

[FR Doc. 93-20552 Filed 8-24-93; 8:45 am]

BILLING CODE 8025-01-M

several occasions since, the agency has determined that the "PASS-Key" and "PASS-Key II" systems, installed as standard equipment on various GM car lines, will likely be as effective in reducing and deterring motor vehicle theft as compliance with the requirements of the theft prevention standard (see e.g., 54 FR 38655, August 15, 1989). In a February 7, 1992 letter to GM, the agency determined that the changes in "PASS-Key II" constituted a *de minimis* change in the "PASS-Key" system that was the basis for the agency's previous granting of a theft exemption for a car line that had, as standard equipment, the "PASS-Key" system.

The "PASS-Key II" theft deterrent system utilizes an ignition key, an ignition lock cylinder and a decoder module. When the proper key is inserted into the ignition lock cylinder, the decoder module recognizes the match, and permits the key to release the steering wheel and transmission shift lever locks. Before the vehicle can be started, the electrical resistance of a pellet embedded in the shank of the key must be sensed by elements in the lock cylinder and its value compared to a fixed resistance in the decoder module located in the instrument panel in the passenger compartment. If the key pellet has the proper resistance, the starter enable relay is energized and a discrete signal is transmitted to the engine control module. Recognition of the signal by the engine module allows fuel injector pulses to begin. If a key other than the one with proper resistance for that vehicle is inserted, the decoder module will shut down for a period of three minutes plus or minus 18 seconds. GM states that this period of time is controlled by a timer within the decoder module, and is not a programmable feature. Unlike "PASS-Key," in "PASS-Key II," the timer for the decoder module does not reset to zero if further resistance comparisons are made while the decoder module is shut down. GM has stated that despite this difference, a similar level of performance will continue since the module, while shut down, will ignore any further attempts to start the vehicle by means of a key with an improper pellet resistance. GM claims that any process of trial and error using various keys with different resistance pellets, after the initial three minute shut down period, will result in the module shutting down again.

The components are located in the passenger compartment behind the instrument panel, with the exception of the starter solenoid/starter motor combination which is located in the engine compartment. GM states that

unlike many other theft deterrent systems, removing and subsequently reapplying vehicle power does not alter "PASS-Key II" performance.

GM states that "PASS-Key II" is passive in that the system becomes fully functional once the ignition is turned off and the key is removed. No further operator action is required for activation. GM states that because "PASS-Key II" is fully operational once the engine has been turned off and the key removed, it has not provided specific visual or audio warnings, beyond the key warning buzzer, that unauthorized attempts have been made to enter or move the vehicles. However, the "PASS-Key II" system includes a starter interrupt function which, when activated, makes the vehicle inoperable.

In order to draw attention to improper use of a key to start the vehicle, GM has installed a yellow "Security" light inside the passenger compartments of the Riviera and Aurora. This light is designed to activate if the proper key with a dirty or contaminated resistor pellet is used and the vehicle does not start. If this happens, it is necessary to clean the key and delay a further attempt to start the engine until the "PASS-Key II" timer has run its course. The "Security" light is designed to illuminate also if a key with the proper mechanical but improper electrical code is used to try to start the vehicle.

GM states that a premise for the design of any theft deterrent system in its products has been that a failure in such a system would not affect a running vehicle. Although it may not be possible to restart a vehicle after such a failure, that failure would not stop an engine that has been started. That criterion has been met in "PASS-Key II." Once an "Engine Running" signal has been identified by the engine control module, a "PASS-Key II" failure will not cause the engine to stop.

GM's analysis of the failure mode effects of the "PASS-Key II" system indicated that the component with the highest probability for failure was the ignition lock cylinder with its key, wiring, contacts, and rotational motion. A 52,500 cycle automated bench test of the key, ignition lock cylinder, wiring, and "PASS-Key II" electronics module was conducted over a temperature range of approximately -40 degrees Fahrenheit to +212 degrees Fahrenheit. GM stated that each cycle consisted of inserting the key, rotating the cylinder to its "Start" position and then measuring the output from the electronics module to assure that the proper signals for the Starter Enable Relay and engine control module were

present. The absence of either signal would terminate the test.

GM states that the "PASS-Key II" decoder module has undergone other durability tests to ensure that the component meets or exceeds specified performance requirements over an equivalent of approximately 10 years of vehicle life. These other tests were: A power and temperature cycling test; high temperature endurance test; humidity test; moisture susceptibility test; and random vibration durability tests. As part of the validation process for the "PASS-Key" system, GM subjected the starter enable relay to testing to ensure component reliability. GM states that the same component is used in "PASS-Key II."

GM also states that during 203,705 miles of durability testing on preproduction MY 1995 Riviera and Aurora prototype and pilot vehicles equipped with "PASS-Key II," there were no system failures. GM states that since "PASS-Key II" system failures have the potential to affect owner satisfaction, it will continue to carefully monitor warranty data and make any necessary changes to improve system reliability.

Since the "PASS-Key II" system has been installed in GM vehicles as standard equipment only since the 1992 model year, GM states that directly relevant theft data are not yet available. GM asserts that since the "PASS-Key II" system has been designed to provide the same kind of protection as the "PASS-Key" system, theft data for "PASS-Key" equipped vehicles can be used to form the basis for GM's belief that the "PASS-Key II" system will be effective in reducing and deterring motor vehicle theft. The agency concurs that the data for "PASS-Key" equipped vehicles are probative of the likelihood of success of the "PASS-Key II" system in reducing and deterring vehicle theft.

To substantiate its statements on the "PASS-Key" antitheft system's effectiveness, GM provided data on Buick Riviera, Oldsmobile Toronado, Cadillac DeVille/Fleetwood and Cadillac Eldorado car line theft rates for MYs 1986 through 1990. "PASS-Key" was made standard on each of these four car lines beginning with MY 1990. The data provided by GM is reported by the Federal Bureau of Investigation's National Crime Information Center (NCIC), which is NHTSA's official source of theft data (See 50 FR 46666, November 12, 1985). The NCIC receives reports on all thefts.

The NCIC data reported by GM showed that the Riviera, Toronado, DeVille, and Eldorado theft rates (per thousand vehicles) by Model Year were:

For 1986, 3.99 for the Riviera, 2.25 for the Toronado, 7.11 for the DeVille, and 2.27 for the Eldorado; for 1987, 6.37 for the Riviera, 6.30 for the Toronado, 6.16 for the DeVille, and 3.90 for the Eldorado; for 1988, 6.15 for the Riviera, 5.58 for the Toronado, 7.91 for the DeVille, and 3.16 for the Eldorado; for 1989, 2.16 for the Riviera, 3.33 for the Toronado, 5.57 for the DeVille, and 2.35 for the Eldorado; and for 1990, 1.32 for the Riviera, 2.62 for the Toronado, 3.81 for the DeVille, and 2.48 for the Eldorado.

GM stated a belief, based on the decreases in theft of the above four car lines during the 1990 model year, which occurred with the implementation of the "PASS-Key" as standard equipment, that the "PASS-Key" system is "extremely effective in deterring motor vehicle theft." GM stated that based on the performance of "PASS-Key" on other models and its similarity of design and functionality to the "PASS-Key II" system, it believes that "PASS-Key II" will be at least as effective as the first generation "PASS-Key" system.

NHTSA believes that there is substantial evidence indicating that the antitheft system to be installed as standard equipment on the Riviera and Aurora lines will likely be as effective in reducing and deterring motor vehicle theft as compliance with the requirements of the theft prevention standard (49 CFR part 541). This determination is based on the information GM submitted with its petition and on other available information. The agency believes that the device will provide all but one of the types of performance listed in § 543.6(a)(3): promoting activation; preventing defeat or circumventing of the device by unauthorized persons; preventing operation of the vehicle by unauthorized entrants; and ensuring the reliability and durability of the device. The single exception is that the device lacks an alarm which would attract attention to unauthorized entries.

As required by section 605(b) of the statute and 49 CFR 543.6(a)(4), the agency also finds that GM has provided adequate reasons for its belief that the antitheft device will reduce and deter theft. This conclusion is based on the information GM provided on its device. This information included a description of reliability and functional tests conducted by GM for the antitheft system and its components. GM presented extensive data on the life cycle test results of the "PASS-Key" ignition lock system, and durability testing of prototype MY 95 Rivieras and Auroras equipped with "PASS-Key II."

The decision to grant this exemption is consistent with earlier agency exemption decisions. As the petitioner noted, the "PASS-Key" ignition lock system has been the basis of the agency's exempting, in part, several high theft GM car lines from the requirements of 49 CFR part 541. The following GM car lines have the "PASS-Key" system as standard equipment, and have been exempted in part from the requirements of 49 CFR part 541: the Chevrolet Camaro and Pontiac Firebird, beginning with MY 1990 (see 54 FR 3365, August 15, 1989); the Cadillac DeVille/Fleetwood and Oldsmobile 98, beginning with MY 1991 (see 55 FR 17854, April 27, 1990); and the Pontiac Bonneville and Buick Park Avenue, beginning with MY 1992 (see 56 FR 14413, April 9, 1991). NHTSA has also granted exemptions in part for the following GM car lines that have "PASS-Key II" as standard equipment: the Oldsmobile 88 Royale and Buick LeSabre, beginning with MY 1993 (see 57 FR 10517, March 26, 1992) and the Cadillac Eldorado and Cadillac Seville, beginning with MY 1994 (see 58 FR 11659, February 26, 1993).

The agency had granted partial, rather than full, exemptions for the car lines listed above because neither the "PASS-Key" nor "PASS-Key II" antitheft systems include an audio or visual alarm system. As such, the GM systems lack, as standard equipment, an important feature that the agency has defined in its rulemaking on part 543 as one of several desirable attributes which contribute to the effectiveness of an antitheft system: Automatic activation of the device; an audible or visual signal that is connected to the hood, doors, and trunk and draws attention to vehicle tampering; and a disabling mechanism designed to prevent a thief from moving a vehicle under its own power without a key.

Theft data experience for car lines incorporating "PASS-Key" have not shown that the lack of an audio and visual alarm has prevented the antitheft device from being effective. Since the introduction of "PASS-Key" in MY 1989, two years of theft data that assess the effectiveness of "PASS-Key" and "PASS-Key II" have been collected. The agency believes the data show that over time, despite the absence of the audio and visual alarm systems, "PASS-Key" and "PASS-Key II," when placed on car lines as standard equipment, continue to be likely to be as effective in deterring and reducing motor vehicle theft as compliance with parts marking requirements.

The agency arrived at this conclusion by examining theft data provided in

GM's petition, and independently examining theft data for other car lines with "PASS-Key" as standard equipment. The data provided in GM's petition show a reduction in theft rates after placement of "PASS-Key." In addition, the agency examined three years of data for the Pontiac Firebird and Chevrolet Camaro lines and found consistent reductions in theft rates. "PASS-Key" has been standard equipment on these two lines since MY 1989. For MY 1989, the Firebird's theft rate was 8.98 (per thousand vehicles), and the Camaro's theft rate was 8.68. By MY 1991 (based on preliminary theft data), the Firebird's theft rate was 6.36 and the Camaro's theft rate was 7.80. It appears that a 29 percent reduction in theft rates for the Firebird and a 12 percent reduction for the Camaro have been experienced.

For the foregoing reasons, the agency hereby exempts the MY 1995 Buick Riviera and Oldsmobile Aurora car lines in full from the requirements of 49 CFR part 541. If the "PASS-Key II" is placed as standard equipment on the two car lines, GM would not be required to mark any of the major parts of these lines.

If GM decides not to use the exemptions for the MY 1995 Riviera and Aurora car lines, it should formally notify the agency. If such a decision is made, these car lines must be fully marked according to the requirements under 49 CFR 541.5 and 541.6 (marking of major component parts and replacement parts).

NHTSA notes that if GM wishes in the future to modify the device on which this exemption is based, the company may have to submit a petition to modify the exemption. Section 543.7(d) states that a part 543 exemption applies only to vehicles that belong to a line exempted under this part and equipped with the antitheft device on which the line's exemption is based. Further, § 543.9(c)(2) provides for the submission of petitions "(t)o modify an exemption to permit the use of an antitheft device similar to but differing from the one specified in the exemption."

The agency wishes to minimize the administrative burden which § 543.9(c) could place on exempted vehicle manufacturers and itself. The agency did not intend in drafting part 543 to require the submission of a modification petition for every change in the components or design of an antitheft device. The significance of many such changes could be *de minimis*. Therefore, NHTSA suggests that if GM contemplates making any changes the effects of which might be characterized as *de minimis*, then the company should

consult the agency before preparing and submitting a petition to modify.

Authority: 15 U.S.C. 2025; delegation of authority at 49 CFR 1.50 and 501.4.

Issued on: August 17, 1993.

Howard M. Smolkin,

Executive Director.

[FR Doc. 93-20499 Filed 8-24-93; 8:45 am]

BILLING CODE 4910-69-M

UNITED STATES ENRICHMENT CORPORATION

National Environmental Policy Act Procedure

AGENCY: United States Enrichment Corporation.

ACTION: Notice of proposed National Environmental Policy Act procedure with request for comments.

SUMMARY: The United States Enrichment Corporation (USEC) proposes to adopt a procedure for implementing the National Environmental Policy Act (NEPA). The USEC has undertaken the uranium enrichment enterprise formerly conducted by the Department of Energy (DOE), effective July 1, 1993, pursuant to the Energy Policy Act of 1992. The USEC proposes to adopt a procedure for implementing NEPA that is closely patterned on DOE's NEPA Implementing Procedures, with some modifications to reflect USEC's specific mission of operating the enterprise as a business enterprise on a profitable basis and eventually privatizing the enterprise. USEC proposes to voluntarily comply with NEPA as a reflection of the Corporation's commitment to environmental protection. Accordingly, USEC is proposing a NEPA procedure to incorporate analysis of environmental impacts into USEC's decisionmaking on proposals and is soliciting public comment on the proposed procedure. In addition, USEC is requesting that the Council on Environmental Quality (CEQ) review the proposed procedure for conformity with NEPA and CEQ's NEPA regulations.

DATES: Written comments on the proposed procedure should be submitted on or before September 9, 1993.

ADDRESSES: Written comments on the proposed procedure should be submitted to Robert J. Moore, General Counsel, United States Enrichment Corporation, 2300 M Street NW., 5th floor, Washington, DC 20037; or may be hand-delivered to the same address on business days between the hours of 8:30 a.m. and 5 p.m.

FOR FURTHER INFORMATION CONTACT: Robert J. Moore, General Counsel at (202) 835-7610, or Charles Martin, Environmental Compliance, at (202) 835-7646.

SUPPLEMENTARY INFORMATION:

I. Background

The United States Enrichment Corporation was created by title IX of the Energy Policy Act, Public Law 102-486 (42 U.S.C. 2297 *et seq.*). USEC was created to take over the uranium enrichment enterprise from DOE on July 1, 1993. 42 U.S.C. 2297b-14. Congress created USEC to operate the uranium enrichment enterprise "as a business enterprise on a profitable and efficient basis" and to "maximize the long-term value of the Corporation to the Treasury of the United States." 42 U.S.C. 2297a (1) and (2). In addition, USEC is directed to develop a plan for the privatization of the uranium enrichment enterprise by transferring ownership of the Corporation to private investors. 42 U.S.C. 2297d. Congress also directed USEC "[t]o continue at all times to meet the objectives of ensuring the Nation's common defense and security[,]," "[t]o help maintain a reliable and economical domestic source of uranium enrichment services[,]," and "[t]o comply with laws, and regulations promulgated thereunder, to protect . . . the environment." 42 U.S.C. 2297a (8), (9), and (10).

USEC is intended by Congress to operate as a profit-making corporation engaged in providing uranium enrichment services in a highly competitive worldwide market. Moreover, USEC is to function as an integral link between the former operation of this enterprise by a federal government agency and the future operation as a fully private corporation. NEPA applies to federal government agencies and does not directly impose requirements on private corporations. As a corporation which is eventually to be privatized, USEC is not a federal agency subject to NEPA.

Nonetheless, USEC intends to conduct all its operations as a responsible corporate citizen, committed to maintaining a clean, safe and healthful environment. To help achieve that end USEC proposes, as a matter of voluntary corporate policy, to comply with the letter and spirit of NEPA and to incorporate NEPA procedures into corporate decisionmaking. Thus, USEC will ensure that potential environmental impacts are assessed before major proposals are adopted, that feasible alternatives are analyzed on the basis of

environmental impacts, and that mitigation measures are employed when appropriate. Also, USEC intends to incorporate NEPA's directives to involve federal agencies, state agencies, and the public in USEC's decisionmaking process with respect to the environment, to the extent consistent with the legislation creating USEC.

II. Purpose

The purpose of the proposed NEPA procedure is to implement USEC's policy of voluntary compliance with NEPA and to provide guidance and a mechanism for incorporating NEPA into USEC's decisionmaking and day-to-day operations. Because the uranium enrichment enterprise was transferred by an Act of Congress from USEC to DOE, the proposed NEPA procedure is modeled on DOE's NEPA Implementing Procedures, 10 CFR part 1021. However, USEC's proposed NEPA procedure is also tailored to reflect the fact that DOE's mission is much broader than the uranium enrichment enterprise that was transferred to USEC and that USEC is directed to operate that enterprise "as a business enterprise on a profitable and efficient basis." 42 U.S.C. 2297a(1).

The proposed procedure is intended to implement USEC's voluntary decision to comply with NEPA to the same extent as a federal government agency by:

- Requiring the preparation and circulation of draft and final environmental impact statements (EISs) on proposals significantly affecting the quality of the human environment, and that would be "major federal actions" if undertaken by DOE, for example, or another federal agency.
- Requiring the preparation of environmental assessments (EAs) to determine whether a proposed action would require the preparation of an EIS under the standard of section 102(2)(C) of NEPA.
- Requiring the preparation of records of decision (RODs) and findings of no significant impact (FONISs) to reflect the incorporation of EISs and EAs into USEC decisionmaking.
- Providing the public and federal and state agencies with access to information and an opportunity to provide meaningful comment on USEC proposals and the potential environmental impacts of such proposals.
- Requiring compliance with the CEQ NEPA Regulations.

In addition, USEC is voluntarily submitting this proposed procedure for review by CEQ for conformity with NEPA and the CEQ NEPA regulations

(40 CFR 1507.3(a)). The proposed NEPA procedure will be adopted by USEC only after the opportunity for public comment offered by this notice and review by CEQ. This proposed procedure was developed in consultation with CEQ in accordance with the procedure set forth in the CEQ NEPA Regulations. 40 CFR 1507.3(a). USEC proposes to adopt a NEPA "procedure," and not formal regulations, as permitted by the CEQ regulations. Id.

III. Environmental Review

The proposed procedure is modeled on existing DOE NEPA Implementing Procedures which applied to DOE's operation of the uranium enrichment enterprise before its transition to USEC on July 1, 1993. Its purpose is primarily to tailor DOE's department-wide NEPA procedure to USEC's specific operation of the uranium enrichment enterprise as a business enterprise on a profitable basis without substantially changing the effect of that operation on the environment. Thus, this proposed procedure is not a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA.

IV. Review Under Executive Order 12291

The proposed procedure implements the Corporation's NEPA policy and does not constitute proposed rulemaking. This proposal is not a "rule" or "regulation" within the meaning of Executive Order 12291, and no analysis thereunder is required. In any event, the proposed procedure would not be a "major rule" because it: (1) Does not have an annual effect on the economy of \$100 million or more; (2) does not result in a major increase in the cost of financial institution operations or governmental supervision; and (3) does not have a significant adverse effect on competition (foreign or domestic), employment, investment, productivity or innovation within the meaning of E.O. 12291.

Moreover, the proposed procedure would substantially adopt DOE's existing NEPA Implementation Procedures as they relate to the uranium enrichment enterprise formerly operated by DOE. Thus USEC's proposed NEPA procedure should have no incrementally greater impact on procurement, financial assistance, joint ventures, or marketing, which are the areas where any potential economic impact might be anticipated. Therefore, USEC has determined that the incremental impact, if any, of today's proposed procedure, if finalized, would not have effects on the

economy of sufficient magnitude to bring the proposed procedure within the definition of a "major rule."

V. Regulatory Flexibility Act

USEC is proposing to adopt a procedure for implementing the Corporation's NEPA policy, and is not proposing rulemaking. Accordingly, this proposal is not a "rule" within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601(2), and no regulatory flexibility analysis is required. In any event, the proposed procedure is closely patterned on DOE's NEPA Implementation Procedures which governed the uranium enrichment enterprise before July 1, 1993 and makes no substantive changes to requirements for any applicants for permits or licenses, or financial assistance, customers, or bidders for contracts, as related to NEPA compliance.

VI. Review Under Executive Order 12612

Executive Order 12612 requires that policies be reviewed for Federalism effects on the institutional interest of state and local governments, and if the effects are sufficiently substantial and direct, that a Federalism assessment be prepared to assist senior policymakers. The proposed NEPA procedure will not have any substantial and direct effect on state and local governments within the meaning of the Executive Order. The final procedure will affect USEC's NEPA policy, which is not subject to state regulation.

VII. List of Subjects

Environmental assessment,
Environmental impact statement,
National Environmental Policy Act.

Issued in Washington, DC.
Dated: August 20, 1993.

William H. Timbers, Jr.,
Transition Manager.

For the reasons set forth in the preamble, USEC proposes to adopt the following NEPA procedure:

United States Enrichment Corporation Policy For Adherence to the National Environmental Policy Act (NEPA)

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Appendix A: Environmental Effects Of USEC Actions Abroad; Effects On The Global Commons

1.0 General

1.1 Purpose

The purpose of this document is to establish the United States Enrichment Corporation (USEC) policy for integration of environmental considerations into USEC planning and decisionmaking. It also establishes the criteria for determining USEC actions that are categorically excluded from requirements to prepare an Environmental Impact Statement (EIS). Applicable categorical exclusions (CX) are listed in section 4.2 of this policy. This USEC policy complies with and supplements the Council on Environmental Quality (CEQ) regulations published at 40 CFR 1500-1508. The CEQ regulations address the requirements for compliance with the procedural provisions of section 102(c) of the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4332(2)).

1.2 Policy

It is USEC policy to comply with the letter and spirit of NEPA; adhere to CEQ regulations; and apply the NEPA process early in the planning stages for USEC proposals. In doing so, USEC will endeavor to ensure that wise use of the human environment is incorporated into its actions. The USEC will also endeavor to minimize the adverse impact of its actions on the human environment. This will be accomplished by identifying the significant environmental impacts of USEC proposed programs and projects as early in the decisionmaking process as is practicable, and integrating those considerations throughout the planning and, ultimately, implementation of the proposed program and projects. The

objective is to ensure, consistent with the National Environmental Policy Act and CEQ regulations, that environmental effects will be considered along with technical, economic and other factors in USEC decisionmaking processes.

USEC will endeavor to ensure that the NEPA process parallels the decisionmaking process on major programs and proposals likely to have a significant effect on the human environment.

USEC will integrate NEPA requirements with planning and environmental reviews required by law. USEC will accomplish this integration in a concurrent rather than consecutive manner. NEPA compliance is required for applicable USEC actions unless existing law applicable to a specific action or activity prohibits, exempts or makes compliance impossible.

USEC will endeavor to ensure that the alternatives considered in the decisionmaking process are within the range of alternatives considered in the relevant environmental documents and analyses.

USEC policy will be to adhere to Executive Order 12114 and to incorporate into its environmental analyses, consideration of actions that may significantly affect the global commons, environments of other nations or ecological resources of global importance. Where consistent with national security requirements and United States foreign policy, an environmental planning and evaluation process as outlined in Appendix A of this policy will be implemented for proposed USEC actions that would significantly affect those aspects of the worldwide environment.

1.3 Applicability

1.3.1 This section applies to all organizational elements of USEC.

1.3.2 This section applies to any USEC action affecting the quality of the human environment of the United States, its territories or possessions. Appendix A of this section applies to any USEC action having environmental effects outside the United States, its territories or possessions.

1.4 Definitions

1.4.1 The definitions set forth in 40 CFR part 1508 are referenced and used in this section of the USEC NEPA Policy and Procedures.

1.4.2 In addition to the terms defined in 40 CFR part 1508, the following definitions apply:

Action means a project, program, plan, or policy, as discussed at 40 CFR 1508.18, that is subject to USEC's

control and responsibility. Not included within this definition are actions for which USEC has no discretion.

Adjacent State means a state that has a common boundary with a host state.

American Indian tribe means any Indian tribe, band, nation, pueblo, or other organized group or community, including any Alaska native entity, which is recognized as eligible for the special programs or services provided by the United States because of their status as Indians.

Categorical exclusion (CX) means an action that, as defined in 40 CFR 1508.4, does not individually or cumulatively have a significant effect on the human environment and, therefore, does not require either an environmental assessment or environmental impact statement.

CEO means the Chief Executive Officer of USEC.

CEQ means the Council on Environmental Quality as defined at 40 CFR 1508.6.

CEQ Regulations means the regulations issued by CEQ (40 CFR Parts 1500-1508) to implement the procedural provisions of NEPA.

CERCLA means the Comprehensive Environmental Response Compensation and Liability Act (42 U.S.C. 9601.101(14)).

CFR means Code of Federal Regulations.

Day means a calendar day.

Draft Environmental Impact Statement (DEIS) means a draft of the NEPA document required by section 102(2)(C) of the National Environmental Policy Act, and CEQ Regulations at 40 CFR 1508.11.

EA means an environmental assessment as defined at 40 CFR 1508.9.

Emergency Action means an unplanned action necessary to prevent, or eliminate, acute health, safety, or environmental problems.

EIS means an environmental impact statement as defined at 40 CFR 1508.11, or, unless this policy specifically provides otherwise, a Supplemental EIS.

EPA means the U.S. Environmental Protection Agency.

Filing Notice means a notice issued by the EPA (i.e., a U.S. EPA Notice of Availability) for draft and final EISs and published in the Federal Register to inform the public and interested agencies of the availability of an EIS, pursuant to 40 CFR 1506.9.

Final Environmental Impact Statement (FEIS) means the document required by section 102(2)(C) of NEPA; designed to inform the public how environmental factors have been considered in making a decision on a proposed action.

Floodplain means that area adjoining inland and coastal waters including the stream channel and floodway fringe subject to a 1 percent or greater probability of flooding in any given year.

FONSI means a Finding of No Significant Impact as defined at 40 CFR 1508.13.

FS means a Feasibility Study as prepared in accordance with CERCLA.

Hazardous substance means a substance identified within the definition of hazardous substances in Section 101(14) of CERCLA (42 U.S.C. 9601.101(14)). Radionuclides are hazardous substances through their listing under section 112 of the Clean Air Act (42 U.S.C. 7412) (40 CFR part 61, subpart H).

Host state means a state within whose boundaries USEC proposes an action at an existing facility or construction or operation of a new facility.

Host tribe means an American Indian tribe within whose tribal lands USEC proposes an action at an existing facility or construction or operation of a new facility. For purposes of this definition, "tribal lands" means the area of "Indian country," as defined in 18 U.S.C. 1151, that is under the tribe's jurisdiction.

Interim action means an action concerning a proposal that is the subject of an ongoing EIS and that USEC proposes to take before the ROD is issued, and that is permissible under 40 CFR 1506.1.

Low enriched uranium (LEU) means uranium that has been increased in its U-235 content beyond the level found in naturally occurring uranium (0.711 percent U-235), but no greater than 20 percent. LEU has been an article of common commerce within the United States and globally for at least 30 years. It is transported via common carrier in accordance with U.S. Department of Transportation (DOT) regulations in tested and DOT-approved packaging which is highly resistant to failure in the event of transportation accidents.

Mitigation Action Plan means a document that describes the plan for implementing commitments made in a USEC EIS and its associated ROD, or, when appropriate, an EA and FONSI, to mitigate adverse environmental impacts associated with an action.

NEPA means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

NEPA Compliance Officer means the USEC official designated by the CEO as having responsibility for oversight and coordination of corporate compliance with USEC NEPA policy.

NEPA document means a NOI, EIS, ROD, EA, FONSI, or any other

document prepared pursuant to a requirement of NEPA or the CEQ Regulations.

NEPA review means the process used to comply with section 102(2) of NEPA.

NOI means a Notice of Intent to prepare an EIS as defined at 40 CFR 1508.22.

Notice of Availability means a formal notice, published in the **Federal Register**, that announces the issuance and public availability of a draft or final EIS. The EPA Notice of Availability is the official public notification of an EIS; a USEC Notice of Availability is an optional notice used to provide information to the public.

Pollutant means a substance identified within the definition of pollutant in section 101(33) of CERCLA (42 U.S.C. 9601.101(33)).

Program means a sequence of connected or related USEC actions or projects as discussed at 40 CFR 1508.18(b)(3) and 1508.25(a).

Programmatic NEPA means an EA or EIS that identifies and assesses the environmental impacts of broad-scope USEC actions.

Project means a specific USEC undertaking including actions approved by permit or other regulatory decision as well as Federal and federally assisted activities, which may include design, construction, and operation of an individual facility; research, development, demonstration, and testing for a process or product; funding for a facility, process, or product; or similar activities, as discussed at 40 CFR 1508.18(b)(4).

ROD means a Record of Decision as described in 40 CFR 1505.2.

Scoping means the process described at 40 CFR 1501.7: "public scoping process" refers to that portion of the scoping process where the public is invited to participate, as described at 40 CFR 1501.7(a)(1) and (b)(1).

Supplemental EIS means an EIS prepared to supplement a prior EIS as provided at 40 CFR 1502.9(c).

USEC means United States Enrichment Corporation.

USEC proposal (or proposal) means a proposal initiated by USEC and discussed at 40 CFR 1508.23.

Wetland means those areas that possess hydrological, vegetation, and soils characteristics which define wetlands as noted in the U.S. Army Corps of Engineers definition (33 CFR 328.3(b)).

1.5 Oversight Of USEC NEPA Activities

The USEC Chief Executive Officer, or his/her designee, is responsible for overall review of USEC NEPA

compliance. Further information on USEC's NEPA process and the status of individual NEPA reviews may be obtained upon written request from the NEPA Compliance Officer, United States Enrichment Corporation located at 2300 M Street, NW, suite 500, Washington, DC 20037.

2.0 USEC Planning And Decisionmaking

2.1 USEC Planning

2.1.1 USEC shall provide for adequate and timely NEPA review and analysis of USEC proposals, including those for programs, policies, and projects, in accordance with 40 CFR 1501.2 and this section of the USEC NEPA Policy. In its planning for each proposal, USEC shall include adequate time and funding for proper NEPA evaluation and analysis and for preparation of anticipated NEPA documents.

2.1.2 USEC shall begin its NEPA evaluation as soon as possible after the time that USEC proposes an action or is presented with a proposal.

2.1.3 USEC shall determine the level of NEPA evaluation and analysis required for a proposal in accordance with subsection 3.1.1 and section 4.0 of this USEC policy.

2.1.4 During the development and consideration of a USEC proposal, USEC shall review any relevant planning and decisionmaking documents, whether prepared by USEC or a Federal agency, to determine if the proposal or any of its alternatives are considered in a prior NEPA document. If so, USEC shall consider adopting the existing document, or any pertinent part thereof, in accordance with 40 CFR 1506.3.

2.1.5 Where appropriate, USEC shall incorporate in its NEPA evaluations and analyses consideration of biodiversity as outlined in CEQ's "Incorporating Biodiversity Considerations into Environmental Impact Analysis Under the National Environmental Policy Act" (January 1993), and pollution prevention per CEQ guidance (FR 58(18): 6478; January 29, 1993).

2.2 USEC Decisionmaking

2.2.1 USEC's NEPA process includes the systematic examination and evaluation of the possible and probable environmental consequences of a proposed action. Integration of the NEPA process into USEC project planning will occur at the earliest possible time. Section 2.3 of this USEC NEPA policy specifies how the NEPA process will be integrated with decision points for certain types of proposals (40 CFR 1505.1(b)).

2.2.2 The objectives of USEC's NEPA process is to ensure that: (1) Planning and decisionmaking is accomplished such that the USEC decisionmaker is aware of the environmental consequences associated with implementation of the proposed action and is thus able to make an informed decision; (2) the policies and goals outlined in section 1.2 are implemented; and (3) delays and conflicts later in the process are minimized.

2.2.3 USEC shall complete its NEPA evaluations and analyses of a proposal under consideration before making a decision on the proposal except as provided in sections 2.3 and 2.4 of this policy (40 CFR 1506.1).

2.2.4 USEC will utilize a systematic, interdisciplinary approach that ensures the integrated use of the natural and social sciences, planning and the environmental design arts in ensuring that all USEC decisionmaking that may impact the human environment achieves the policies and goals outlined in section 1.2 of this policy (Pub. L. 91-190; section 102(2)(A)).

2.2.5 It is USEC's intent that environmental effects and values of a proposed action be considered in sufficient detail along with other non-environmental analyses of the action (such as economic, engineering, and technical benefit/cost analyses) at the earliest possible time in the decision process.

2.2.6 During the decisionmaking process for each USEC proposal, USEC shall consider the relevant NEPA analyses and documentation, public and agency comments (if any) on those analyses and documents, and USEC responses to those comments, as part of its consideration of the proposal (40 CFR 1505.1(d)) and shall include such documents, comments, and responses as part of the administrative record (40 CFR 1505.1(c)).

2.2.7 If an EIS or EA is prepared for a USEC proposal, USEC shall consider the alternatives analyzed in that EIS or EA before rendering a decision on that proposal; the decision on the proposal shall be within the range of alternatives analyzed in the EA or EIS (40 CFR 1505.1(e)). USEC NEPA analyses documented in an EA or EIS shall highlight the preferred alternative as well as the other alternatives considered, and will outline the mitigation measures needed to reduce the significant environmental impacts of the preferred alternative.

2.2.8 When USEC uses a broad decision (such as one on a policy or program) as a basis for a subsequent narrower decision (such as one on a

project or other site-specific proposal), USEC may use tiering (40 CFR 1502.20) and incorporation of material by reference (40 CFR 1502.21) in the NEPA review for the subsequent narrower proposal.

2.3 Interim Actions: Limitations On Actions During The NEPA Process

While USEC is preparing an EIS under section 3.0 of this policy, USEC shall take no action concerning the proposal that is the subject of the EIS before issuing a ROD, except as provided at 40 CFR 1506.1. Actions that are covered by, or are a part of, a USEC proposal for which an EIS is being prepared shall not be categorically excluded under section 4.0 unless they qualify as interim actions under 40 CFR 1506.1.

2.4 Procurement, Financial Assistance, And Joint Ventures

2.4.1 This section applies to USEC competitive and limited-source procurements, to awards of financial assistance by a competitive process, and to joint ventures entered into as a result of competitive solicitations, unless the action is categorically excluded from preparation of an EA or EIS under section 4.0 of this policy. Subsections 2.4.2, 2.4.3, and 2.4.4 of this section apply as well to USEC sole-source procurements of sites, systems, or processes, to noncompetitive awards of financial assistance, and to sole-source joint ventures, unless the action is categorically excluded from preparation of an EA or EIS under section 4.0.

2.4.2 USEC may require that offerors submit environmental data and analyses as a discrete part of the offeror's proposal (40 CFR 1506.5(a)). USEC shall specify in its solicitation document the type of information and level of detail for environmental data and analyses so required.

2.4.3 USEC shall independently evaluate and review the environmental data and analyses submitted by offerors, and will approve that information. USEC may utilize that information in USEC NEPA documents, either directly or by reference (40 CFR 1506.5(a)).

2.4.4 If an EA or EIS is required, USEC shall prepare, consider and publish the EA or EIS in conformance with sections 3.3 and 3.4 of this policy before taking any action pursuant to the award of a contract for financial assistance (except as provided at 40 CFR 1506.1 and subsection 2.3 of these requirements). If the NEPA process is not completed before the award of the contract, financial assistance, or joint venture, then the contract, financial assistance, or joint venture shall be

contingent on completion of the NEPA process (except as provided at 40 CFR 1506.1 and Subsection 2.3 of these requirements). USEC shall phase subsequent contract work to allow the NEPA review process to be completed in advance of a go/no-go decision.

3.0 Policy Implementation

3.1 General Requirements

3.1.1 USEC shall determine, under the procedures in the CEQ Regulations and this Section of USEC policy, whether any USEC proposal has a significant impact on the human environment by:

- (a) Preparation of an EIS;
- (b) Preparation of an EA; or
- (c) Determination that the proposed action is categorically excluded from preparation of either an EIS or an EA.

USEC shall prepare any pertinent documents as required by NEPA, the CEQ Regulations, or this section of USEC policy.

3.1.2 USEC may prepare a NEPA analysis and documentation for any USEC action at any time in order to further the purposes of NEPA. This may be done to analyze the consequences of ongoing activities, support USEC planning, assess the need for mitigation, fully disclose the potential environmental consequences of USEC actions, or for any other reason. Documents prepared under this paragraph shall be prepared in the same manner as USEC documents prepared under Subsection 3.1.1 of this policy. When EAs and EISs are undertaken, the economic and social impact considerations will be incorporated into the analyses of environmental impacts. Economic and social impacts by themselves, in the absence of physical environmental impacts shall not, however, determine whether or not to prepare an EA or an EIS.

3.2 Agency Review And Public Participation

3.2.1 USEC shall make its NEPA documents available to Federal agencies, states, local governments, American Indian tribes, interested groups, and the general public, in accordance with 40 CFR 1506.6.

3.2.2 Wherever feasible, USEC NEPA documents shall explain technical or scientific terms or measurements using terms familiar to the general public, in accordance with 40 CFR 1502.8.

3.2.3 USEC shall notify the host state and host tribe of a USEC determination to prepare an EA or EIS for a USEC proposal, and may notify any other state or American Indian tribe

that, in USEC's judgment, may be affected by the proposal.

3.2.4 USEC may, at its discretion, adopt an agency's EIS, EA, or portions thereof, if such documents encompass the proposed USEC action.

3.3 Environmental Impact Statements

USEC shall prepare and circulate EISs and related RODs in accordance with the requirements of the CEQ Regulations, as supplemented by this subsection of USEC policy. USEC may prepare an EIS on any USEC action at any time to assist USEC planning and decisionmaking.

3.3.1 Notice of intent and scoping. USEC shall publish a Notice of Intent (NOI) in the **Federal Register** and conduct the EIS scoping process in accordance with 40 CFR 1501.7. Publication of the NOI in the **Federal Register** initiates the scoping process wherein USEC provides the public, Federal agencies, state, regional and local agencies, public interest groups and other interested parties the opportunity to comment on the proposed action early in the process and to affect the scope of the EIS. The NOI shall contain the elements specified in 40 CFR 1508.22 and will be published as soon as practicable after a decision is made to prepare an EIS except as provided at 40 CFR 1507.3(e). However, if there will be a lengthy period of time between its decision to prepare an EIS and the time of actual preparation, USEC may defer publication of the NOI until a reasonable time before preparing the EIS, provided that USEC allows a reasonable opportunity for interested parties to participate in the EIS process. Through the NOI, USEC shall invite comments and suggestions on the scope of the EIS. USEC shall disseminate the NOI in accordance with 40 CFR 1506.6.

3.3.2 Publication of the NOI in the **Federal Register** shall begin the public scoping process. The public scoping process for a USEC EIS shall allow a minimum of 30 days for the receipt of public comments.

3.3.3 Except as provided in subsection 3.3.11 of this section, USEC may hold a public scoping meeting(s) as part of the public scoping process for a USEC EIS. USEC shall announce the location, date, and time of public scoping meetings in the NOI or by other appropriate means, such as additional notices in the **Federal Register**, news releases to the local media, or letters to affected parties. If utilized by USEC, public scoping meetings shall not be held until at least 15 days after public notification. Should USEC change the location, date, or time of a public scoping meeting, or schedule additional

public scoping meetings, USEC shall publicize these changes in the **Federal Register** or in other ways as appropriate. USEC may also utilize other means of affording the public, Federal agencies, state, regional and local agencies and other interested parties the opportunity to comment during the scoping period. These other means may include measures such as notices and news releases in local media; direct letters to and contacts with affected parties; provision of copies of the NOI and other pertinent materials in reading rooms at USEC facilities and at public facilities such as libraries; and mail surveys within areas or regions affected by the proposed action.

3.3.4 In determining the scope of the EIS, USEC shall consider all comments received during the announced comment period held as part of the public scoping process. USEC may also consider comments received after the close of the announced comment period.

3.3.5 Public Review of Environmental Impact Statements. The public review and comment period on a USEC draft EIS shall be no less than 45 days (40 CFR 1506.10(c)). USEC may extend the period as provided in 40 CFR 1506.10(d) and/or 40 CFR 1507.3(d). Requests for extension of the comment period beyond 45 days will be evaluated. Requests may be granted as noted in 40 CFR 1502.19(d). Failure to file timely comments will not be a sufficient reason for an extension (40 CFR 1506.10(d)). The public comment period begins when EPA publishes a Notice of Availability of the document in the **Federal Register**. The host state and, as appropriate, adjacent state(s) will be provided copies of the draft EIS.

3.3.6 USEC may hold a public meeting(s) on USEC draft EISs. Such public meetings shall be announced at least 15 days in advance. The announcement shall identify the subject of the draft EIS and include the location, date, and time of the public hearings.

3.3.7 Final Environmental Impact Statements. USEC shall prepare a final EIS following the public comment period and any public meetings on the draft EIS. The final EIS shall respond to oral and/or written comments received during public review of the draft EIS, as provided at 40 CFR 1503.4. Availability of the final EIS will be provided through an EPA Notice of Availability published in the **Federal Register**.

3.3.8 USEC shall use appropriate means to publicize the availability of draft and final EISs and the time and place for any public meetings on a draft EIS. The methods chosen should focus on reaching persons who may be

interested in or affected by the proposal and may include the methods listed in 40 CFR 1506.6(b)(3). The host state, affected American Indian tribes, and, as appropriate, the adjacent state(s) will be provided copies of the final EIS.

3.3.9 Supplemental Environmental Impact Statements. USEC shall prepare a supplemental EIS if there are substantial changes to the proposal or significant new circumstances or information relevant to environmental concerns, as discussed in 40 CFR 1502.9(c)(1).

3.3.10 USEC may supplement a draft EIS or final EIS at any time, to further the purposes of NEPA, in accordance with 40 CFR 1502.9(c)(2).

3.3.11 USEC shall prepare, circulate, and file a supplement to a draft or final EIS in the same manner as any other draft and final EISs, except that scoping is optional for a supplement (40 CFR 1503.9(c)(4)). If USEC initiates a public scoping process for a supplement, the provisions of subsections 3.3.1 through 3.3.4 of this policy shall apply. If USEC decides to take action on a proposal covered by a supplemental EIS, USEC shall prepare a ROD in accordance with the provisions of subsection 3.7 of this section.

3.3.12 When applicable, USEC will incorporate an EIS supplement into any related formal administrative record on the action that is the subject of the EIS supplement or determination (40 CFR 1502.9(c)(3)).

3.3.13 Records of Decision. No decision may be made on a proposal covered by an EIS during a 30-day "waiting period" following completion of the final EIS, except as provided at 40 CFR 1506.1 and 1506.10(b) and subsection 2.3 of these requirements. The 30-day period starts when the EPA Notice of Availability for the final EIS is published in the **Federal Register**.

3.3.14 If USEC decides to take action on a proposal covered by an EIS, a ROD shall be prepared as provided at 40 CFR 1505.2 (except as provided at 40 CFR 1506.1 and subsection 2.3). No action shall be taken until the decision has been made public.

3.3.15 USEC RODs shall be published in the **Federal Register** and made available to the public as specified in 40 CFR 1506.6, except as provided in 40 CFR 1507.3(c) and subsection 3.7.

3.3.16 USEC may revise a ROD at any time, so long as the revised decision is adequately supported by an existing EIS. A revised ROD is subject to the provisions of subsections 3.7.2 and 3.7.3 of this section.

3.4 Environmental Assessments

USEC shall prepare and circulate EAs and related FONSI in accordance with the requirements of the CEQ Regulations, as supplemented by this subsection of USEC policy.

3.4.1 Requirements for Environmental Assessments. As required by 40 CFR 1501.4(b), USEC shall prepare an EA for a proposed USEC action that is described in the classes of actions listed in section 4.3 of these procedures, and for a proposed USEC action that is not described in any of the classes of actions listed in section 4.0. An EA is not required, however, if USEC has decided to prepare an EIS. USEC may prepare an EA on any action at any time in order to assist USEC planning and decisionmaking.

3.4.2 Purposes. A USEC EA shall serve the purposes identified in 40 CFR 1508.9(a), which include providing sufficient evidence and analysis for determining whether to prepare an EIS or to issue a FONSI.

3.4.3 Content. A USEC EA shall comply with the requirements of subsection 3.4.4 of this policy and of those found at 40 CFR 1508.9. In addition to any other alternatives, USEC shall assess the no action alternative in an EA, even when the proposed action is specifically required by legislation or a court order.

3.4.4 Format. An EA is a concise analytical document prepared to determine the extent of potential environmental impacts of a project and decide whether or not those impacts are significant. The EA will incorporate by reference any baseline environmental documents, limiting descriptions and evaluations relevant to the environmental resources affected by the proposed action.

An EA should consist of the following sections:

1. Purpose and need for action
2. Description of the proposed action and alternatives (including no-action)
3. Description of the affected environment
4. Environmental consequences of the proposed action and alternatives
5. Summary
6. List of agencies and/or individuals contacted
7. List of preparers
8. Appendices as necessary to support the EA.

3.4.5 Public Participation. Public scoping is not required for EA preparation, however, depending on the scope of the project and the potential environmental impacts of the proposed action, public scoping may be warranted. The scoping process

(Subsections 3.3.1 through 3.3.4 and 40 CFR 1501.7), if deemed necessary, should begin early in the EA preparation process to provide timely and pertinent public input which would be useful if a decision is reached to prepare an EIS.

3.4.6 Distribution. Copies of the EA and FONSI will be provided to the host state, affected American Indian tribes, and, as appropriate, adjacent states.

3.4.7 Findings of No Significant Impact. USEC shall prepare a FONSI only if the related EA supports the finding that the proposed action will not have a significant effect on the human environment. If a required USEC EA does not support a FONSI, USEC shall prepare an EIS and issue a ROD before taking action on the proposal addressed by the EA, except as permitted under 40 CFR 1506.1 and subsection 2.3 of this policy.

3.4.8 In addition to the requirements found at 40 CFR 1508.13, a USEC FONSI shall include the following:

(a) A summary of the supporting EA, including a brief description of the proposed action and alternatives considered in the EA, environmental factors considered, and projected impacts;

(b) Any commitments to mitigations that are essential to render the impacts of the proposed action not significant, beyond those mitigations that are integral elements of the proposed action, and a reference to the Mitigation Action Plan prepared under subsection 3.6 of this section;

(c) The date of issuance; and

(d) The signature of the USEC approving official.

3.4.9 USEC shall make FONSI's available to the public as provided at subsection 3.4.6, and 40 CFR 1501.4(e)(1) and 1506.6; USEC shall also make copies available for inspection in the appropriate USEC public reading room(s) or other appropriate location(s) for a reasonable time.

3.4.10 In certain circumstances, USEC shall issue a proposed FONSI for a public review and comment period of 30 days (except as provided for at 40 CFR 1507.3(d)), before making a final determination on the FONSI. These circumstances are addressed at 40 CFR 1501.4(e)(2) as supplemented by section 4.4 of these procedures. USEC may issue a proposed FONSI for public review and comment in other situations as well.

3.4.11 Upon issuance of the FONSI, USEC may proceed with the proposed action subject to any mitigation commitments expressed in the FONSI, or as appropriate, the Mitigation Action Plan.

3.4.12 USEC may revise a FONSI at any time, so long as the revision is supported by an existing EA. A revised FONSI is subject to all provisions of subsections 3.4.7 through 3.4.11 of this policy.

3.5 Programmatic NEPA Documents

3.5.1 When required to support a USEC programmatic decision (40 CFR 1508.18(b)(3)), USEC shall prepare a programmatic EIS or EA (40 CFR 1502.4). USEC may also prepare a programmatic EIS or EA at any time to further the purposes of NEPA.

3.5.2 A USEC programmatic NEPA document shall be prepared, issued, and circulated in accordance with the requirements for any other NEPA document, as established by the CEQ Regulations and this USEC policy.

3.5.3 USEC shall evaluate programmatic EISs prepared under this subsection at least every five years. USEC shall determine whether to prepare a new programmatic EIS or supplement the existing EIS, as appropriate.

3.5.4 USEC shall evaluate programmatic EAs at least every five years to determine whether the existing programmatic EA remains adequate, whether to prepare a new programmatic EA, revise the FONSI, or prepare a programmatic EIS, as appropriate.

3.6 Mitigation Action Plans

3.6.1 Following completion of each EIS and its associated ROD, USEC shall prepare a Mitigation Action Plan that addresses mitigation commitments expressed in the ROD. If no mitigation commitments are made in the ROD, a MAP is not required. The Mitigation Action Plan shall be made available to the public and shall explain how the corresponding mitigation measures, designed to mitigate adverse environmental impacts associated with the course of action directed by the ROD, will be planned and implemented. The Mitigation Action Plan shall be prepared before USEC takes any action directed by the ROD that is the subject of a mitigation commitment.

3.6.2 For EAs, under certain circumstances as specified in subsection 3.4.8 of this policy, USEC shall also prepare a Mitigation Action Plan for commitments to mitigations that are essential to render the impacts of the proposed action not significant. If such commitments are not necessary, a MAP is not required. The Mitigation Action Plan shall address all commitments to such necessary mitigations and explain how mitigation will be planned and implemented. The Mitigation Action Plan shall be prepared before the FONSI

is issued and shall be referenced therein.

3.6.3 Each Mitigation Action Plan shall be as complete as possible, commensurate with the information available regarding the course of action either directed by the ROD or the action to be covered by the FONSI, as appropriate. USEC may revise the Plan as more specific and detailed information becomes available.

3.6.4 USEC shall make copies of the Mitigation Action Plans available for inspection at the appropriate USEC site(s) or other appropriate location(s) for a reasonable time. Copies of the Mitigation Action Plans shall also be available upon written request to the point of contact noted in subsection 1.6.

3.7 Classified, Confidential, and Otherwise Exempt Information

3.7.1 USEC shall not disclose classified, confidential, or other information that USEC otherwise would not disclose pursuant to title IX of the Energy Policy Act (42 U.S.C. 2297b-13) (Control of Information) or other applicable statutes, except as provided by 40 CFR 1506.6(f).

3.7.2 To the fullest extent possible, USEC shall segregate any information that is exempt from disclosure requirements into an appendix as provided for at 40 CFR 1507.3(c), to allow public review of the remainder of a NEPA document.

3.8 Coordination With Other Environmental Review Requirements

3.8.1 In accordance with 40 CFR 1500.4(k) and (o), 1502.25, and 1506.4, USEC shall integrate the NEPA process and coordinate NEPA compliance with other environmental review requirements to the fullest extent possible.

3.8.2 To the extent possible, USEC shall determine the applicability of other environmental requirements early in the planning process, in consultation with Federal agencies when necessary or appropriate, to ensure compliance and to avoid delays, and shall incorporate any relevant requirements as early in the NEPA process as possible.

3.8.3 USEC will integrate its NEPA requirements for hazardous waste remediation actions being conducted under CERCLA into the Feasibility Study (FS). When the FS is prepared in accordance with 40 CFR 300, a second NEPA document is usually not required. The cover and title page of the FS and ROD will indicate that the document is also intended to comply with NEPA. When an FS is not prepared in accordance with 40 CFR 300,

appropriate NEPA documentation will be prepared.

3.9 Interagency Cooperation

For USEC programs that involve a Federal agency or agencies in related decisions subject to NEPA, USEC will comply with the requirements of 40 CFR 1501.5 and 1501.6. As part of this process, USEC shall cooperate with the involved agencies in developing environmental information and in determining whether a proposal requires preparation of an EIS or EA, or can be categorically excluded from preparation of either. Further, where appropriate and acceptable to the involved agencies, USEC shall develop or cooperate in the development of interagency agreements to facilitate coordination and to reduce delay and duplication.

3.10 Variances

3.10.1 Emergency Actions. USEC may take an action without observing all provisions of these procedures or the CEQ Regulations, in accordance with 40 CFR 1506.11, in emergency situations that demand immediate action. USEC shall consult with CEQ as soon as possible regarding alternative arrangements for emergency actions having significant environmental impacts. USEC shall document, including publishing a notice in the *Federal Register*, emergency actions covered by this paragraph; this documentation shall identify any adverse impacts from the actions taken, further mitigation necessary, and any NEPA documents that may be required.

3.10.2 Reduction of Time Periods. On a case-by-case basis, USEC may reduce time periods established in these procedures that are not required by the CEQ Regulations. If USEC determines that such reduction is necessary, USEC shall publish a notice in the *Federal Register* specifying the revised time periods and the rationale for the reduction.

4.0 Typical Classes of Actions

4.1 Level of NEPA Review

4.1.1 This section identifies USEC actions that normally:

(a) Do not require preparation of either an EIS or an EA (are categorically excluded from preparation of either document) (Subsection 4.2 of this policy);

(b) Require preparation of an EA, but not necessarily an EIS (Subsection 4.3 of this policy); or

(c) Require preparation of an EIS (Subsection 4.3 of this policy).

4.1.2 Any completed, valid NEPA analysis and document, including those

completed by the U.S. Department of Energy for USEC facilities prior to July 1, 1993 does not have to be repeated, and no completed NEPA documents need to be redone, except as provided in Subsections 3.5.3 and 3.5.4 of these procedures.

4.2 Categorical Exclusion Requirements

4.2.1 Categorical Exclusions encompass classes of actions which do not normally have, either individually or cumulatively, a significant impact on the quality of the human environment and require neither the preparation of an EA or EIS. USEC may, however, choose to prepare an EA or an EIS on any action at any time to aid USEC decisionmaking. For a project to be considered and assessed as a categorically excluded activity, it must satisfy the following conditions:

(a) The proposed activity would not threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, or health.

(b) The proposed activity would not require siting and construction or major expansion of waste storage (> 90 days storage), disposal, recovery, or treatment facilities (including incinerators and facilities for treating wastewater, surface water, and groundwater).

(c) The proposed activity would not disturb hazardous substances, pollutants or contaminants preexisting in the environment such that there would be uncontrolled or unpermitted releases.

(d) The proposed activity would not adversely affect environmentally sensitive resources including, but not limited to: (i) Property of historic, archaeological, or architectural significance designated by Federal, state, or local governments or property eligible for listing on the National Register of Historic Places; (ii) federally-listed threatened or endangered species or their habitat (including critical habitat), federally-proposed or candidate species or their habitat, or state-listed endangered or threatened species or their habitat; (iii) floodplains and wetlands; (iv) areas having a special designation such as federally- and state-designated wilderness areas, national parks, national natural landmarks, wild and scenic rivers, state and federal wildlife refuges, and marine sanctuaries; (v) prime agricultural lands; (vi) special sources of water (such as sole-source aquifers, wellhead protection areas, and other water sources that are vital in a region) and (vii) tundra, coral reefs, or rain forests.

Additionally, for a proposed action to be considered for a categorical exclusion, the following statement should be applicable:

(e) This project would pose no significant individual or cumulative effect on the human environment. This project would not adversely affect any environmentally sensitive resources and is not part of a proposed action that is or may be the subject of an Environmental Assessment or Environmental Impact Statement. There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposed project.

4.2.2 Categorical Exclusions Applicable to General USEC Actions. The following types of actions are categorical exclusions applicable to general USEC actions. This does not, however, preclude these types of actions from the normal environmental oversight and monitoring that would occur as a routine part of USEC's environmental compliance activities.

(a) Routine actions, such as rulemaking, necessary to support the normal conduct of corporate business such as administrative, financial, and personnel actions.

(b) Sale, purchase, trade, import, or export of low enriched uranium (20 percent or less assay U-235). This includes the shipment of LEU (or uranium hexafluoride) in DOT approved canisters and overpacks via common carrier.

(c) Sale, purchase, trade, import, or export of natural and depleted Uranium materials.

(d) Transfer, lease, disposition, or acquisition of property, if the use is to remain unchanged from current uses.

(e) Award of contracts for technical support or personnel services.

(f) Information gathering, including but not limited to: literature surveys, inventories, and document preparation (e.g. feasibility studies, conceptual design reports, planning documents)

(g) Technical and planning assistance to state, federal, international, and local organizations.

(h) Employee health and safety training and emergency preparedness activities.

(i) Establishment of prices for enriched uranium.

(j) In accordance with applicable state and federal regulations, shipment of materials necessary to transact USEC business, including shipment of low-level radioactive wastes or hazardous wastes to an approved, permitted, commercial or DOE facility that normally accepts these wastes. USEC shall comply with all applicable DOT,

NRC, EPA, state, or local regulatory requirements.

4.2.3 Categorical Exclusions
Applicable to Facility Operation. The following types of actions are categorical exclusions applicable to facility operations. This does not, however, preclude these types of actions from the normal environmental oversight and monitoring that would occur as a routine part of USEC's environmental compliance activities.

(a) Installation of fencing within existing security areas or facilities.

(b) Routine maintenance activities and custodial services for buildings, structures, infrastructures (e.g., security fences), and equipment, during which operations may be suspended and resumed. Custodial services are activities to preserve facility appearance, working conditions, and sanitation, such as cleaning, window washing, lawn mowing, trash collection, painting, and snow removal. Routine maintenance activities, corrective (that is, repair), preventive and predictive, are required to maintain and preserve buildings, structures, infrastructures, and equipment in a condition suitable for a facility to be used for its designated purpose. Routine maintenance may result in replacement to the extent that the replacement performs the same or similar function and does not require major facility modifications. Routine maintenance activities include, but are not limited to:

- Repair of facility equipment, such as lathes, mills, pumps and presses.
- Door and window repair or replacement.
- Wall, ceiling, or floor repair.
- Minor reroofing.
- Plumbing, electrical utility, and telephone service repair.
- Routine replacement of high-efficiency particulate air filters, and routine air filter cleaning.
- Inspection and/or maintenance of currently installed utility poles.
- Repair of road embankments.
- Repair or replacement of fire protection sprinkler systems.
- Road and parking area resurfacing, including construction of temporary access to facilitate resurfacing as long as the temporary access does not adversely affect environmentally sensitive areas.
- Erosion control and soil stabilization measures (such as reseeding and revegetation).
- Surveillance and maintenance of surplus facilities.
- Repair and maintenance of transmission facilities, including replacement of conductors of the same nominal voltage, poles, circuit breakers, transformers, capacitors, crossarms,

insulators, and downed transmission lines, in accordance, where appropriate, with 40 CFR part 761 (Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions).

- Routine testing and calibration of facility components, subsystems, or portable equipment (including but not limited to, control valves, transformers, capacitors).

- Routine decontamination and/or cleanup of spot or minor radiological contamination or hazardous/toxic materials on the surfaces of equipment, rooms, hot cells, or other interior surfaces of buildings (by such activities as wiping with rags, using strippable latex, and minor vacuuming) and removal of contaminated intact equipment (labware) and other materials (e.g., gloves and other clothing).

- Repair of fencing.
- Modification of air conditioning systems.

(c) Routine training exercises and simulations (including, but not limited to, firing-range training, emergency response training, fire fighter and rescue training, and spill cleanup training).

(d) Acquisition, installation, operation, and removal of communication systems, data processing equipment, alarms, and similar electronic equipment.

(e) Routine, onsite USEC storage at an existing facility of activated equipment and material (including lead) used at that facility, to allow reuse after decay of radioisotopes with short half-lives.

(f) Removal of asbestos-containing materials from buildings in accordance with 40 CFR part 61 (National Emissions Standards for Hazardous Air Pollutants), subpart M (National Emission Standards for Asbestos); 40 CFR part 763 (Asbestos), subpart G (Asbestos Abatement Projects); 29 CFR part 1910, subpart I (Personal Protective Equipment), § 1910.134 (Respiratory Protection); subpart Z (Toxic and Hazardous Substances), § 1910.1001 (Asbestos, tremolite, anthophyllite and actinolite); and 29 CFR part 1926 (Safety and Health Regulations for Construction), subpart D (Occupational Health and Environmental Controls), § 1926.58 (Asbestos, tremolite, anthophyllite, and actinolite), other appropriate Occupational Safety and Health Administration standards in title 29, chapter XVII of the CFR, and appropriate state and local requirements, including certification of removal contractors and technicians.

(g) Removal of polychlorinated biphenyl (PCB)-containing items, such as transformers or capacitors, PCB-containing oils flushed from

transformers, PCB-flushing solutions, and PCB-containing spill materials from buildings or other aboveground locations in accordance with 40 CFR part 761 (Polychlorinated Biphenyls Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions).

(h) Energy conservation activities (e.g. replacement of lighting, hot water heaters, thermostats) that do not involve construction of new facilities.

(i) Installation of, or improvements to, equipment for personnel safety and health, including, but not limited to, eye washes, safety showers, radiation monitoring devices, and fumehoods and associated collection and exhaust systems, provided that emissions would not increase.

(j) Minor modifications or improvements to cooling water systems within an existing building or structure provided that such modifications or improvements do not result in an exceedance of any applicable permit conditions or effluent limitations.

(k) Installation or modification of retention tanks or small (normally under one acre) basins and associated piping and pumps for existing operations to control runoff or spills (such as under 40 CFR part 112). Modifications include, but are not limited to, installing liners or covers.

(l) Modifications to structures, systems or operating procedures that do not result in modification to existing emissions or discharge permits.

(m) Siting, construction, operation, and maintenance of above ground storage tanks within the secured site boundary.

(n) Siting, construction, or operation of support buildings and support structures and/or modifications of existing buildings, structures, or roadways, within the secured site boundary. Support buildings and structures (and/or modifications) include, but are not limited to, those for office purposes; parking; cafeteria services; education and training; visitor reception; computer and data processing services; employee health services or recreation activities; routine maintenance activities; storage of supplies and equipment for administrative services and routine maintenance activities; security (including security posts); fire protection; and similar support purposes.

(o) Siting, construction, and operation of small-scale support buildings and structures within the reservation boundary but outside the secured area, where utilities are accessible.

(p) Expansion of existing uranium hexafluoride cylinder storage yards within existing facility boundaries.

(q) Activities involving wetlands that meet the requirements of the U.S. Army Corps of Engineers Nationwide Permit Program (33 CFR 325 to 330).

(r) Installation, operation, or abandonment of production water wells for operational use.

4.2.4 Categorical Exclusions
Applicable to Site Characterization, Monitoring, and General Research. The following types of actions are categorical exclusions applicable to site characterization, monitoring and general research. This does not, however, preclude these types of actions from the normal environmental oversight and surveillance that would occur as a routine part of USEC's environmental compliance program.

(a) Site characterization and environmental monitoring, including siting, construction, operation, or dismantlement or closing (abandonment) of characterization and monitoring devices and siting, construction, or operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis. Activities covered include, but are not limited to, site characterization and environmental monitoring under CERCLA and RCRA. Specific activities include, but are not limited to:

- Geological, geophysical (such as gravity, magnetic, electrical, seismic, and radar), geochemical, and engineering surveys and mapping, including the establishment of survey marks.

- Installation and operation of ambient air monitoring equipment.

- Sampling and characterization of water, soil, rock, or contaminants.

- Sampling and characterization of water effluents, air emissions, or solid waste streams.

- Sampling of non-endangered (Federal and/or state listed) flora or fauna.

- Aerial surveys.

(b) Drop, puncture, water immersion, thermal, and fire tests of transport packaging for radioactive and hazardous materials to certify that the designs meet the requirements of 49 CFR 173.411 and 173.412 and requirements of severe accident conditions as specified in 10 CFR 71.73.

(c) Indoor bench-scale research projects and conventional laboratory operations (for example, preparation of chemical standards and sample analysis) within existing laboratory or production facilities.

(d) Outdoor ecological and other environmental research, inventory, and information collection activities that do not involve sampling techniques that would result in permanent change to the ecosystem, or that would adversely impact listed threatened or endangered species or critical habitat.

(e) Pilot-scale, short duration (less than two-year) research projects within existing laboratory or production facilities.

(f) Installation and operation of field instruments, such as stream-gauging stations or flow-measuring devices, telemetry systems, geochemical monitoring tools, and geophysical exploration tools.

(g) Drilling of wells for sampling or monitoring of groundwater or the vadose (unsaturated) zone, well logging, and installation of water-level recording devices in wells and the abandonment of monitoring wells.

(h) Aquifer response testing.

(i) Installation and operation of meteorological towers and associated activities, including assessment of potential wind energy resources.

(j) Archeological, historic, and cultural resource identification in compliance with 36 CFR part 800 and 43 CFR part 7.

4.2.5 Categorical Exclusions
Applicable to Removal and Cleanup Activities. The following types of actions are categorical exclusions for removal and cleanup activities conducted in accordance with RCRA or CERCLA.

(a) Removal actions under CERCLA (including those taken as final response actions and those taken before remedial action) and removal-type actions similar in scope under RCRA and other authorities (including those taken as partial closure actions and those taken before corrective action), including treatment (e.g., incineration), recovery, storage, or disposal of wastes at existing facilities currently handling the type of waste involved in the removal action. These actions will meet the CERCLA regulatory cost and time limits or satisfy either of the two regulatory exemptions from those cost and time limits (National Contingency Plan, 40 CFR part 300). These actions include, but are not limited to:

- Excavation or consolidation of contaminated soils or materials from drainage channels, retention basins, ponds, and spill areas that are not receiving contaminated surface water or wastewater, if surface water or groundwater would not collect and if such actions would reduce the spread of, or direct contact with, the contamination.

- Removal of bulk containers (for example, drums, barrels) that contain or may contain hazardous substances, pollutants, contaminants, CERCLA-excluded petroleum or natural gas products, or hazardous wastes (designated in 40 CFR part 261), if such actions would reduce the likelihood of spillage, leakage, fire, explosion, or exposure to humans, animals, or the food chain.

- Removal of an underground storage tank including its associated piping and underlying containment systems in compliance with RCRA, subtitle I; 40 CFR part 265, subpart J; and 40 CFR part 280, subparts F and G if such action would reduce the likelihood of spillage, leakage, or the spread of, or direct contact with, contamination.

- Repair or replacement of leaking containers.

- Capping or other containment of contaminated soils or sludges if the capping or containment would not affect future groundwater remediation and if needed to reduce migration of hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products into soil, groundwater, surface water, or air.

- Drainage or closing of man-made surface impoundments if needed to maintain the integrity of the structures.

- Confinement or perimeter protection using dikes, trenches, ditches, or diversions if needed to reduce the spread of, or direct contact with, the contamination.

- Stabilization, but not expansion, of berms, dikes, impoundments, or caps if needed to maintain integrity of the structures.

- Drainage controls (for example, run-off or run-on diversion) if needed to reduce offsite migration of hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum or natural gas products or to prevent precipitation or run-off from other sources from entering the release area from other areas.

- Segregation of wastes that react with one another to result in adverse environmental impacts.

- Use of chemicals and other materials to neutralize the pH of wastes.

- Use of chemicals and other materials to retard the spread of the release or to mitigate its effects if the use of such chemicals would reduce the spread of, or direct contact with, the contamination.

- Installation and operation of gas ventilation systems in soil to remove methane or petroleum vapors without any toxic or radioactive co-contaminants if appropriate filtration or gas treatment is in place.

- Installation of fences, warning signs, or other security or site control precautions if humans or animals have access to the release.

- Provision of an alternative water supply that would not create new water sources if necessary immediately to reduce exposure to contaminated household or industrial use water and continuing until such time as local authorities can satisfy the need for a permanent remedy.

(b) The siting, construction, or operation of temporary (generally less than 2 years) pilot-scale waste collection and treatment facilities, and pilot-scale (generally less than one acre) waste stabilization and containment facilities (including siting, construction, and operation of a small-scale laboratory building or renovation of a room in an existing building for sample analysis) if the action would not unduly limit the choice of reasonable remedial alternatives (by permanently altering substantial site area or by committing large amounts of funds relative to the scope of the remedial alternatives).

(c) Improvements to environmental monitoring and control systems of an existing building or structure (for example, changes to scrubbers in air quality control systems or ion-exchange devices and other filtration processes in water treatment systems) if during subsequent operations (1) any substance collected by the environmental control systems would be recycled, released, or disposed of within existing permitted facilities and (2) there are applicable statutory or regulatory requirements or permit conditions for disposal, release, or recycling of any hazardous substance or CERCLA-excluded petroleum natural gas products that are collected or released in increased quantity or that were not previously collected or released.

(d) Siting, construction (or modification or expansion), operation, or decommissioning of an onsite facility for storing packaged hazardous waste (as designated in 40 CFR part 261) for 90 days or less or as provided in 40 CFR part 262.34 (d), (e), or (f) (e.g., accumulation or satellite areas).

(e) Modifications within an existing structure, including increases in capacity, used for storing, packaging, or repackaging waste other than high-level radioactive waste or spent nuclear fuel, to handle the same class of waste as currently handled at that structure according to applicable regulatory requirements.

(f) Minor operational changes at an existing facility to minimize waste generation and for reuse of materials. These changes include, but are not

limited to, adding filtration and recycle piping to allow reuse of machining oil, setting up a sorting area to improve process efficiency, and segregating two waste streams previously mingled and assigning new identification codes to the two resulting wastes.

4.3 Environmental Assessments (Actions Normally Requiring an EA)

4.3.1 When a proposed action does not meet the requirements of a categorical exclusion, or is listed as requiring an EA in this section, then an EA will be prepared to assess the potential environmental impacts of the proposed action except as provided in subsection 4.4 of these requirements. An EA may also be prepared on any action at any time to aid USEC decisionmaking (Subsection 3.4 of these procedures). The analysis presented in the EA would assess whether an EIS is necessary or a FONSI should be prepared.

4.3.2 Actions Normally Requiring an Environmental Assessment

(a) Siting, construction, and operation of additional or new waste treatment facilities (e.g., new sewage treatment facilities).

(b) Siting, construction, operation or decommissioning of additional or new hazardous or mixed waste storage facilities outside the secured boundary or for handling new waste streams (i.e., requires modification to the RCRA permit, RCRA/TSCA characterization, or is a new radiological waste stream).

(c) Construction, operation and closure of non-hazardous waste disposal facilities (landfills).

(d) Wetlands mitigation, creation, and restoration.

(e) Major construction projects outside the secured boundary.

(f) Decontamination and decommissioning projects within buildings.

(g) Major new programmatic procurement or initiative with a potential for significant environmental impact.

4.4 Environmental Impact Statements (Actions Normally Requiring an EIS)

4.4.1 EIS preparation will conform to the requirements of 40 CFR 1502, 1503 and other relevant sections of the Council on Environmental Quality Regulations. USEC may prepare an EIS on any action at any time to aid USEC decisionmaking (Subsection 3.3 of these procedures).

4.4.2 Actions Normally Requiring an Environmental Impact Statement

(a) Decontamination and decommissioning of an existing

uranium enrichment plant or enrichment process building.

(b) Siting, construction, operation or decommissioning of a new uranium enrichment plant.

(c) Siting, construction, operation and decommissioning of a major production plant (e.g., uranium hexafluoride conversion).

Appendix A—Environmental Effects Of USEC Actions Abroad; Effects on the Global Commons

A-1 General

A-1.1 Background

Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions," of January 8, 1979 (3 CFR 1979 Comp., p. 356; 44 FR 1957, Jan. 4, 1979) represents the United States Government's exclusive and complete determination of the procedural and other actions to be taken by Federal agencies to further the purpose of the National Environmental Policy Act with respect to the environment outside the United States, its territories and possessions. The Executive Order requires that all Federal agencies taking actions subject to environmental review under the Order adopt their own implementing procedures. It is USEC policy to comply with the letter and spirit of the Executive Order. In endeavoring to so comply, USEC has established in this Appendix guidelines and procedures applicable to USEC actions which are of the nature of those addressed by the Executive Order.

A-1.2 Purpose and Scope

These guidelines and procedures are intended for use by all persons acting on behalf of USEC in endeavoring to ensure compliance with Executive Order 12114. The guidelines and procedures are not intended to create or enlarge any procedural or substantive rights or cause of action against USEC.

A-1.3 Applicability

These guidelines apply to all organizational elements of USEC.

A-2 Actions for Which Environmental Review Is Required

A-2.1 Categories of Actions and Mandatory Environmental Review Requirements

In the decisionmaking process for actions that would fall into the following categories if undertaken by DOE, for example, or another federal agency, USEC will prepare and take into consideration the documents or studies specified below:

A-2.1.1 Major Federal actions significantly affecting the environment of the global commons outside the jurisdiction of any nation (e.g., the oceans or Antarctica).

Actions in this category require the preparation of an environmental impact statement including, as appropriate, generic, program and specific statements.

A-2.1.2 Major Federal actions significantly affecting the environment of a foreign nation not participating with the United States and not otherwise involved in this action.

Actions in this category require the preparation of either:

- (a) A bilateral or multilateral environmental study relevant or related to the proposed action. The study is to be conducted by the United States and one or more foreign nations, or by an international body or organization in which the United States is a member or participant; or
- (b) A concise analysis of the environmental issues involved including environmental assessments, summary environmental analyses, or other appropriate documents.

A-2.1.3 Major Federal actions significantly affecting the environment of a foreign nation which provide to that nation:

- A product or physical project producing a principal product or an emission or effluent, which is prohibited or strictly regulated by Federal law in the United States because its toxic effects on the environment create a serious public health risk (see Annex 1); or
- A physical project which in the United States is prohibited or strictly regulated by Federal law to protect the environment against radioactive substances.

For actions in this category, USEC will either:

- (a) Prepare a document as specified in section A-2.1.2(a); or
- (b) Prepare a document as specified in section A-2.1.2(b).

A-2.1.4 Major Federal actions outside the United States, its territories and possessions which significantly affect natural or ecological resources of global importance designated for protection by the President pursuant to section 2-3(d) of Executive Order 12114 or, in the case of such a resource protected by international agreement binding on the United States, by the Secretary of State.

For actions in this category, USEC will either:

- (a) Prepare a document as specified in section A-2.1.1; or
- (b) Prepare a document as specified in section A-2.1.2(a); or
- (c) Prepare a document as specified in section A-2.1.2(b).

A-3 Actions Exempted From Mandatory Environmental Review

A-3.1 Actions Exempted by Executive Order 12114

A-3.1.1 The following actions are exempt from these guidelines and procedures:

- (a) Actions not having a significant effect on the environment outside the United States, as determined by USEC. (Actions having a potential significant impact on the United States, its territories or possessions are subject to the provisions of the Council on Environmental Quality's National Environmental Policy Act regulations (40 CFR part 1500, November 29, 1978) and the USEC NEPA Policies and Procedures).
- (b) Actions taken by the President.
- (c) Actions taken by or pursuant to the direction of the President or a Cabinet officer when the national security or interest is involved or when the action occurs in the course of an armed conflict.
- (d) Intelligence activities and arms transfers.

(e) Actions taken with respect to "physical projects" and any other export in connection with such projects, pursuant to the definition of "physical projects" contained in "Unified Procedures Applicable to Major Federal Actions Relating to Nuclear Activities Subject to Executive Order 12114," established by the Department of State, 44 FR 65560 (November 13, 1979). For purposes of Executive Order 12114, environmental review of these actions is governed by the Unified Procedures, and all exclusions contained therein.

(f) Votes and other actions in international conferences and organizations.

(g) Disaster and emergency relief action.

A-3.2 Actions Exempted by USEC

A-3.2.1 USEC has determined that the general classes of actions which are listed in Annex 2 generally do not have significant environmental impacts requiring review under these guidelines. They are hereby excluded from mandatory environmental review under these guidelines and procedures unless USEC determines that a particular action within such classes will have a significant environmental effect requiring such review. USEC may amend or expand Annex 2, as appropriate.

A-3.2.2 USEC may exempt, on a case-by-case basis, any action from these guidelines and procedures when such exemption is determined by USEC to be necessary to meet:

- (a) Emergency circumstances;
- (b) Situations involving exceptional foreign policy or national security sensitivities;
- (c) Other such special circumstances.

A-3.2.3 In utilizing an exemption pursuant to section A-3.2.2 above, the USEC will consult with the Department of State and the Council on Environmental Quality as soon as is feasible.

A-3.3 Required Documentation for Exempted Actions

For actions in connection with which USEC utilizes any exclusion or exemption pursuant to section A-3.1 or A-3.2 of these guidelines and procedures, the Department will prepare a brief record which describes the basis for its determination to utilize such exclusion or exemption.

A-4 Other Provisions

A-4.1 Public Involvement

USEC will provide for public involvement in the environmental review process conducted pursuant to these guidelines and procedures to the following extent:

A-4.1.1 Environmental impact statements prepared pursuant to sections A-2.1.1 or A-2.1.4(a) of these guidelines and procedures shall be subject to the provisions of:

- (a) USEC procedures regarding publication of a Notice of Intent to prepare an environmental impact statement and public involvement in the environmental impact statement scoping process;
- (b) 40 CFR 1502.9 regarding preparation of a draft and final environmental impact statement;
- (c) 40 CFR 1503 regarding comment procedures for a draft environmental impact statement.

A-4.1.2 Documents or studies prepared pursuant to sections A-2.1.2, A-2.1.3, or A-

2.1.4(b) and A-1.3 of these guidelines and procedures are not subject to the public involvement procedures in A-4.1.1(a) through A-4.1.1(c) above. USEC may, at its discretion, elect to utilize any or all of these procedures for any such document or study.

A-4.2 Timing

A-4.2.1 USEC will commence preparation of environmental documents required by these guidelines as close as practicable to the time USEC is developing or is presented with a proposal, and complete such documents early enough so that they can serve practically as an important contribution to the decisionmaking process.

A-4.2.2 Until an environmental document required by these guidelines has been completed and considered, USEC will take no action concerning the proposal which would have an adverse environmental impact or limit or prejudice the choice of reasonable alternatives.

A-4.2.3 For actions which have significant impacts both on the environment of the United States, its territories or possessions and on the environment of foreign nations or the global commons, documents prepared pursuant to sections A-2.1.1, A-2.1.2, or A-2.1.3 of these guidelines analyzing the impacts outside the U.S. will, to the extent practicable, be prepared and reviewed in conjunction with the analyses of the domestic impacts of the proposed action.

A-4.3 Contents

A-4.3.1 Environmental impact statements prepared pursuant to section A-2.1.1 or A-2.1.4(a) of these guidelines will follow the recommended format of 40 CFR 1502.10 and contain the types of information specified in 40 CFR 1502.11-1502.18.

A-4.3.2 Bilateral or multilateral environmental studies prepared pursuant to sections A-2.1.2(a), A-2.1.3(a), or A-2.1.4(a) will contain a currently valid analysis of all significant environmental impacts of the proposed action.

A-4.3.3 Environmental analyses prepared pursuant to section A-2.1.2(a), A-2.1.3(b), or A-2.1.4(c) will include brief discussions of:

- (a) The proposed action and the need therefore;
- (b) The reasonable alternatives to the proposed action which could be implemented directly or indirectly by the United States; and
- (c) All significant environmental impacts associated with the proposed action and the reasonable alternatives.

A-4.4 Notice of Availability

A-4.4.1 USEC will, as soon as feasible, inform Federal agencies with relevant interest and expertise of the availability of any documents prepared pursuant to these guidelines.

A-4.4.2 USEC will determine, after consultation with the Department of State, the appropriate time and manner for informing an affected nation of the availability of any relevant documents prepared pursuant to these guidelines.

A-4.4.3 As soon as practicable after notification to an affected nation in accordance with section 4.3.2 of these guidelines, USEC will provide notice to the

public of the availability of the environmental review documents specified in sections A-2.1.1, A-2.1.2, A-2.1.3, and A-2.1.4 of this appendix.

A-4.5 Modifications to Contents, Timing and Availability

USEC will make appropriate modifications to the contents, timing, and availability of documents, where necessary, to:

- A-4.5.1 Enable USEC to decide and act promptly as and when required;
- A-4.5.2 Avoid adverse impacts on foreign relations or infringement in fact or appearance of other nations' sovereign responsibilities; or
- A-4.5.3 Ensure appropriate reflection of:
 - (a) Diplomatic factors;
 - (b) International commercial, competitive, and export promotion factors;
 - (c) Needs for governmental or commercial confidentiality;
 - (d) National security considerations;
 - (e) Difficulties of obtaining information and agency ability to analyze meaningfully environmental effects of a proposed action; and
 - (f) The degree to which USEC is involved in or able to affect a decision to be made.

A-4.5.4 Modifications to the contents of documents might include, for example, the use of generic, typical, or hypothetical environmental impact analyses where critical site specific data cannot be obtained from an affected foreign nation. Regarding modifications to the availability of a document, where an affected nation notifies USEC of its desire not to notify the public of the availability of a document prepared pursuant to sections A-2.1.2, A-2.1.3, A-2.1.4(b), or A-2.1.4(c) of these guidelines, USEC may waive the requirements of section A-4.4.3 above regarding notices of availability.

A-4.6 Coordination With the Department of State

USEC will coordinate all communications with foreign governments concerning environmental agreements and other arrangements implementing these guidelines with the Department of State.

A-4.7 Duplication of Resources

A-4.7.1 USEC will not have to prepare any document or study required by section A-5.2.1 of these guidelines if it determines that a document or study already exists that is adequate in scope and content to meet the requirements of these guidelines.

A-4.7.2 USEC may adopt all or part of existing environmental analyses, including those prepared by foreign countries or international organizations, when USEC determines that these analyses are adequate in scope and content to fulfill the requirements of these guidelines.

A-4.7.3 USEC will, in the early stages of preparing any document or study described in section 2.1 above, request the cooperation of any Federal agency which the Corporation determines to possess a statutory mission or expertise relevant to the proposed action.

A-4.7.4 Where an action involves Federal agencies as well as USEC, a lead organization, as determined by those involved, will have responsibility for implementing the provisions of Executive Order 12114 using its own procedures implementing the Executive Order.

A-4.7.5 If an action that would constitute a major Federal action, if undertaken by DOE, for example, or another federal agency, having significant effects on the environment of the United States or the global commons requires preparation of an environmental impact statement by USEC and if the action is included in section A-2.1.2 or A-2.1.3 above as an action having significant effects upon the environment of a foreign nation, the environmental impact statement does not have to contain a review of these foreign impacts. The appropriate type of environmental review, as described in section A-2.1.2 or A-2.1.3 above, may be issued as a separate document.

A-4.8 Miscellaneous Provisions

The provisions of sections A-3.1 and A-3.2 regarding exclusions or exemptions from these procedures do not apply to actions that would constitute major Federal actions, if undertaken by DOE, for example, or another federal agency, significantly affecting the environment of the global commons unless permitted by law.

A-4.9 Definitions

A-4.9.1 Environment means the natural and physical environment, and it excludes social, economic, and other environments. Social and economic effects do not give rise to any requirements under these guidelines.

A-4.9.2 Federal Action means any action that is potentially subject to United States Government control and responsibility. It includes actions that are implemented, funded or approved directly or indirectly by the United States Government. It does not include actions in which the United States participates in an advisory, information gathering, representational or diplomatic capacity but does not implement, fund or approve the action or cause the action to be implemented. An action significantly affects the environment if it does significant harm to the environment even though on balance USEC believes the action to be beneficial to the environment.

A-4.9.3 Foreign Nation means any territory under the jurisdiction of one or more foreign governments, including the territorial seas thereof. For the purpose of these procedures, actions having significant environmental effects on the resources of a foreign nation's continental shelf or, to the extent its claim of jurisdiction is recognized by the United States, its fisheries zone, shall be considered to be actions having significant environmental effects on that foreign nation.

A-4.9.4 United States means the States, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Marianas, the Trust Territory of the Pacific Islands, American Samoa, the United States Virgin

Islands, Guam and the other territories and possessions of the United States, including the territorial seas thereof. For the purpose of these procedures, actions having significant environmental effects on the resources of the continental shelf of the United States, or on resources of United States Fisheries Conservation Zones subject to the jurisdiction of the United States, shall be considered to be actions having significant environmental effects in the United States.

A-4.9.5 Global Commons is equivalent to areas outside the jurisdiction of any nation and means all areas not described in subsection A-4.9.3 and not described in Subsection A-4.9.4 above.

A-4.10 Compliance

These guidelines are intended for use by all persons acting on behalf of USEC in carrying out the provisions of Executive Order 12114. Any deviations from the guidelines must be soundly based and must have the advance approval of the Chief Executive Officer, U.S. Enrichment Corporation.

Annex 1—Illustrative List for Determining Compliance With Section A-2.1.3

1. The following is an illustrative list of the products, emissions and effluents addressed by section A-2.1.3 of these guidelines: asbestos, acrylonitrile, pesticides, mercury, arsenic, polychlorinated biphenyls, vinyl chloride, isocyanates, benzene, beryllium, and cadmium.

2. The following is an illustrative list of the products, emissions, and effluents not encompassed by section A-2.1.3: ammonia, chlorine, sulphuric acid, sulphur dioxide, sulfate and sulfate liquors, caustic soda, nitric acid, nitrogen oxides, and phosphoric acid.

Annex 2—Actions Normally Excluded by USEC From Preparation of an Environmental Impact Statement, Bilateral or Multilateral Environmental Study or Concise Environmental Analysis Under These Guidelines

1. Approval of USEC participation in international "umbrella" agreements for cooperation in research and development which do not commit the United States to any specific projects or activities.

2. Approval of technical exchange arrangements for information, data or personnel with other countries or international organizations.

3. Approval of arrangements to assist other countries in identifying and analyzing their energy resources, needs and options.

4. Sale, purchase, trade, import, or export of low enriched uranium (20 percent or less assay U-235). This includes the shipment of LEU (or uranium hexafluoride) in DOT approved canisters and overpacks via common carrier.

[FR Doc. 93-20603 Filed 8-24-93; 8:45 am]

BILLING CODE 8270-01-P

Sunshine Act Meetings

Federal Register

Vol. 58, No. 163

Wednesday, August 25, 1993

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

TIME AND DATE: 10:30 a.m., Monday, August 30, 1993.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, NW., Washington, DC 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Proposals regarding a Federal Reserve Bank's building requirements.
2. Federal Reserve Bank and Branch director appointments.
3. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
4. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: August 20, 1993.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 93-20658 Filed 8-20-93; 4:35 pm]

BILLING CODE 3210-01-P

MISSISSIPPI RIVER COMMISSION

TIME AND DATE: 9:00 a.m., September 20, 1993.

PLACE: On board *Mississippi V* at City Front, Cape Girardeau, MO.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

- (1) Report on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting;
- (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project; and
- (3) District Commander's report on the Mississippi River and Tributaries Project in Memphis District.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Rodger D. Harris, telephone 601-634-5766.

Rodger D. Harris,

Executive Assistant, Mississippi River Commission.

[FR Doc. 93-20700 Filed 8-23-93; 11:54 am]

BILLING CODE 3710-GX-M

MISSISSIPPI RIVER COMMISSION

TIME AND DATE: 9:00 a.m., September 21, 1993.

PLACE: On board *Mississippi V* at City Front, Memphis, TN.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

- (1) Report on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting; and
- (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Rodger D. Harris, telephone 601-634-5766.

Rodger D. Harris,

Executive Assistant, Mississippi River Commission.

[FR Doc. 93-20701 Filed 8-23-93; 11:54 am]

BILLING CODE 3710-GX-M

MISSISSIPPI RIVER COMMISSION

TIME AND DATE: 8:30 a.m., September 22, 1993.

PLACE: On board *Mississippi V* at Port of Rosedale, MS.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

- (1) Report on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting;
- (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project; and
- (3) District Commander's report on the Mississippi River and Tributaries Project in Vicksburg District.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Rodger D. Harris, telephone 601-634-5766.

Rodger D. Harris,

Executive Assistant, Mississippi River Commission.

[FR Doc. 93-20702 Filed 8-23-93; 11:54 am]

BILLING CODE 3710-GX-M

MISSISSIPPI RIVER COMMISSION

TIME AND DATE: 9:00 a.m., September 24, 1993.

PLACE: On board *Mississippi V* at City Front, Morgan City, LA.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

- (1) Report on general conditions of the Mississippi River and Tributaries Project and major accomplishments since the last meeting;
- (2) Views and suggestions from members of the public on any matters pertaining to the Flood Control, Mississippi River and Tributaries Project; and
- (3) District Commander's report on the Mississippi River and Tributaries Project in New Orleans District.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Rodger D. Harris, telephone 601-634-5766.

Rodger D. Harris,

Executive Assistant, Mississippi River Commission.

[FR Doc. 93-20703 Filed 8-23-93; 11:54 am]

BILLING CODE 3710-GX-M

UNITED STATES INTERNATIONAL TRADE COMMISSION

[USITC SE-93-24]

TIME AND DATE: August 30, 1993 at 2:30 p.m.

PLACE: Room 101, 500 E Street SW., Washington, DC 20436.

STATUS: Open to the public.

1. Agenda for future meeting
2. Minutes
3. Ratification List
4. Inv. No. 731-TA-673 (Preliminary) (Sebacic Acid from China)—briefing and vote
5. Outstanding action jackets—
 1. GC-93-086, Federal Register notice in Inv. No. 337-TA-345 (Certain Anisotropically Etched One Megabit and Greater DRAMs, Components Thereof, and Products Containing Such DRAMs).
 2. GC-93-087, Federal Register notice in Invs. Nos. 337-TA-334 (Condensers) and 337-TA-331 (Memory Controllers).
6. Any items left over from previous agenda

CONTACT PERSON FOR MORE INFORMATION:

Donna R. Koehnke, Secretary, (202) 205-2000.

Issued: August 20, 1993.

Donna R. Koehnke,
Secretary.

[FR Doc. 93-20789 Filed 8-23-93; 3:16 pm]

BILLING CODE 7020-02-P

Corrections

Federal Register

Vol. 58, No. 163

Wednesday, August 25, 1993

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 672

[Docket No. 921107-3068; I.D. 073093A]

Groundfish of the Gulf of Alaska

Correction

In rule document 93-18609 appearing on page 41438 in the issue of

Wednesday, August 4, 1993, make the following corrections:

1. On page 41438, in the second column, in the SUMMARY, in the first line, remove the word "in".
2. On the same page, in the third column, in the third paragraph, in the sixth line, "1678" should read "16787".
3. On the same page, in the fourth paragraph, in third line "(c)" should be lower case, and in the ninth line the "R" in regional should be capitalized.

BILLING CODE 1505-01-D

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 672

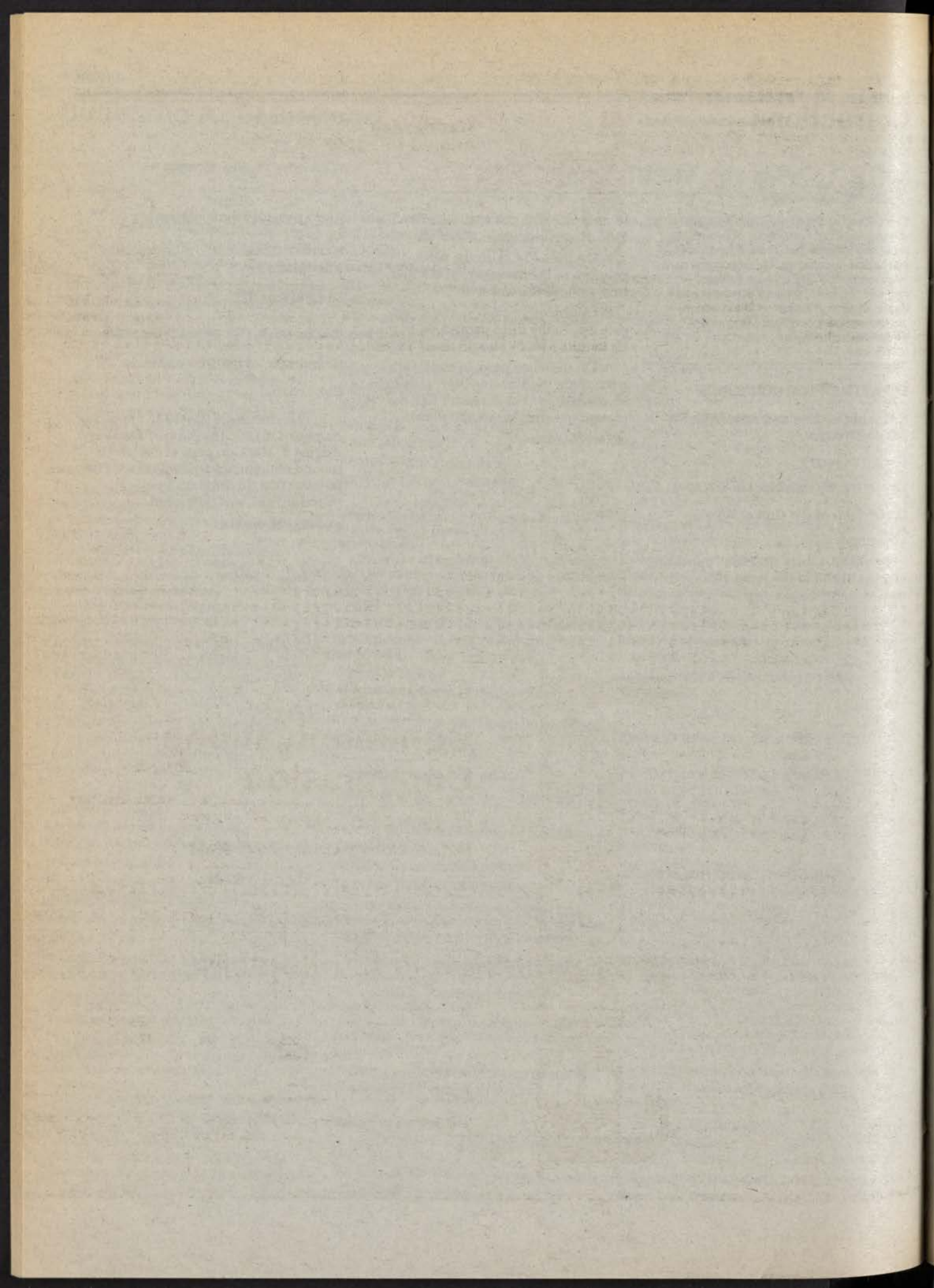
[Docket No. 921107-3068; I.D. 080293B]

Groundfish of the Gulf of Alaska

Correction

In rule document 93-18733 appearing on page 41640 in the issue of Thursday, August 5, 1993, on page 41640, in the second column, under SUPPLEMENTARY INFORMATION, in the sixth line "Groundfish" was misspelled.

BILLING CODE 1505-01-D



Federal Register

Wednesday
August 25, 1993

Part II

Federal Communications Commission

47 CFR Part 1, et al.
Metric Conversion; Final Rule

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 2, 15, 18, 21, 22, 23, 25, 36, 61, 63, 68, 69, 73, 74, 76, 78, 80, 87, 90, and 94

[FCC 93-184]

Metric Conversion

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The adopted rule completes the conversion of the Commission's rules to the International System of Units (metric system). This action is taken in order to comply with the provisions of the Metric Conversion Act of 1975 as amended by the Omnibus Trade and Competitiveness Act of 1988. This action is intended to enhance the international competitiveness of entities doing business with the Commission by encouraging their use of the International System of Units.

EFFECTIVE DATE: September 24, 1993.

FOR FURTHER INFORMATION CONTACT: David Wilson, Office of Engineering and Technology, (202) 653-8138.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, FCC 93-184, adopted April 8, 1993 and released May 7, 1993. The full text of this decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington, DC. Copies may also be purchased from the Commission's duplicating contractor, International Transcription Services, at (202) 857-3800 or 2100 M Street, NW., Suite 140, Washington, DC 20037.

Summary of the Order

1. By this action, the Commission essentially completes the conversion of its rules to the International System of Units (metric system) of measurement. This action is consistent with the Metric Conversion Act of 1975, as amended by the Omnibus Trade and Competitiveness Act of 1988. That act designates the metric system of measurement as the preferred system of weights and measures for United States trade and commerce, and requires, to the extent economically feasible, certain Federal agencies to use the metric system in their procurements, grants, and other business-related activities, except when such use is impractical or is likely to cause significant inefficiencies or loss of markets to United States firms.

Discussion

2. The Commission has been converting its rules to the metric system of measurements as the rules have been routinely updated. However, not all existing rules have been converted. By this action, we are completing the conversion except as noted below. We are converting these rules in what we believe is a non-controversial manner. In particular, we have attempted to ensure that communications facilities previously in compliance with our rules do not become non-compliant as a result of metric conversion. To the extent possible, we have adopted metric units that are marginally less restrictive than those currently specified. To help make our metric standards convenient we have also used rounded units whenever possible. Each rule part was converted by the Commission bureau or office that is responsible for it, using the degree of precision the bureau or office believed was necessary, based upon its experience, to avoid significant controversy.

3. English units have been included in parentheses with many of our metric standards. The English units are for information purposes only, and in cases where the two figures are not precisely equivalent, the metric unit shall be considered as the sole requirement, except when a form requests information in English units. In such a case, the English unit shall be considered the sole requirement until such time as the form is changed to request metric units. It is estimated that all Commission forms will be converted to metric units within five years.

4. Currently licensed facilities and already authorized equipment will continue to be subject to the rules that were in effect prior to this action. Hence, license renewals will not be affected. However, licensees or grantees seeking to modify any technical parameter of their authorization must comply with the metric standard for that parameter.

5. In a few limited circumstances, we have not converted our rules to metric units. Exceptions include: (1) Rules that use non-metric units based on international convention; and, (2) rules that, if converted to metric units, would cause substantial confusion to long-standing industry practices and that, if not converted, would have no impact on international trade activities, e.g., tariff publications. Figures R3, 9, 10, and 11 in 47 CFR 73.190, the propagation curve in 47 CFR 80.767, and the shadow loss chart in 47 CFR 80.769 are not being converted in this order. They will be handled separately at a later date

because the responsible bureaus are still developing the metric conversions for them.

6. This order does not change any of the Commission's forms, instruction manuals, bulletins, or information filing requirements, including those that require approval from the Office of Management and Budget (OMB). These items will be converted to metric units at the appropriate time consistent with Commission priorities and in accordance with our, and OMB's normal review processes. Therefore, applicants shall continue to report English units until such applicable filing forms are converted to metric units.

Procedural Matters

7. Because the simple conversions implemented by this order do not significantly change the Commission's rules, this change constitutes a minor and non-controversial amendment to our rules in which the public is not likely to be interested. Therefore, we find for good cause that compliance with the notice and comment procedure of the Administrative Procedure Act is unnecessary. See 5 U.S.C. 553(b)(B).

Ordering Clause

8. Accordingly, it is ordered that under the authority contained in sections 4(i), 302 and 303 of the Communications Act of 1934, as amended, 47 CFR parts, 1, 2, 18, 21, 22, 23, 25, 36, 61, 63, 68, 69, 73, 74, 76, 78, 80, 87, 90 and 94 are amended as set forth below. These rules and regulations are effective September 24, 1993.

List of Subjects

47 CFR Part 1

Administrative practice and procedure, Metric system, Reporting and recordkeeping requirements.

47 CFR Part 2

Metric system, Reporting and recordkeeping requirements.

47 CFR Part 15

Communications equipment, Metric system, Television.

47 CFR Part 18

Metric system, Reporting and recordkeeping requirements.

47 CFR Part 21

Communications, Communications common carriers, Metric system, Telecommunications.

47 CFR Part 22

Communications, Communications common carriers, Metric system, Telecommunications.

47 CFR Part 23

Communications, Communications common carriers, Metric system, Telecommunications.

47 CFR Part 25

Communications, Communications common carriers, Metric system, Telecommunications.

47 CFR Part 36

Communications, Communications common carriers, Metric system, Telecommunications.

47 CFR Part 61

Metric system, Reporting and recordkeeping requirements.

47 CFR Part 63

Communications, Communications common carriers, Metric system, Reporting and recordkeeping requirements, Telecommunications.

47 CFR Part 68

Communications, Communications common carriers, Communications equipment, Metric system, Reporting and recordkeeping requirements, Telecommunications.

47 CFR Part 69

Accounting, Communications common carriers, Metric system.

47 CFR Part 73

Communications, Metric system, Radio, Reporting and recordkeeping requirements, Television.

47 CFR Part 74

Communications, Metric system, Radio, Reporting and recordkeeping requirements, Television.

47 CFR Part 76

Communications, Cable television, Metric system.

47 CFR Part 78

Communications, Cable television, Metric system.

47 CFR Part 80

Communications, Maritime carriers, Metric system, Telecommunications.

47 CFR Part 87

Air traffic control, Communications, Metric system, Telecommunications.

47 CFR Part 90

Communications, Metric system, Telecommunications.

47 CFR Part 94

Communications, Metric system, Telecommunications.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

47 CFR parts 1, 2, 15, 18, 21, 22, 23, 25, 36, 61, 63, 68, 69, 73, 74, 76, 78, 80, 87, 90, and 94 are amended as follows:

PART 1—PRACTICE AND PROCEDURE

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

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

2. A new § 1.19 is added to read as follows:

§ 1.19 Use of metric units required.

Where parenthesized English units accompany metric units throughout this chapter, and the two figures are not precisely equivalent, the metric unit shall be considered the sole requirement; except, however, that the use of metric paper sizes is not currently required, and compliance with the English unit shall be considered sufficient when the Commission form requests that data showing compliance with that particular standard be submitted in English units.

3. The first through sixth sentences of paragraph (a) in § 1.49 are revised to read as follows:

§ 1.49 Specifications as to pleadings and documents.

(a) All pleadings and documents filed in any proceeding shall be on A4 (21 cm x 29.7 cm) or 8.5 in x 11 in (21.6 cm x 27.9 cm) paper. The impression shall be double spaced, except that long quotations shall be single spaced and indented. All papers shall be typewritten or prepared by mechanical processing methods. The left hand margin shall be not less than 4 cm (1.5 in) wide. Both sides on the paper may be used. (If both sides are used, it is the right hand margin of even-numbered pages which shall be at least 4 cm (1.5 in) wide; and the pleading shall be bound—e.g., stapled twice—in the left hand margin, so as to open like a book).

* * * * *

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

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

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

2. The first sentence of paragraph (b)(2) in § 2.948 is revised to read as follows:

§ 2.948 Description of measurement facilities.

* * * * *

(b) * * *
(2) Physical description of the test site accompanied by photographs of size A4 (21 cm x 29.7 cm) or 8 x 10 inches (20.3 cm x 25.4 cm). * * *

* * * * *

3. The first three sentences of paragraph (a)(5) of § 2.975 are revised to read as follows:

§ 2.975 Application for notification.

(a) * * *

(5) For devices operated under the provisions of part 15 of this chapter, photographs showing the general appearance and the controls available to the user. Photographs should be size A4 (21 cm x 29.7 cm) or 8 x 10 inch (20.3 cm x 25.4 cm). Smaller photographs may be submitted provided they are sharp and clear, show the necessary detail, and are mounted on A4 (21 cm x 29.7 cm) or 8.5 x 11 inch (21.6 cm x 27.9 cm) paper. * * *

* * * * *

4. The fourth and fifth sentences of paragraph (b)(7) § 2.1033 are revised to read as follows:

§ 2.1033 Application for certification.

* * * * *

(b) * * *

(7) * * * Photographs shall be of size A4 (21 cm x 29.7 cm) or 8 x 10 inches (20.3 cm x 25.4 cm). Smaller photographs may be submitted provided they are sharp and clear, show the necessary detail, and are mounted on A4 (21 cm x 29.7 cm) or 8.5 x 11 inch (21.6 cm x 27.9 cm) paper. * * *

* * * * *

PART 15—RADIO FREQUENCY DEVICES

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

Authority: Sec. 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. The first sentence of paragraph (a) of § 15.119 is revised to read as follows:

§ 15.119 Closed caption decoder requirements for television receivers.

(a) Effective July 1, 1993, all TV broadcast receivers with picture screens 33 cm (13 in) or larger in diameter shipped in interstate commerce, manufactured, assembled, or imported from any foreign country into the United States shall comply with the provisions of this section. * * *

* * * * *

PART 18—INDUSTRIAL, SCIENTIFIC, AND MEDICAL EQUIPMENT

1. The authority citation for part 18 continues to read as follows:

Authority: 47 U.S.C. 4, 301, 302, 303, 304, 307.

2. Paragraph (b)(2) of § 18.205 is revised to read as follows:

§ 18.205 Description of measurement facilities.

(b) * * *

(2) Physical description of the test site accompanied by photographs A4 (21 cm x 29.7 cm) or 8 x 10 inches (20.3 cm x 25.4 cm) in size. Photographs smaller than A4 (21 cm x 29.7 cm) or 8 x 10 inches (20.3 cm x 25.4 cm) will be acceptable if they are of sufficient clarity and mounted on A4 (21 cm x 29.7 cm) paper or paper 8 x 10 inches (20.3 cm x 25.4 cm).

PART 21—DOMESTIC PUBLIC FIXED RADIO SERVICES

1. The authority citation for part 21 continues to read as follows:

Authority: Secs. 1, 2, 4, 201–205, 208, 215, 218, 303, 307, 313, 314, 403, 404, 410, 602, 48 Stat. 1064, 1066, 1070–1071, 1076, 1077, 1080, 1082, 1083, 1087, 1094, 1098, 1102, as amended; 47 U.S.C. 151, 154, 201–205, 208, 215, 218, 303, 313, 314, 403, 602; 47 U.S.C. 552.

2. Paragraph (b)(1) of § 21.13 is revised to read as follows:

§ 21.13 General application requirements.

(b) * * *

(1) The information previously filed is over one A4 (21 cm x 29.7 cm) or 8.5 by 11 inch (21.6 cm x 27.9 cm) page in length, and all information referenced therein is current and accurate in all significant respects under Section 1.65 of this chapter; and

3. Paragraphs (c)(1)(vii), (c)(2)(v) and (d)(1) of § 21.23 are revised to read as follows:

§ 21.23 Amendment of applications.

(c) * * *

(1) * *

(vii) Any change which increases the antenna height by 6.1 meters (20 feet) or more; or

(2) * * *

(v) Any change which increases the antenna height by 3.0 meters (10 feet) or more;

(d) * * *

(1) The geographic coordinates of the new station site are within 32.2 kilometers (20 miles) of the coordinates of the original site; and,

4. Paragraphs (b)(3), (c)(2)(i), (c)(2)(ii) and (c)(2)(iii) of § 21.41 are revised to read as follows:

§ 21.41 Special processing of applications for minor facility modifications.

(b) * * *

(3) The facilities to be modified are not located within 56.3 kilometers (35 miles) of the Canadian or Mexican border;

(c) * * *

(2) * * *

(i) In all radio services except Multipoint Distribution Service and Digital Electronic Service, any increase in antenna height is less than 6.1 meters (20 feet) above the previously authorized height;

(ii) In Multipoint Distribution Service and Digital Electronic Message Service, any increase in antenna height is less than 3.0 meters (10 feet) above the previously authorized height; and

(iii) The overall height of the antenna structure is not increased as a result of the antenna extending above the height of the previously authorized structure, except when the new height of the antenna structure is 6.1 meters (20 feet) or less (above ground or man-made structure, as appropriate) after the change is made.

5. Paragraphs (c)(5)(i) and (c)(5)(ii) of § 21.42 are revised to read as follows:

§ 21.42 Certain modifications not requiring prior authorization.

(c) * * *

(5) * * *

(i) The new height (measured at the center-of-radiation) is within ± 1.5 meters (5 feet) of the previously authorized height; and

(ii) The overall height of the antenna structure is not increased as a result of the antenna extending above the height of the previously authorized structure, except when the new height of the antenna structure is 6.1 meters (20 feet) or less (above ground or man-made structure, as appropriate) after the change is made.

6. Paragraph (b) introductory text, paragraphs (b)(1)(i), (b)(1)(ii), (b)(1)(iii) and (b)(1)(iv), paragraphs (c)(3)(iii) and (c)(3)(iv) of § 21.113 are revised to read as follows:

§ 21.113 Quiet zones.

(b) In order to minimize possible harmful interference at the Table Mountain Radio Receiving Zone of the Research Laboratories of the Department of Commerce located in Boulder County, Colorado, applicants for new or modified radio facilities in the vicinity of Boulder County, Colorado are advised to give due consideration prior to filing applications, to the need to protect the Table Mountain Radio Receiving Zone from harmful interference. To prevent degradation of this present ambient radio signal level at the site, the Department of Commerce seeks to ensure that the field strengths of any radiated signals (excluding reflected signals received on this 728.4 hectare (1800 acre) site (in the vicinity of coordinates 40° 07' 50" N Latitude, 105° 15' 40" W Longitude) resulting from new assignments (other than mobile stations) or from the modification or relocation of existing facilities do not exceed the following values: * * *

(1) * * *

(i) All stations within 2.4 kilometers (1.5 miles);

(ii) Stations within 4.8 kilometers (3 miles) with 50 watts or more average effective radiated power (ERP) in the primary plane of polarization in the azimuthal direction of the Table Mountain Radio Receiving Zone;

(iii) Stations within 16.1 kilometers (10 miles) with 1 kW or more average ERP in the primary plane of polarization in the azimuthal direction of Table Mountain Receiving Zone;

(iv) Stations within 80.5 kilometers (50 miles) with 25 kW or more average ERP in the primary plane of polarization in the azimuthal direction of Table Mountain Receiving Zone.

(c) * * *

(3) * * *

(iii) Stations within 16.1 kilometers (10 miles) with 1 kW or more average ERP in the primary plane of polarization in the azimuthal direction of the Monitoring Station.

(iv) Stations within 80.5 kilometers (50 miles) with 25 kW or more average ERP in the primary plane of polarization in the azimuthal direction of the Monitoring Station.

7. Paragraphs (c)(1) and (c)(2) of § 21.504 are revised to read as follows:

§ 21.504 Frequency interference.

(c) * * *

(1) An analysis of the potential for harmful interference with other stations

if the coordinates of any proposed station are located within 80.5 km (50 miles) of the coordinates of any authorized, or previously proposed station(s) that utilize(s), or would utilize, the same frequency or an adjacent potentially interfering frequency; and

(2) An analysis concerning possible adverse impact on Canadian communications if the station's transmitting antenna is to be located within 56.3 km (35 miles) of the Canadian border.

8. Footnote 2 in paragraph (a) and paragraph (b) § 21.901 are revised to read as follows:

§ 21.901 Frequencies.

(a) * * *

* Except upon a showing that no alternative frequencies are available, no new assignments will be made in the band 2160–2162 MHz for stations located within 80.5 kilometers (50 miles) of the coordinates of the cities listed in § 21.901(c).

(b) Applications for new stations or frequency paths (except for power splits of existing frequency paths) in the bands 3,700–4,200 MHz and 5,925–6,425 MHz which are to be used to relay television signals to community antenna relay television systems will not be accepted for filing or granted: Provided, however, That waivers of this provision may be granted for good cause shown, including a showing that the proposed frequency usage is not likely to affect adversely the development of any major communications route; and Provided further, That such waivers will not be granted, absent a showing of compelling and unusual circumstances, for new stations or frequency paths (except for power splits of existing frequency paths) within 80.5 kilometers (50 miles) of the coordinates of the principal city, as set forth in the U.S. Department of Commerce publication "Air Line Distance Between Cities in the United States," of one of the top 25 standard metropolitan statistical areas, as ranked by the U.S. Census Bureau.

9. The introductory text of paragraph (C) and paragraph (d)(5) of § 21.901 are revised to read as follows:

§ 21.901 Frequencies.

(c) Channel 2 will be assigned only where there is evidence that no harmful interference will occur to any authorized point-to-point facility in the 2160–2162 MHz band. Channel 2 may be assigned only if the transmitting

antenna of the station is to be located within 16.1 kilometers (10 miles) of the coordinates of the following metropolitan areas:

(d) * * *

(5) Notwithstanding the provision of § 21.31(a) all applications that propose to locate transmission facilities within or within 24.1 kilometers (15 miles) of the border of a Standard Metropolitan Statistical Area (SMSA) will be considered together. In the case of a Standard Consolidated Statistical Area (SCSA) all applications that propose to locate facilities within or within 24.1 kilometers (15 miles) of the boundary of any SMSA contained in the SCSA will be considered together. In those cases in which an applicant proposes to locate its transmission facilities so that it will be located in, or within 24.1 kilometers (15 miles) of, more than one SMSA, the applicant must specify which SMSA it intends to be its primary service area. Each application will be entitled to comparative consideration or to be included in a lottery in only one such service area.

10. Paragraphs (c)(1)(ii), (c)(1)(iii), (c)(2)(i), (c)(2)(ii), (c)(4), (c)(5), (d)(1), (d)(2), (d)(3), (i)(1), (i)(1)(ii), (j)(1) and (j)(2) of § 21.902 are revised to read as follows:

§ 21.902 Frequency Interference.

(c) * * *

(1) * * *

(i) if the coordinates of the applicant's proposed transmitter are within 160.94 km (100 miles) of the coordinates of any authorized or previously-proposed, cochannel or adjacent-channel station(s); or

(ii) if the great circle path between the applicant's proposed transmitter and the protected service area of any authorized, or previously-proposed, cochannel or adjacent-channel station(s) is within 241.41 km (150 miles) or less and 90 percent or more of the path is over water or within 16.1 km (10 miles) of the coast or shoreline of the Atlantic Ocean, the Pacific Ocean, the Gulf of Mexico, any of the Great Lakes, or any bay associated with any of the above (see secs. 21.701(a), 21.901(a) and 74.902 of this chapter);

(2)(i) One map, folded to an A4 (21 cm x 29.7 cm) or 8½ x 11 inch (21.6 cm x 27.9 cm) size, identifying the boundaries of the protected service areas of each authorized or previously-proposed cochannel station with transmitter site coordinates within 160.94 km (100 miles) of the coordinates

of the applicant's proposed transmitter site, and the 45 dB desired signal to undesired signal contour line of the applicant's proposed MDS station for cochannel stations; and

(ii) A second map, folded to an A4 (21 cm x 29.7 cm) or 8½ x 11 inch (21.6 cm x 27.9 cm) size, identifying the boundaries of the protected service areas of each authorized or previously-proposed adjacent-channel station with transmitter site coordinates within 160.94 km (100 miles) of the coordinates of the applicant's proposed transmitter site, and the 0 dB desired signal to undesired signal contour line of the applicant's proposed MDS station for adjacent-channel stations (see 47 CFR 21.902(d));

(4) In the case of a proposal for use of channel 2, an analysis of the potential for harmful interference with any authorized point-to-point station located within 80.5 kilometers (50 miles) which utilizes the 2160–2162 MHz band; and

(5) An analysis concerning possible adverse impact upon Mexican and Canadian communications if the station's transmitting antenna is to be located within 56.3 kilometers (35 miles) of the border.

(1) For a station using a transmitting antenna with an omnidirectional horizontal plane radiation pattern the boundary of the protected service area will be 24.1 kilometers (15 miles) from the transmitter site.

(2) For a station using a transmitting antenna with a non-omnidirectional horizontal plane radiation pattern the boundary of the protected service area will be the locus of all points located at instances from the transmitter as determined by the following equation:

$$Db = \frac{Db_{max}}{\text{antilog } (Gb_{max} - G)/20}$$

in which the parameters are defined as follows:

Db—the distance from the transmitter site to the boundary in direction of interest;
G—the transmitter antenna gain in the direction of interest;
Gb_{max}—the maximum antenna gain;
Db_{max}—the distance to boundary, in the direction of maximum gain that will make the total area of the protected service area equal to or less than 1838.8 square kilometers (710 square miles); all distances are in kilometers (miles), the gains are in dB relative to an isotropic antenna, and the antilog is taken to the base 10.

(3) Except that when the electrical horizon determined using the transmitting antenna height, a 9.1 meter

(30 foot) receiving antenna height, and assuming 4/3 earth radius propagation conditions, is closer to the transmitter than boundary described in paragraph (d)(1) or (d)(2) of this section, the electrical horizon shall be the boundary of the protected service area.

(i)(1) For each application for stations in the 2596–2644 MHz, 2650–2656 MHz, 2662–2668 MHz, and 2674–2680 MHz frequency bands filed on or after December 30, 1991, the applicant must submit an analysis demonstrating that operation of the applicant's transmitter will not cause harmful interference to any existing, co-channel and adjacent-channel E-channel, F-channel, or G-channel Instructional Television Fixed Service (ITFS) station, licensed or with a construction permit authorized, with a transmitter site within 80.5 kilometers (50 miles) of the coordinates of the Multichannel Multipoint Distribution Service (MMDS) or MDS H-channel station's proposed transmitter site.

(ii) In the alternative, an applicant for an MMDS station may submit an analysis demonstrating that there are no ITFS licenses or construction permittees, as described in paragraph (i)(1) of this section, within 80.5 km (50 miles) of the coordinates of the proposed transmitter site of the MMDS station.

(j) * * *

(1) An analysis demonstrating that the modification will not increase the size of the geographic area suffering harmful interference within the protected service area of existing or proposed co-channel or adjacent-channel facilities in the 2596–2644 MHz frequency band with a transmitter site within 80.5 km (50 miles) of the modifying station's transmitter site of the initial application for the interfered-with station was filed on September 9, 1983; and

(2) An analysis demonstrating that the modification will not cause harmful interference to any new portion of the protected service area of existing or proposed co-channel or adjacent-channel facilities in the 2596–2644 MHz frequency band with a transmitter site within 80.5 km (50 miles) of the modifying station's transmitter site, if the initial application for the interfered-with station was filed on September 9, 1983.

11. Paragraph (c) introductory text of § 21.904 is revised to read as follows:

§ 21.904 Transmitter power.

(c) An increase in station transmitter power, above currently-authorized or previously-proposed values, to the maximum values provided in subsections (a) and (b) of this section, may be authorized, if an applicant demonstrates that the requested power increase will not cause harmful interference to any authorized or previously-proposed co-channel or adjacent-channel station with a transmitter site within 80.5 kilometers (50 miles) of the applicant's transmitter site, or if an applicant demonstrates that:

12. Paragraph (c) of § 21.906 is revised to read as follows:

§ 21.906 Antennas.

(c) Transmitting antennas located within 56.3 kilometers (35 miles) of the Canadian border should be directed so as to minimize, to the extent that is practical, emissions toward the border.

13. In paragraph (d) of § 21.913, the term "50 miles" is replaced with "80.5 kilometers (50 miles)", in paragraph (g) introductory text the term "5 miles (8.05 km)" is replaced with "8.0 kilometers (5 miles)", in paragraph (g)(3) the term "1 mile (1.61 km)" is replaced with "1.6 kilometer (1 mile)", in paragraph (g)(5) the term "5-mile (8.05 km)" is replaced with "8.0 kilometer (5 mile)".

PART 22—PUBLIC MOBILE SERVICE

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

Authority: Secs. 4, 303, 48 Stat. 1066, 1083, as amended; 47 U.S.C. 154, 303.

2. The definition of "Protected service area" in § 22.2 is revised to read as follows:

§ 22.2 Definitions.

Protected service area. A fixed 32.2 km (20 mi) radius from a 900 MHz paging transmitter which is protected from harmful interference. For other frequency bands see reliable service area.

3. The fourth sentence of paragraph (d)(1), the second sentence of paragraph (d)(3) and paragraph (d)(3)(iv) of § 22.6 are revised to read as follows:

§ 22.6 Filing of applications, fees, and numbers of copies.

(d) * * *

(1) * * * The microfiche must be placed in paper microfiche envelopes

and submitted in a B6 (125 mm x 176 mm) or 5 x 7.5 inch envelope. * * *

(3) * * * The microfiche must depict the reduced A4 (21 cm x 29.7 cm) or 8.5 x 11 inch (21.6 cm x 27.9 cm) map (Application Exhibit II, See Section 22.924). * * *

(iv) A copy of each unserved area application must be served on the licensees for the same frequency block of any adjacent systems whose CGSA, MSA or RSA boundaries are within 80.4 km (50 mi) of the boundaries of the proposed system.

4. Paragraph (b)(1) of § 22.13 is revised to read as follows:

§ 22.13 General application requirements.

(1) The information previously filed is over one A4 (21 cm x 29.7 cm) or 8.5 x 11 inch (21.6 cm x 27.9 cm) page in length, and all information referenced there in is current and accurate in all significant respects under Section 1.65 of this chapter; and

5. Paragraphs (b)(1)(i), (b)(1)(ii)(A), (b)(1)(ii)(B), (b)(1)(iii), (i)(2) and (j)(8)(vi) of § 22.15 are revised to read as follows:

§ 22.15 Technical content of applications.

(i) One-way facilities from 35 to 162 MHz—within 108 kilometers (67 miles).

(A) From 152 to 162 MHz—within 135 kilometers (84 miles).

(B) From 450 to 460 MHz—within 108 kilometers (67 miles).

(iii) Co-channel facilities with 201 kilometers (125 miles) when the bearing to the co-channel facility is within 22.5 degrees of a cardinal radial, where the effective radiated power exceeds the limits indicated in § 22.505 for the center of radiation height above average elevation in that radial direction.

(2) All applications for new or additional facilities will identify any other pending or concurrently filed applications in this service for new or additional facilities within a 64 kilometer (40 mile) radius of the proposed station that applicant, or any principal thereof, may be a party to or have an interest in, either directly or indirectly. All applications shall also identify all existing facilities within a 64 kilometer (40 mile) radius of the

proposed station licensed to the applicant or in which the applicant has an ownership interest, regardless of call sign or licensee name.

(j) * * *

(8) * * *

(vi) 900 MHz one-way paging. Exact station location should be plotted on a map with a scale of 1:250,000 and the service protected area should be depicted by a 32 kilometer (20 mile) radius for each base station.

6. In paragraph (c)(2) of § 22.23 the heading and first sentence are revised to read as follows:

§ 22.23 Amendment of applications. (See also § 22.918)

(c) * * *

(2) Amendment to proposed base station facilities. If the amendment enlarges the reliable service area of the proposed base station facilities by more than 1.6 kilometers (1 mile) along any of eight radials spaced every forty-five (45) degrees from zero degree True North. * * *

7. Paragraphs (c)(1) and (c)(2) of § 22.33 are revised to read as follows:

§ 22.33 Grants by random selection.

(c) * * *

(1) An applicant proposing to add one or more transmitter locations to an authorized station on the same frequency or frequencies for which it is already licensed and within 64 kilometers (40 miles) of existing transmitter locations on those frequencies, and when the applicant demonstrates in its application a demand by its existing subscribers for the expanded service; or

(2) An applicant proposing to add one or more frequencies to an authorized station at the same location or other locations within 64 kilometers (40 miles) of an existing transmitter location, if the frequencies to be added are in the same frequency band as those already authorized (i.e., low-band (35-43 MHz), VHF (150 MHz), UHF (450 MHz) or 900 MHz).

8. Paragraph (d)(1)(iii), the heading and the first sentence of paragraph (d)(4)(iii), note A, the first two sentences of note B, and paragraphs (2) and (3) of note C of § 22.43 are revised to read as follows:

§ 22.43 Period of construction.

(d) * * *

(1) * * *

(iii) Applicants who have filed applications or amendments which request expansion of the reliable service area of a PLMS base station facility by less than 1.6 kilometers (1 mile). Cf. Section 22.23(c)(2) of the rules;

(4) * * *

(iii) Applications and amendments to expand the reliable service area of a PLMS base station by less than 1.6 kilometers (1 mile). Applications and amendments which request expansion of the reliable service area of a PLMS base station facility by less than 1.6 kilometers (1 mile), see § 22.43(d)(1)(iii), shall not be subject to the general rules set out in § 22.43(d)(2)(i). * * *

Note A: Pursuant to an agreement between the Commission and the Department of Communications in Canada, Commission authorizations issued for cellular facilities built within 72 kilometers (45 miles) of the U.S.-Canadian border shall have the following condition attached:

This authorization is subject to the condition that, in the event that cellular systems using the same frequency block as granted herein are authorized in adjacent territory in Canada, coordination of any of your transmitter installations which are within 72 kilometers (45 miles) of the U.S.-Canadian border shall be required to eliminate any harmful interference that might otherwise exist and to ensure continuance of equal access to the frequency block by both countries.

Note B: Pursuant to an agreement between the United States and Mexico, Commission authorizations issued for cellular facilities built within 72 kilometers (45 miles) of the U.S.-Mexican border, or whose 39 dBu contour extends into Mexico, shall have the following condition attached:

This authorization is subject to the condition that, in the event that cellular systems using the same frequencies granted herein are authorized in adjacent territory in Mexico, coordination of your transmitter installations which are within 72 kilometers (45 miles) of the U.S.-Mexico border shall be required to eliminate any harmful interference that might otherwise exist to ensure continuance of equal access to the frequencies by both countries. * * *

Note C: * * *

(2) Stations located within 161 kilometers (100 miles) of the coordinates listed below.

(3) Stations located within 402 kilometers (250 miles) of the Canadian border receive station coordinates listed below and within ±30 degrees of the given azimuth (from the Canadian station).

9. Paragraph (e)(1) of § 22.100 is revised to read as follows:

§ 22.100 Frequencies, interference.

(e) * * *

(1) The distance to the 115 dBu contour is determined using the following equation:

$$d = 0.394 \times p^{1/2}$$

where d is the distance in kilometers and p is the maximum effective radiated power in kilowatts.

10. Paragraphs (b)(1)(i), (b)(1)(ii), (b)(1)(iii) and (b)(1)(iv) of § 22.113 are revised to read as follows:

§ 22.113 Quiet zones.

(b) * * *

(1) * * *

(i) All stations within 2.4 kilometers (1.5 miles);

(ii) Stations within 4.8 kilometers (3 miles) with 50 watts or more effective radiated power (ERP) in the primary plane of polarization in the azimuthal direction of the Table Mountain Radio Receiving Zone;

(iii) Stations within 16 kilometers (10 miles) with 1 kW or more ERP in the primary plane of polarization in the azimuthal direction of the Table Mountain Radio Receiving Zone;

(iv) Stations within 80 kilometers (50 miles) with 25 kW or more ERP in the primary plane of polarization in the azimuthal direction of the Table Mountain Radio Receiving Zone.

11. Section 22.115 is revised to read as follows:

§ 22.115 Computation of average terrain elevation.

Except in cases of dispute, average terrain elevation may be calculated by computer using elevations from a 30 second point or better topographic data file. The data file used must be identified. If a 30 second point data file is used, the elevation data must be processed for intermediate points using interpolation techniques; for a 3 second point data file, the nearest point may be used. In cases of dispute, average terrain elevation determinations must be done manually, using 1:24,000 scale topographic maps.

(a) Radial average terrain elevation is calculated by taking the arithmetic mean of the elevations of a series of points between 3 and 16 kilometers (2 and 10 miles) from the antenna site along a straight line path extending radially from the antenna site. If a portion of the radial path extends over foreign territory or water, such portion must not be included in the computation of average elevation unless the radial path again passes over United States land between 16 and 134 kilometers (10 and 83 miles) away from

the antenna site. At least 50 approximately evenly spaced data points for each radial should be used in the computation.

(b) The average terrain elevation at an antenna site is the average of eight radial average terrain elevations in the following azimuths: 0°, 45°, 90°, 135°, 180°, 225°, 270° and 315° with respect to true North.

(c) In Dade and Broward Counties, Florida, average terrain elevation is assumed to be 3 meters (10 feet) above mean sea level.

§ 22.117 [Amended]

12. In § 22.117 paragraph (b)(3), remove the words "20 feet" and add, in their place, the words "6 meters (20 feet)" and in paragraph (c) introductory text, remove the words "one mile" and add, in their place, the words "1.6 kilometers (1 mile)".

13. Section 22.501 is amended as follows:

A. In paragraph (j)(7)(i) of § 22.501 Table G is removed and reserved, Figure A, Figure B and the notes following them are removed, and new Tables I and J are added, and Table B, Table C, Table D and Table F are revised to read as shown below.

B. In paragraph (a)(5)(i) of § 22.501 the words "125 miles (201 km)" are removed and the words "201 kilometers (125 miles)" are added in their place.

C. In paragraph (a)(5)(iii) of § 22.501 the words "two-mile" are removed and the words "3.2 kilometer (2 mile)" are added in their place.

D. In paragraph (e) of § 22.501 the words "50 miles" are removed and the

words "80 kilometers (50 miles)" are added in their place.

E. In paragraph (f)(1)(i) of § 22.501 the words "10 and 80 miles" are removed everywhere they appear and the words "16 and 129 kilometers (10 and 80 miles)" are added in their place.

F. In paragraph (f)(1)(ii) of § 22.501 the words "10 miles" are removed everywhere they appear and the words "16 kilometers (10 miles)" are added in their place.

G. In paragraph (f)(1)(ii) of § 22.501 the words "10-80 mile" are removed and the words "16-129 kilometer (10-80 mile)" are added in their place.

H. In paragraph (g)(3)(i) of § 22.501 the words "70 miles" are removed and the words "113 kilometers (70 miles)" are added in their place.

I. In paragraph (j)(3) of § 22.501 the words "50 miles" are removed and the words "80 kilometers (50 miles)" are added in their place.

J. Paragraphs (j)(4), (j)(5)(i), (j)(5)(ii), the first two sentences of paragraph (j)(6), the first sentence of paragraph (j)(7), and paragraphs (k)(1) and (k)(2) of § 22.501 are revised in their entirety to read as shown.

K. The first two sentences of paragraph (k)(5)(iv) of § 22.501 are revised to read as shown below:

§ 22.501 Frequencies.

* * * * *

(j) * * *

(4) Mobile stations must not be operated at locations more than 129 kilometers (80 miles) from the "Geographic Center" of the appropriate urbanized area as defined in Table A of this section. Mobile stations must not be

operated at locations that are more than 48 kilometers (30 miles) from all associated base stations.

(5) * * *

(i) Base stations shall be located a minimum of 1.6 kilometers (1 mile) from local television stations operating on TV channels separated by 2, 3, 4, 5, 7, and 8 TV channels from the television channel in which the base station will operate.

(ii) Mobile units operating on the frequencies available for land mobile use in any given urbanized area shall afford protection to co-channel television stations in accordance with the values set out in Table D of this section. Associated base transmitter locations must be at least 145 kilometers (90 miles) from protected television stations when land mobile stations transmit in the adjacent television channel.

* * * * *

(6) For antenna heights between 152 and 914 meters (500 and 3000 feet) above average terrain the effective radiated power must be reduced below 1 kilowatt in accordance with the values shown in Table I of this section. For heights of more than 152 meters (500 feet) above average terrain, the distance to the radio path horizon will be calculated assuming smooth earth.

* * *

(7) Applicants for base stations in the Miami, Fla., urbanized area may, in lieu of calculating the height of average terrain, use 3.2 meters (10 feet) as average terrain height.

(i) * * *

Table B—Antenna heights of 152 meters (500 feet) or less above average terrain. For antenna heights between those in the table, use the next higher antenna height. For distances between those in the table, use the next lower distance.

MAXIMUM ERP (WATTS) FOR BASE TRANSMITTERS

Distance to protected TV station location in kilometers (miles)	Antenna height above average terrain in meters (feet)									
	15 (50)	30 (100)	46 (150)	61 (200)	76 (250)	91 (300)	107 (350)	122 (400)	137 (450)	152 (500)
261 (162)	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
257 (160)	1000	1000	1000	1000	1000	1000	1000	1000	1000	800
249 (155)	1000	1000	1000	1000	1000	875	775	700	625	575
241 (150)	1000	1000	950	775	725	625	550	500	450	400
233 (145)	850	750	650	575	500	440	400	350	320	300
225 (140)	600	575	465	400	350	300	275	250	230	225
217 (135)	450	400	335	300	255	240	200	185	165	150
209 (130)	350	300	245	200	185	160	145	125	120	100
201 (125)	225	200	170	150	125	110	100	90	80	75
193 (120)	175	150	125	105	90	80	70	60	55	50

Table C—Antenna heights of 152 meters (500 feet) or less above average terrain. For antenna heights between those in the table, use the next higher antenna height. For distances between those in the table, use the next lower distance.

MAXIMUM ERP (WATTS) FOR BASE TRANSMITTERS

Distance to specified location in kilometers (miles)	Antenna height above average terrain in meters (feet)								
	30 (100)	46 (150)	61 (200)	76 (250)	91 (300)	107 (350)	122 (400)	137 (450)	152 (500)
108 (67)	1000	1000	1000	1000	1000	1000	1000	1000	1000
106 (66)	1000	1000	1000	1000	1000	1000	1000	1000	750
105 (65)	1000	1000	1000	1000	1000	1000	825	650	600
103 (64)	1000	1000	1000	1000	1000	775	625	500	400
101 (63)	1000	1000	1000	1000	440	400	350	320	300
100 (62)	1000	1000	1000	525	375	250	200	150	125
98 (61)	1000	700	450	250	200	125	100	75	50
97 (60)	1000	425	225	125	100	75	50		

Table D—Minimum distance between associated base station and protected co-channel television station where mobile transmits in the same television channel.

Mobile unit ERP (watts)	Minimum distance		Mobile unit ERP (watts)	Minimum distance	
	Kilometers	Miles		Kilometers	Miles
60		225	10	188	117
50		217	5	180	112
25		201			
			* * *		

Table F—Antenna heights of 152 meters (500 feet) or less above average terrain. For antenna heights between those in the table, use the next higher antenna height. For distances between those in the table, use the next lower distance.

MAXIMUM ERP (WATTS) FOR BASE TRANSMITTERS

Distance to protected TV station Location in kilometers (miles)	Antenna Height Above Average Terrain in Meters (Feet)									
	15 (50)	30 (100)	46 (150)	61 (200)	76 (250)	91 (300)	107 (350)	122 (400)	137 (450)	152 (500)
209 (130)	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
201 (125)	1000	1000	1000	1000	1000	1000	1000	850	750	725
193 (120)	1000	1000	1000	1000	900	750	675	600	550	500
185 (115)	1000	1000	800	725	600	525	475	425	375	350
177 (110)	850	700	600	500	425	375	325	300	275	225
169 (105)	600	475	400	325	275	250	225	200	175	150
161 (100)	400	325	275	225	175	150	140	125	110	100
153 (95)	275	225	175	125	110	95	80	70	60	50
145 (90)	175	125	100	75	50					

Table G—[Reserved]

Table I—Antenna heights of more than 152 meters (500 feet) above average terrain. For intermediate values of height and/or distance, use linear interpolation to obtain the maximum permitted ERP.

MAXIMUM ERP (WATTS) FOR CONTROL TRANSMITTERS

Distance to protected TV station Location in kilometers (miles)	Antenna Height Above Average Terrain in Meters (Feet)					
	152 (500)	305 (1000)	457 (1500)	610 (2000)	762 (2500)	914 (3000)
261 (162)	1000	501	282	170	110	71
241 (150)	400	209	110	60	36	23
225 (140)	225	102	50	28	16	10
209 (130)	100	48	21	11	7	5
193 (120)	50	19	9	5	3	2

Table J—Antenna heights of more than 152 meters (500 feet) above average terrain. For intermediate values of height and/or distance, use linear interpolation to obtain the maximum permitted ERP.

MAXIMUM ERP (WATTS) FOR CONTROL TRANSMITTERS

Distance to protected TV station location in kilometers (miles)	Antenna Height Above Average Terrain in meters (feet)					
	152 (500)	305 (1000)	457 (1500)	610 (2000)	762 (2500)	914 (3000)
209 (130)	1000	447	219	117	71	46

MAXIMUM ERP (WATTS) FOR CONTROL TRANSMITTERS—Continued

Distance to protected TV station location in kilometers (miles)	Antenna Height Above Average Terrain in meters (feet)					
	152 (500)	305 (1000)	457 (1500)	610 (2000)	762 (2500)	914 (3000)
193 (120)	500	209	95	50	30	19
177 (110)	225	91	35	19	11	8
161 (100)	100	30	10	5	3	2
153 (95)	50	13	5	3	2	1

(k) * * *

(1) Control stations must be located within 80 kilometers (50 miles) of the center city coordinates listed in paragraph (k)(3) of this section.

(2) Control stations may transmit with 1000 watts effective radiated power and an antenna center of radiation height above average terrain of 152 meters (500 feet).

(5) * * *

(iv) For antenna heights between 152 and 914 meters (500 and 5,000 feet) above average terrain the effective radiated power must be reduced below 1 kW in accordance with the values shown in Table I of § 22.501(j) except for channel 15 in New York, NY, and Cleveland, Ohio and channel 16 in Detroit, Mich., where the effective radiated power must be reduced in accordance with Table J. For heights of more than 152 meters (500 feet) above average terrain, the distance to the radio path horizon will be calculated assuming smooth earth. * * *

14. Section 22.502 is amended by revising paragraph (b) and the tables in paragraphs (a) and (c), as follows:

§ 22.502 Classification of base stations.

(a) * * *

CLASS OF PUBLIC LAND MOBILE STATION

Antenna HAAT in meters (feet)	Effective radiated power (watts)				
	30 or less	31-60	61-120	121-250	251-500
123 to 152 (401 to 500)	C	B	B	A	A
92 to 122 (301 to 400)	C	C	B	B	A
61 to 91 (201 to 300)	D	C	C	B	B
31 to 60 (101 to 200)	D	D	C	C	B
30 or less (100 or less)	E	D	D	C	C

(b) Any station with antenna height more than 152 meters (500 feet) above average terrain and effective radiated power within the limits in § 22.505 is considered to be a Class A station.

(c) * * *

CLASS OF 931 MHZ PAGING STATION

Antenna HAAT in meters (feet)	Effective radiated power (Watts)					
	125 or less	126-250	251-500	501-1000	1001-1860	1861-3500
1220 to 1524 (4001 to 5000)	G	G	F	F	F	F
862 to 1219 (2826 to 4000)	H	G	G	F	F	F
611 to 861 (2001 to 2825)	K	H	H	G	F	F
428 to 610 (1401 to 2000)	L	K	H	G	G	G
306 to 427 (1001-1400)	L	L	K	H	G	G
178 to 305 (581-1000)	L	L	L	L	K	H
177 or less (580 or less)	L	L	L	L	L	L

15. Section 22.503 is amended by revising the tables in paragraphs (a), (b) and (d), and removing the word "mileage" from paragraph (c) and adding the word "distance" in its place.

§ 22.503 Geographic separation of co-channel stations.

(a) * * *

MINIMUM REQUIRED DISTANCE SEPARATION BETWEEN CO-CHANNEL STATIONS USING VHF FREQUENCIES LISTED IN § 22.501(b)
[In kilometers (miles)]

Station class	A	B	C	D	E
A	135 (84)	129 (80)	121 (75)	113 (70)	106 (66)
B	129 (80)	119 (74)	111 (69)	103 (64)	97 (60)
C	121 (75)	111 (69)	93 (58)	87 (54)	80 (50)
D	113 (70)	103 (64)	87 (54)	71 (44)	64 (40)
E	106 (66)	97 (60)	80 (50)	64 (40)	48 (30)

MINIMUM REQUIRED DISTANCE SEPARATION BETWEEN CO-CHANNEL STATIONS USING UHF FREQUENCIES LISTED IN § 22.501(b)
[In kilometers (miles)]

Station class	A	B	C	D	E
A	108 (67)	103 (64)	98 (61)	93 (58)	89 (55)
B	103 (64)	93 (58)	87 (54)	82 (51)	76 (47)
C	98 (61)	87 (54)	76 (47)	71 (44)	68 (42)

MINIMUM REQUIRED DISTANCE SEPARATION BETWEEN CO-CHANNEL STATIONS USING UHF FREQUENCIES LISTED IN § 22.501(b)—Continued
[In kilometers (miles)]

Station class	A	B	C	D	E
D	93 (58)	82 (51)	71 (44)	60 (37)	55 (34)
E	89 (55)	76 (47)	68 (42)	55 (34)	42 (26)

(b) * * *

MINIMUM REQUIRED DISTANCE SEPARATION BETWEEN CO-CHANNEL STATIONS USING VHF ONE-WAY PAGING FREQUENCIES
[In kilometers (miles)]

Station class	A	B	C	D	E
A	108 (67)	103 (64)	95 (59)	90 (56)	85 (53)
B	103 (64)	93 (58)	87 (54)	82 (51)	76 (47)
C	95 (59)	87 (54)	72 (45)	68 (42)	61 (38)
D	90 (56)	82 (51)	68 (42)	55 (34)	52 (32)
E	85 (53)	76 (47)	61 (38)	52 (32)	48 (30)

(d) * * *

MINIMUM REQUIRED DISTANCE SEPARATION BETWEEN CO-CHANNEL STATIONS USING UHF ONE-WAY PAGING FREQUENCIES
[In kilometers (miles)]

Station class	L	K	H	G	F
L	113 (70)	121 (75)	129 (80)	163 (101)	224 (139)
K	121 (75)	126 (78)	134 (83)	167 (104)	229 (142)
H	129 (80)	134 (83)	138 (86)	172 (107)	233 (145)
G	163 (101)	167 (104)	172 (107)	187 (116)	248 (154)
F	224 (139)	229 (142)	233 (145)	248 (154)	275 (171)

16. Section 22.504, paragraph (b) is amended by removing Figures 1, 2, 3, and 4. Paragraph (b)(1), the table in paragraph (b)(2) and paragraph (c) are revised to read as follows:

§ 22.504 Reliable service area.

* * * * *

(b)(1) The field strength contours described in paragraph (a) of this section determine the limits of the reliable service area of stations other than those transmitting in the 931–932 MHz frequency range for the purpose of providing protection to such stations from co-channel harmful interference and for defining the area within which consideration will be accorded claims of economic competitive injury. The propagation curves contained in FCC Report No. R-6406, "Technical Factors Affecting the Assignment of Facilities in the Domestic Public Land Mobile Radio Service", by Roger B. Carey must be used in determining areas of reliable service and interference.

(2) * * *

RADIUS IN KILOMETERS (MILES)

Station Class	F	G	H	K	L
Service Area	84 (52)	56 (35)	42 (26)	37 (23)	32 (20)
Interfering Contour	192 (119)	130 (81)	97 (60)	89 (55)	80 (50)

* * * * *

(c) All applications for base station authorization (Form 401) shall show the maximum distance from the base station to the reliable service area contour as determined from each of the eight radials shown in § 22.115 (a)(1) and (b).

17. In § 22.505 in paragraph (a)(1) of § 22.505 the words "500 feet" are removed and the words "152 meters (500 feet)" are added in their place, the tables in paragraphs (a)(2) and (b) are

revised, in paragraph (c)(1) the words "500 feet" are removed and the words "152 meters (500 feet)" are added in their place, in the formula at the end of paragraph (c)(1) the words "HAAT/500" are removed and the words "HAAT/152" are added in their place, and the words "with HAAT in meters." are added after the formula at the end of paragraph (c)(1).

22.505 Antenna height-power limit.

(a) * * *

(2) * * *

Antenna HAAT in meters (feet)	Maximum ERP in watts
152 (500)	(500)
168 (550)	397
183 (600)	323
213 (700)	223
244 (800)	166
274 (900)	126

Antenna HAAT in meters (feet)	Maximum ERP in watts
305 (1000)	98
381 (1250)	57
457 (1500)	37
610 (2000)	20
762 (2500)	13
914 (3000)	10
1067 (3500)	9
1219 (4000)	8
1524 (5000)	7

(b) * * *

Antenna HAAT in meters (feet)	Maximum ERP in watts
1524 (5000)	65
1372 (4500)	70
1219 (4000)	75
1067 (3500)	100
914 (3000)	140
762 (2500)	200
610 (2000)	350
457 (1500)	600
305 (1000)	1000

18. Paragraph (f)(1) of § 22.506 is revised to read as follows:

§ 22.506 Power.

(f) * * *

(1) All applications proposing the use of the frequencies 152.24, 152.84, 158.10, 158.70, and 454.025 MHz operating with effective radiated powers above 500 watts must show that their base stations are located a required distance from adjacent channel stations: 5 kilometers (3.2 miles) for the 152 MHz band and 7 kilometers (4.4 miles) for the frequency 454.025 MHz. All applicants for these adjacent channel frequencies must submit a study of the Commission's Master Frequency File showing that the required separation distances to the adjacent channel base stations have been met. In addition, any common carrier stations operating on 158.70 and 158.10 MHz at powers greater than 500 watts must submit an analysis of the common carrier land mobile base station cumulative staff study showing that they are located more than 5 kilometers (3.2 miles) from common carrier stations operating on the base channels 152.21 and 152.81 MHz respectively.

§ 22.521 [Amended]

19. In the first sentence of paragraph (b) of § 22.521 the words "25 miles" are removed and the words "40 kilometers (25 miles)" are added in their place.

§ 22.525 [Amended]

20. In paragraphs (b) and (e) § 22.525 the words "forty miles" are removed everywhere they occur and the words "64 kilometers (40 miles)" are added in their place.

21. Paragraphs (a)(2)(i), (a)(2)(iv) and (a)(3) of § 22.601 are revised, and in the first two sentences of paragraph (g)(3) of § 22.601 the words "150 miles" are removed everywhere they occur and the words "241 kilometers (150 miles)" are added in their place to read as follows:

§ 22.601 Frequencies.

(a) * * *

(2) * * *

(i) Rural radio service licensees may not use these frequencies within 161 kilometers (100 miles) of the border of the top 54 SMSAs as defined in the Domestic Cellular Radio Service;

(iv) The same frequency group may not be reassigned to a base station within 113 kilometers (70 miles) of another base station on the same channels or channels offset by 12.5 kHz;

(3) For the Canadian Regions and within 110 kilometers (68 miles) of the Mexican border, the frequencies in paragraph (c) of this section are not available.

§ 22.902 [Amended]

22. In the first sentence of paragraph (d)(1) of § 22.902 the words "75 miles" are removed and the words "121 kilometers (75 miles)" are added in their place.

23. Paragraphs (a)(1), (a)(2), (a)(3) and (a)(5) of § 22.903 are revised to read as follows:

§ 22.903 Cellular geographic service area.

(a) * * *

(1) Except as provided in paragraph (a)(2) of this section, the radial distance from a cell transmitting antenna to its service area boundary is calculated as follows:

$$d = 2.531 \times h^{0.34} \times p^{0.17}$$

where

d is the radial distance in kilometers
h is the radial antenna HAAT in meters

p is the radial ERP in Watts

(2) For the cellular systems authorized to serve the Gulf of Mexico MSA, the radial distance from a cell transmitting antenna to its service area boundary is calculated as follows:

$$d = 6.895 \times h^{0.30} \times p^{0.15}$$

where

d is the radial distance in kilometers

h is the radial antenna HAAT or HAMS in meters

p is the radial ERP in Watts

(3) The value used for h in the formula in paragraph (a)(2) of this section must not be less than 8 meters (26 feet) HAAT (or HAMS, as appropriate for the support structure). The value used for h in the formula in paragraph (a)(1) of this section must not be less than 30 meters (98 feet) HAAT, except that for unserved area applications proposing a cell with an ERP not exceeding 10 Watts, the value for h used in the formula to determine the service area boundary for that cell may be less than 30 meters (98 feet) HAAT, but not less than 3 meters (10 feet) HAAT.

(5) Whenever use of the formula in paragraph (a)(1) of this section pursuant to the exception contained in paragraph (a)(3) of this section results in a calculated distance that is less than 5.4 kilometers (3.4 miles), the radial distance to the service area boundary is deemed to be 5.4 kilometers (3.4 miles).

24. Section 22.905 is revised to read as follows:

§ 22.905 Antenna height-power for base stations.

In view of the fact that the predominant characteristic of cellular systems is frequency reuse within a given service area, the effective radiated power (ERP) of base stations with transmitting antennas in excess of 152 meters (500 feet) above average terrain (AAT) must be reduced as shown in the table below, unless coordination is performed and agreements are reached with all neighboring carriers that are within 120 kilometers (75 miles).

Antenna HAAT in meters (feet)	Maximum ERP in watts
152 (500)	500
168 (550)	397
183 (600)	323
213 (700)	223
244 (800)	166
274 (900)	126
305 (1000)	98
381 (1250)	57
457 (1500)	37
610 (2000)	20
762 (2500)	13
914 (3000)	10
1067 (3500)	9
1219 (4000)	8
1524 (5000)	7

For AATs between the above listed values, linear interpolation should be used.

25. The last sentence of paragraph (a)(1) of § 22.913 is revised and in paragraph (c) of § 22.913 the words "4 x 6 inch" are removed and the words "B6 (125 mm x 176 mm) or 4 x 6 inch (102 mm x 152 mm)" are added in their place to read as follows:

§ 22.913 Content and form of MSA applications.

(a) * * *

(1) * * * In addition, this exhibit shall include an A4 (21 cm x 29.7 cm) or 8.5 x 11 inch (21.6 cm x 27.9 cm) reduced copy of the 1:250,000 scale map required by § 22.903(a).

26. In paragraph (a)(1) of § 22.923 the words "8½ x 11 inch" are removed and the words "A4 (21 cm x 29.7 cm) or 8.5 x 11 inch (21.6 cm x 27.9 cm)" are added in their place, in paragraphs (b)(1) and (b)(5) of § 22.923 the words "5 inch x 7½ inch" are removed and the words "B6 (12.5 cm x 17.6 cm) or 5 x 7.5 inch (12.7 cm x 19.1 cm)" are added in their place and in paragraph (b)(6) of § 22.923 the words "9 inch x 12 inch" are removed and the words "C4 (22.9 cm x 32.4 cm) or 9 x 12 inch (22.9 cm x 30.5 cm)" are added in their place.

27. Paragraph (a)(1) and the first sentence of paragraph (b)(2) of § 22.924 are revised to read as follows:

§ 22.924 Content and form of applications for unserved areas.

(a) * * *

(1) Applications for unserved areas must propose a minimum geographical coverage of 130 contiguous square kilometers (50 contiguous square miles).

(b) * * *

(2) Exhibit II—A4 (21 cm x 29.7 cm) or 8.5 x 11 inch (21.6 cm x 27.9 cm) reduced map. * * *

28. Paragraph (b) of § 22.925 is revised to read as follows:

§ 22.925 System information update.

(b) The reduced map must be a proportional reduction, to A4 (21 cm x 29.7 cm) or 8.5 x 11 inches (21.6 cm x 27.9 cm), of the full-size map required in paragraph (a) of this section, unless it proves to be impractical to depict the entire cellular market by reducing the full-size map. In such instance, an A4 (21 cm x 29.7 cm) or 8.5 x 11 inch (21.6 cm x 27.9 cm) map of a different scale may be substituted, provided that the required features of the full-size map are clearly depicted and labeled.

29. Paragraph (h) of § 22.930 is revised to read as follows:

§ 22.930 Special provisions for alternative cellular technologies and auxiliary services.

(h) Operations under the cellular service option are subject to frequency coordination in accordance with § 22.902(d) and the following requirements. The cellular system operator must perform an engineering analysis to ensure that interference will not occur from implementation of auxiliary services or alternative cellular technologies. The operator must obtain the concurrence of other cellular systems on the same frequency block within 121 kilometers (75 miles).

30. In Table A following § 22.1001 paragraph (a), remove the words "3-mile" and add, in their place, the words "5-kilometer (3-mile)".

31. In Table B following § 22.1001 paragraph (b), remove the words "3-mile" and add, in their place, the words "5-kilometer (3-mile)".

32. In Table C following § 22.1001 paragraph (c), remove the words "3-mile" and add, in their place, the words "5-kilometer (3-mile)".

33. In Table C following § 22.1001 paragraph (c), remove the words "175 mile" and add, in their place, the words "282-kilometer (175-mile)".

34. Paragraphs (d)(2)(i), (d)(2)(ii), (d)(4), (d)(5) and (d)(6), and Table D and the note following and Table E and the note following in paragraph (d)(7) of § 22.1001 are revised to read as follows:

§ 22.1001 Frequencies.

(d) * * *

(2) * * *

(i) Using the method specified in § 73.611 of this chapter, determine the distance between the proposed station and the protected co-channel television station. If the exact distance does not appear in Table D of this section, the next lower distance separation figure is to be used.

(ii) Enter the table at the distance figure found in paragraph (d)(2)(i) of this section. Opposite this distance figure, ERPs are given that may be used for antenna heights of 30, 46, or 61 meters (100, 150, or 200 feet) above sea level. If the exact antenna height is not shown, the ERP allowed will be that shown for the next higher antenna height.

(4) No airborne subscriber station shall be operated with an effective radiated power in excess of 1 watt or at heights in excess of 305 meters (1,000 feet) above mean sea level. Airborne subscriber stations using Channel 17 frequencies shall not be operated outside the limits of the Zone specified

in Table A of this section. Further, to provide adjacent channel protection to TV Channel 18, these stations shall not operate within a 129 kilometer radial distance to Lake Charles, Louisiana. Airborne subscriber stations using Channel 16 frequencies shall not be operated outside the limits of the Zone specified in Table B of this section. Further, to provide adjacent channel protection to TV Channel 15, these stations shall not operate within a 129 kilometer (80 mile) radial distance to Lafayette, Louisiana. Airborne subscriber stations using Channel 15 frequencies shall not be operated outside the limits of the Zone specified in Table C of this section. Further, to provide adjacent channel protection to TV Channels 14 and 16, these stations shall not operate within a 129 kilometer (80 mile) radial distance of either Corpus Christi or Houston, Texas.

(5) Antenna heights in excess of 61 meters (200 feet) above mean sea level will not be authorized, except that surface mobile stations will be limited to a height of 10 meters (30 feet) above the water line.

(6) Mobile stations shall not operate with an effective radiated power in excess of 25 watts within 32.2 km (20 miles) of the 5 kilometer (3 mile) limit. In all other Zones, the effective radiated power shall not exceed 100 watts.

(7) * * *

TABLE D.—PROTECTION OF CO-CHANNEL FULL SERVICE TELEVISION STATIONS BY STATIONS IN THE OFFSHORE RADIO TELECOMMUNICATIONS SERVICE

[65 dB protection]

Distance from ORTS transmitter to TV station in kilometers (miles)	Antenna height above mean sea level in meters (feet)		
	30 (100)	46 (150)	61 (200)
338 (210)	1000	1000	1000
330 (205)	1000	900	800
322 (200)	800	710	630
314 (195)	590	520	450
306 (190)	450	400	330
298 (185)	320	280	240
290 (180)	250	210	175
282 (175)	180	150	130
274 (170)	175	110	100
265 (165)	95	80	70
258 (160)	65	55	50
249 (155)	50	40	35
241 (150)	35	30	25

Note: No ORS station shall operate less than 241.4 km (150 mi) from any full service co-channel TV station.

TABLE E.—PROTECTION OF ADJACENT CHANNEL FULL SERVICE TELEVISION STATIONS BY STATIONS IN THE OFF-SHORE RADIO TELECOMMUNICATIONS SERVICE

[0 dB protection]

Distance beyond the 5-kilometer (3-mile) limit in kilometers (miles)	Antenna height above sea level in meters (feet)	
	30 (100)	61 (200)
6 (4)	25	6
8 (5)	40	10
10 (6)	65	15
11 (7)	100	25
13 (8)	150	35
14 (9)	215	50
16 (10)	295	70
18 (11)	400	100
19 (12)	530	130
21 (13)	685	170
23 (14)	870	215
24 (15)	1000	270
26 (16)	1000	415
27 (17)	1000	505
29 (18)	1000	610
31 (19)	1000	730
32 (20)	1000	865
34 (21)	1000	1000

Note: Table E of this section applies only within a 128.8 km (80 mi) radial distance of full service adjacent channel TV stations.

§ 22.1002 [Amended]

35. In the first sentence of § 22.1002 the words "20 miles" are removed and the words "32 kilometers (20 miles)" are added in their place, and the words "3 mile" are removed and the words "5 kilometer (3 mile)" are added in their place.

36. In the first sentence of § 22.1109 the words "one mile" are removed and the words "1.6 kilometers (1 mile)" are added in their place, and paragraphs (a) and (b) are revised to read as follows:

§ 22.1109 Geographical channel block layout.

(a) Air-ground licensees may use any of the channels to provide service from any location to airborne mobile stations on the ground, provided that no interference is caused to service provided by ground stations operating in accordance with the geographical channel block layout or with paragraph (b) of this section, and provided that the locations of ground stations providing such service are at least 483 kilometers (300 miles) from all locations using the channel block(s) for communication with 800 MHz airborne mobile stations in flight.

(b) A ground station location may be more than 1.6 kilometers (1 mile) from

all of the locations listed in this section provided that it is at least 885 kilometers (550 miles) from all existing locations using the same channel block for communication with 800 MHz airborne mobile stations in flight.

PART 23—INTERNATIONAL FIXED PUBLIC RADIOCOMMUNICATION SERVICES

1. The authority citation for part 23 continues to read as follows:

Authority: Section 47 U.S.C. 154; 303; Interpret or apply Section 47 U.S.C. 301.

2. The third sentence of paragraph (d) introductory text of § 23.20 is amended by removing the words "1800 acre" and adding words "728 hectare" in their place, and paragraphs (d)(1) (i) through (iv) are revised to read as follows:

§ 23.20 Assignment of frequencies.

- (d) * * *
- (1) * * *
- (i) All stations within 2.4 kilometers;
- (ii) Stations within 4.8 kilometers with 50 watts or more effective radiated power (ERP) in the primary plane of polarization in the azimuthal direction of the Table Mountain Radio Receiving Zone;
- (iii) Stations within 16.1 kilometers with 1 kW or more ERP in the primary plane of polarization in the azimuthal direction of Table Mountain Receiving Zone;
- (iv) Stations within 80.5 kilometers with 25 kW or more ERP in the primary plane or polarization in the azimuthal direction of Table Mountain Receiving Zone.

3. Section 23.40 is revised to read as follows:

§ 23.40 Changes in height or location of antenna.

The licensee of a fixed public radio station, the transmitter of which is authorized at a fixed location, shall not make any changes, without the express authority of the Commission, either in the height or the location of the antenna or its supporting structures, except when the existing or proposed antenna or structure has a maximum height not in excess of 30.5 meters above the ground, changes in height or local changes in location may be made without specific authorization. In no case shall any change in the height or location of the antenna or its supporting structures be made without authority when located or proposed to be located within 8 kilometers of an airport recognized by the Federal Aviation Agency or within 8 kilometers of the

center line of an established Federal airway.

PART 25—SATELLITE COMMUNICATIONS

1. The authority citation for part 25 continues to read as follows:

Authority: Sections 101–404, 76 Stat 419–427; 47 U.S.C. 701–744, Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154 Interprets or applies Sec. 303, 48 Stat. 1082, as amended, 47 U.S.C. 303.

2. Paragraphs (e)(2)(i), (e)(2)(ii), (e)(2)(iii), (e)(2)(iv), (g)(3)(i), (g)(3)(ii), (g)(3)(iii) and (g)(3)(iv) of § 25.203 are revised to read as follows:

§ 25.203 Choice of sites and frequencies.

- (e) * * *
- (2) * * *
- (i) All stations within 2.5 kilometers;
- (ii) Stations within 5 kilometers with 50 watts or more average effective radiated power (ERP) in the primary plane of polarization in the azimuthal direction of the Table Mountain Radio Receiving Zone;
- (iii) Stations within 15 kilometers with 1 kW or more average ERP in the primary plane of polarization in the azimuthal direction of Table Mountain Receiving Zone;
- (iv) Stations within 80 kilometers with 25 kW or more average ERP in the primary plane of polarization in the azimuthal direction of Table Mountain Receiving Zone.
- (g) * * *
- (3) * * *
- (i) All stations within 2.5 kilometers;
- (ii) Stations within 5 kilometers with 50 watts or more average effective radiated power (ERP) in the primary plane of polarization in the azimuthal direction of the Monitoring Station;
- (iii) Stations within 15 kilometers with 1 kW or more average ERP in the primary plane of polarization in the azimuthal direction of the Monitoring Station;
- (iv) Stations within 80 kilometers with 25 kW or more average ERP in the primary plane of polarization in the azimuthal direction of the Monitoring Station.

PART 36—JURISDICTIONAL SEPARATIONS PROCEDURES; STANDARD PROCEDURES FOR SEPARATING TELECOMMUNICATIONS PROPERTY COSTS, REVENUES, EXPENSES, TAXES AND RESERVES FOR TELECOMMUNICATIONS COMPANIES

1. The authority citation for part 36 continues to read as follows:

Authority: Sections 151, 154(i), 154(j), 205, 221(c), 403 and 410.

2. Paragraphs (a)(3) and (b)(3)(iii) of § 36.2 are revised to read as follows:

§ 36.2 Fundamental principles underlying procedures.

(a) * * *

(3) In the development of "actual use" measurements, measurements of use are (i) determined for telecommunications plant or for work performed by operating forces on a unit basis (e.g., conversation-minute-kilometers per message, weighted standard work seconds per call) in studies of traffic handled or work performed during a representative period for all traffic and (ii) applied to overall traffic volumes, i.e., 24-hour rather than busy-hour volumes.

(b) * * *

(3) * * *

(iii) Conversation-minute-kilometers or conversation minutes is the basis for measuring the use of interexchange circuit plant and holding-time minutes is the basis for measuring the use of exchange trunk plant. While the use of holding-time-minute-kilometers is the basic fundamental allocation factor for interexchange circuit plant and exchange trunk plant, the use of conversation-minute-kilometers or conversation-minutes for the allocation of interexchange circuit plant and holding-time minutes for the allocation of exchange trunk plant are considered practical approximations for separations between state and interstate operations when related to the broad types of plant classifications used herein.

3. Paragraphs (a)(1)(i)(A), (a)(1)(i)(B), (a)(1)(ii)(C), (a)(2)(i)(B) and (b)(1) of § 36.153 are revised to read as follows:

§ 36.153 Assignment of Cable and Wire Facilities (C&WF) to categories.

(a) * * *

(1) * * *

(i) * * *

(A) By section of cable, uniform as to makeup and relative use by categories. From an analysis of cable engineering and assignment records, determine in terms of equivalent gauge the number of pairs in use or reserved, for each

category. The corresponding percentages of use, or reservation, are applied to the cost of the section of cable, i.e., sheath meters times unit cost per meter, to obtain the cost assignable to each category.

(B) By using equivalent pair kilometers, i.e., pair kilometers expressed in terms of equivalent gauge. From an analysis of cable engineering and assignment records, determine the equivalent pair kilometers in use for each category by type of facility, e.g., quadded, paired. The equivalent pair kilometers are then divided by a cable fill factor to obtain the equivalent pair kilometers in plant. The total equivalent pair kilometers in plant assigned to each category is summarized by type of facility, e.g., quadded and paired, and priced at appropriate average unit costs per equivalent pair kilometer in plant. If desired, this study may be made in terms of circuit kilometers rather than physical pair kilometers, with average cost and fill data consistent with the basis of the facilities kilometer count.

(ii) * * *

(C) For use in the assignment of poles to categories, the equivalent sheath kilometers of aerial cable assigned to each category are determined. For convenience, these quantities are determined in connection with assignment of cable costs.

(2) * * *

(i) * * *

(B) By pricing out each category by determining the pair meters of loaded pairs assigned to each category and multiplying by the unit cost per pair meter of loading by type.

(b) * * *

(1) The cost of wire accounted for as exchange is assigned to the appropriate Exchange Cable & Wire Facilities categories. The cost of wire accounted for as toll, which is used for exchange, is also assigned to the appropriate Exchange Cable & Wire Facilities categories. The cost of the remaining wire accounted for as toll is assigned to the appropriate Interexchange Cable & Wire Facilities categories as described in § 36.156. For companies not maintaining exchange and toll subaccounts, it is necessary to review the plant records and identify wire plant by use. The cost of wire used for providing circuits directly assignable to a category is assigned to that category. The cost of wire used for providing circuit facilities jointly used for exchange and interexchange lines is assigned to categories on the basis of the

relative number of circuit kilometers involved.

* * *

4. Section 36.156 is revised to read as follows:

§ 36.156 Interchange Cable and Wire Facilities (C&WF)—Category 3—apportionment procedures.

(a) An average interexchange cable and wire facilities cost per equivalent interexchange telephone circuit kilometer for all circuits in Category 3 is determined and applied to the equivalent interexchange telephone circuit kilometer counts of each of the classes of circuits.

(b) The cost of C&WF applicable to this category shall be directly assigned where feasible. If direct assignment is not feasible, cost shall be apportioned between the state and interstate jurisdiction on the basis of conversation-minute kilometers as applied to toll message circuits, TWX circuits, etc.

5. Paragraph (a)(1) of § 36.157 is revised to read as follows:

§ 36.157 Host/remote message Cable and Wire Facilities (C&WF)—Category 4—apportionment procedures.

(a) * * *

(1) The cost of host/remote message C&WF excluding WATS closed end access lines for the study area is apportioned on the basis of the relative number of study area minutes-of-use kilometers applicable to such facilities.

* * *

6. In the Appendix at the end of part 36, the definition of "Cable Fill Factor" is revised, the definition of "Circuit Mileage or Miles" is removed and the definition of "Circuit Kilometers" is added in its place, the definition of "Conversation-Minute-Miles" is removed and the definition of "Conversation-Minute-Kilometers" is added in its place, the definition of "Equivalent Miles of 104 Wire" is removed and the definition of "Equivalent Kilometers of 104 Wire" is added in its place, the definition of "Equivalent Pair Miles" is removed and the definition of "Equivalent Pair Kilometers" is added in its place, the definition of "Equivalent Sheath Miles" is removed and the definition of "Equivalent Sheath Kilometers" is added in its place, the definition of "Minutes-of-Use-Miles" is removed and the definition of "Minutes-of-Use-Kilometers" is added in its place, the definition of "Sheath Miles" is removed and the definition of "Sheath Kilometers" is added in its place, the definition of "TWX Connection-Minute-Miles" is removed and the definition of

"TWX Connection-Minute-Kilometers" is added in its place, and the definitions of "Long Haul Toll Traffic" and "Short Haul Toll Traffic" are removed to read as follows:

* * * * *

Cable Fill Factor

The ratio of cable conductor or cable pair kilometers in use to total cable conductor or cable pair kilometers available in the plant, e.g., the ratio of revenue producing cable pair kilometers in use to total cable pair kilometers in plant.

* * * * *

Circuit Kilometers

The route kilometers or revenue producing circuits in service, determined by measuring the length in terms of kilometers, of the actual path followed by the transmission medium.

* * * * *

Conversation-Minute-Kilometers

The product of (a) the number of messages, (b) the average minutes of conversation per message and (c) the average route kilometers of circuits involved.

* * * * *

Equivalent Kilometers of 104 Wire

The basic units employed in the allocation of pole lines costs for determining the relative use made of poles by aerial cables and by aerial wire conductors of various sizes. This unit reflects the relative loads of such cable and wire carried on poles.

Equivalent Pair Kilometers

The product of sheath Kilometers and the number of equivalent gauge pairs of conductors in a cable.

Equivalent Sheath Kilometers

The product of (a) the length of a section of cable in kilometers (sheath kilometers) and (b) the ratio of the metallic content applicable to a particular group of conductors in the cable (e.g., conductors assigned to a category) to the metallic content of all conductors in the cable.

* * * * *

Minutes-of-Use-Kilometers

The product of (a) the number of minutes-of-use and (b) the average route kilometers of circuits involved.

* * * * *

Sheath Kilometers

The actual length of cable in route kilometers.

* * * * *

TWX Connection-Minute-Kilometers

The product of (a) the number of TWX connections, (b) the average minutes per TWX connection and (c) the average route kilometers of circuits involved.

* * * * *

PART 61—TARIFFS

1. The authority citation for part 61 continues to read as follows:

Authority: Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply Sec. 203, 48 Stat. 1070; 47 U.S.C. 203.

§ 61.33 [Amended]

2. In paragraph (a) of § 61.33 the words "8½ x 11 inches" are removed and the words "A4 (21 cm x 29.7 cm) or 8.5 x 11 inches (21.6 cm x 27.9 cm)" are added in their place.

3. Paragraph (a) of § 61.52 is revised to read as follows:

§ 61.52 Form, size, type, legibility, etc.

(a) All tariff publications must be in loose-leaf form of size A4 (21 cm x 29.7 cm) or 8.5 x 11 inches (21.6 cm x 27.9 cm), and must be plainly printed in black print on white paper of durable quality. Less than 6-point type may not be used. Erasures or alterations in writing must not be made in any tariff publication filed with the Commission or in those copies posted for public convenience. A margin of no less than 2.5 cm (1 inch) in width must be allowed at the left edge of every tariff publication.

* * * * *

PART 63—EXTENSION OF LINES AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS

1. The authority citation for part 63 continues to read as follows:

Authority: Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply sec. 214, 48 Stat. 1075, as amended; 47 U.S.C. 214.

2. Paragraph (j)(4) of § 63.01 is revised to read as follows:

§ 63.01 Contents of applications.

* * * * *

(j) * * *

(4) Cities, towns, and villages along routes indicated on map or sketch, with approximate population of each, and route kilometers between the principal points;

* * * * *

3. Section 63.03 is amended by revising paragraphs (b)(6), (e)(2) and (e)(3) to read as follows:

§ 63.03 Special provisions relating to small projects for supplementing of facilities.

* * * * *

(b) * * *

(6) The route kilometers of the facilities involved (excluding leased facilities) and airline kilometers between terminal communities in the proposed project; and

* * * * *

(e) * * *

(2) The route kilometers thereof (excluding leased facilities);

(3) The terminal communities served and airline kilometers between such communities;

* * * * *

4. Paragraph (b) of § 63.04 is amended by removing the words "route mileage" and adding the words "route kilometers" in their place, and by removing the words "airline mileage" and adding the words "airline kilometers" in their place, and by revising paragraphs (c)(2) and (c)(3) to read as follows:

§ 63.04 Special provisions relating to temporary or emergency service.

* * * * *

(c) * * *

(2) The route kilometers thereof (excluding leased facilities);

(3) The terminal communities served and the airline kilometers between terminal communities in the proposed project;

* * * * *

5. The first sentence of § 63.53 is revised to read as follows:

§ 63.53 Form.

Applications under section 214 of the Communications Act shall be submitted on paper not more than 21.6 cm (8.5 in) wide and not more than 35.6 cm (14 in) long with a left-hand margin of 4 cm (1.5 in). * * *

6. Paragraphs (b)(2) and (d)(1) of § 63.56 are revised and in paragraph (c) the words "route mile" are removed and the words "route kilometer" are added in their place to read as follows:

§ 63.56 Waivers.

* * * * *

(b) * * *

(2) A demonstration that the proposed service area has a density of less than thirty households per route kilometer of coaxial cable trunk and feeder line;

* * * * *

(d) * * *

(1) The density of the area to be served is thirty or more households per route kilometer; or

7. Paragraph (a)(1) of § 63.64 is revised to read as follows:

§ 63.64 Alternative procedure in certain specified cases involving public coast stations.

(a) * * *

(1) Where applicant proposes to close a branch, agency, or jointly-operated office located within 0.4 kilometers of another office of the applicant with the same or longer hours of service and equal or better pickup and delivery facilities which will be made available to the area served by the office to be closed, and the average number of messages sent and received at the office to be closed, for the preceding 6 months, has been 50 or less per day;

8. In paragraph (a)(4) introductory text of § 63.70 the words "20 inches by 24 inches" are removed and the words "A2 (42.0 cm x 59.4 cm) or 20 in x 24 in (50.8 cm x 61.0 cm) in size" are added in their place.

9. In paragraph (a) introductory text of § 63.90 the words "20 inches by 24 inches" are removed and the words "A2 (42.0 cm x 59.4 cm) or 20 in x 24 in (50.8 cm x 61.0 cm) in size" are added in their place, and in paragraph (b) the words "4 column inches" are removed and the words "10 column centimeters (4 column inches)" are added in their place, and in paragraph (c) the words "11 inches by 17 inches" are removed and the words "A3 (29.7 cm x 42.0 cm) or 11 in x 17 in (27.9 cm x 43.2 cm) in size" are added in their place.

10. Section 63.500 is amended by revising paragraph (k)(3) to read as follows:

§ 63.500 Contents of applications to dismantle or remove a trunk line.

(k) * * *

(3) Cities and towns along routes with approximate population of each, and route kilometers between the principal points;

PART 68—CONNECTION OF TERMINAL EQUIPMENT TO THE TELEPHONE NETWORK

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

Authority: Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; (47 U.S.C. 154, 155, 303), unless otherwise noted.

2. Paragraph (a) of the definition of "Demarcation point" in section 68.3 is

amended by removing the words "twelve inches" everywhere they occur and adding the words "30 cm (12 in)" in their place, paragraph (b)(2) of the definition of "Demarcation point" is amended by removing the words "twelve inches" and adding the words "30 cm (12 in)" in their place, and paragraph (a)(1) of the definition of "System premises wiring" is amended by removing the words "50 feet" and adding the words "15 meters (50 feet)" in their place.

3. In the first sentence of paragraph (f) of § 68.200 the words "8" x 10" are removed and the words "of size A4 (12.0 cm x 29.7 cm) or 8 x 10 inches (20.3 cm x 25.4 cm)" are added in their place, in the second sentence of paragraph (f) the words "8" x 10" are removed everywhere they appear and the words "A4 (21.0 cm x 29.7 cm) or 8 x 10 inches (20.3 cm x 25.4 cm)" are added in their place, and paragraph (h)(1) and the last sentence of paragraph (h)(2) are revised to read as follows:

§ 68.200 Application for equipment registration.

(h) * * *

(1) An extension cord must consist of a male connector and a female connector and wiring between them which is no longer than 7.6 meters (25 feet).

(2) * * * Switch wiring must be "fully protected" wiring, no longer than 7.6 meters (25 feet).

§ 68.213 [Amended]

4. Paragraph (c) of § 68.213 is amended by removing the words "six inches" and adding in their place the words "15 cm (6 in)".

§ 68.215 [Amended]

5. Paragraph (a)(2) of § 68.215 is amended by removing the words "twenty-five feet" and adding the words "7.6 meters (25 feet)" in their place, and paragraph (d)(2) is amended by removing the words "six inches" and adding the words "15 cm (6 in)" in their place.

6. Paragraphs (b) and (c)(1) of § 68.302 are revised to read as follows:

§ 68.302 Environment simulation.

(b) *Temperature and humidity.* Cycling at any convenient rate through the following temperature and humidity conditions three times: 30 minutes at 65° C (150° F) and 15 percent relative humidity, followed by 30 minutes at 32° C (90° F) and 90 percent relative humidity, followed by 30 minutes at

–40° C (–40° F) and any convenient humidity.

(c) *Shock.*

(1) Registered Terminal Equipment and Registered Protective Circuitry Equipment Unpackaged:

Hand-Held Items Normally Used at Head Height:

18 random drops from a height of 150 cm (60 in) onto concrete covered with 3 mm (1/8 in) asphalt tile or similar surface.

Normally Customer Carried Equipment: 6 random drops from a height of 75 cm (30 in) onto concrete covered with 3 mm (1/8 in) asphalt tile or similar surface.

Equipment Not Normally Customer Carried:

These tests are made onto concrete covered with 3 mm (1/8 in) asphalt tile or similar surface.

0–10 kg (0–20 lbs): One 15 cm (6 in) face drop on each normal or designated rest face, one 7 cm (3 in) drop on all other faces, and one 7 cm (3 in) corner drop on each corner.

10–20 kg (20–50 lbs): One 10 cm (4 in) face drop on each normal or designated rest face, one 5 cm (2 in) face drop on all other faces, and one 5 cm (2 in) corner drop on each corner.

20–50 kg (50–100 lbs): One 5 cm (2 in) face drop on each normal or designated rest face. One edgewise drop and one cornerwise drop from a height of 5 cm (2 in) on each edge and corner adjacent to the rest face.

50–500 kg (100–1000 lbs): One 2 cm (1 in) face drop on each normal or designated rest face. One edgewise drop and one cornerwise drop from a height of 2 cm (1 in) on each edge and corner adjacent to the rest face.

Over 500 kg (1,000 lbs): One 2 cm (1 in) face drop on each normal or designated rest face. One edgewise drop from a height of 2 cm (1 in) on each edge adjacent to this rest face.

§ 68.304 [Amended]

7. In Note 5 in paragraph (h) of § 68.304 the words "(10N+ 0.04L)" are removed and the words "(10N+ 0.13L)" are added in their place, and in Note 5 in paragraph (h) the word "feet" is removed and the word "meters" is added in its place.

8. Section 68.500 is amended as follows:

A. In § 68.500 the introductory text is revised as shown below.

B. Figures 68.500(a)(2)(i) and 68.500(a)(2)(ii), and Notes 3, 4, 5, 6, 8 and 9 to Figures 68.500(a)(2)(i) and 68.500(a)(2)(ii) are revised to read as shown below.

C. Figure 68.500(a)(3)(i) is revised, Notes 1, 2, 5 and 6 to Figure 68.500(a)(3)(i) are revised to read as shown below.

D. Figures 68.500(a)(4)(i) and 68.500(a)(5)(i) are revised to read as shown below.

E. Figures 68.500 (b)(2)(i) and (b)(3)(i) are revised to read as shown below.

F. Notes 1, 3, 4, 5, 7, 8 and the first, second and fourth paragraphs of Note 10 to Figures 68.500(b)(2)(i) and 68.500(b)(3)(i) are revised to read as shown below.

G. Figures 68.500(c)(2)(i) and (c)(2)(ii) are revised to read as shown below.

H. Notes 2, 3, 4 and 6 to Figures 68.500(c)(2)(i) and 68.500(c)(2)(ii) are revised to read as shown below.

I. Figure 68.500(c)(3)(i) is revised to read as shown below.

J. Notes 1, 2, 5 and 6 to Figure 68.500(c)(3)(i) are revised to read as shown below.

K. Figures 68.500(c)(4)(i), 68.500(c)(5)(i), 68.500(d)(2)(i) and 68.500(d)(3)(i) are revised to read as shown below.

L. Notes 1, 3, 4, 5, 7, 8, the first, second and fourth paragraphs of Note 10, and Note 12 to Figures 68.500(d)(2)(i) and 68.500(d)(3)(i) are revised to read as shown below.

M. Paragraphs (e)(1), (e)(3), (e)(4), (e)(5), (e)(6), (e)(7), (e)(8) and (e)(9) are revised to read as shown below.

N. Figures 68.500(e)(1), 68.500(e)(2), 68.500(e)(3) and 68.500(e)(4) are revised to read as shown below.

O. Paragraphs (f)(1), (f)(3), (f)(4), (f)(5), (f)(6), (f)(7), (f)(8) and (f)(9) are revised to read as shown below.

P. Figures 68.500(f)(1), 68.500(f)(2) and 68.500(f)(3) are revised to read as shown below.

Q. Paragraph (g) and its Note are revised to read as shown below.

R. Figures 68.500(g)(1) and 68.500(g)(2) are revised to read as shown below.

S. Paragraph (h) and its Note are revised to read as shown below.

T. Figure 68.500(h) is revised to read as shown below.

U. Figures 68.500(i)(2)(i) and 68.500(i)(2)(ii) are revised to read as shown below.

V. Notes 2, 3, 4 and 6 to Figures 68.500(i)(2)(i) and 68.500(i)(2)(ii) are revised to read as shown below.

W. Figure 68.500(i)(3)(i) is revised to read as shown below.

X. Notes 1, 2, 5 and 6 to Figure 68.500(i)(3)(i) are revised to read as shown below.

Y. Figures 68.500(i)(4)(i), 68.500(i)(5)(i) and 68.500(j)(2)(i) are revised to read as shown below.

Z. Notes 1, 3, 4, 5, 7, 8 and 10 to Figure 68.500(j)(2)(i) are revised to read as shown below.

§ 68.500 Specifications.

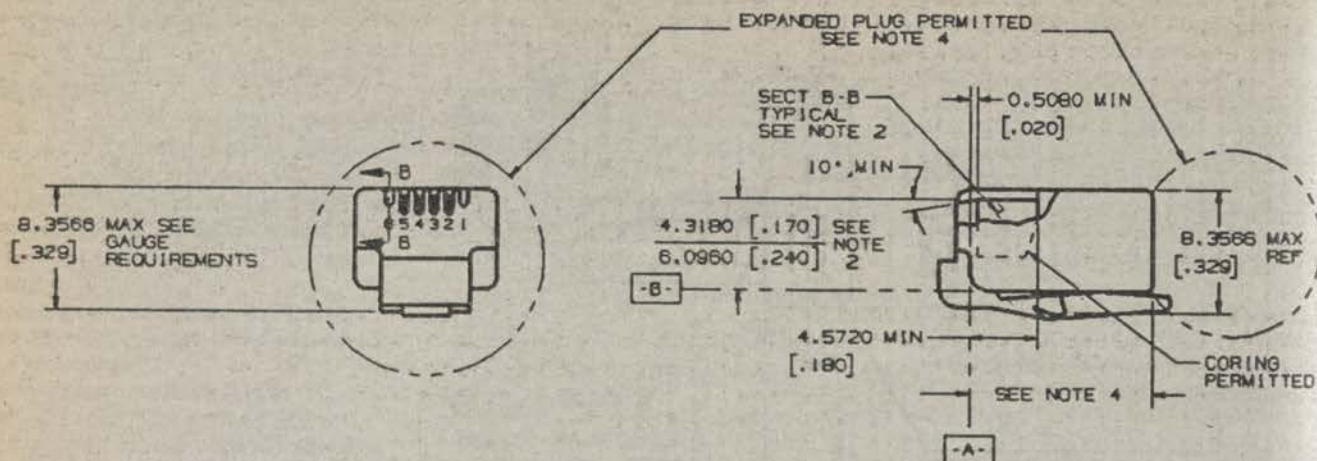
General. The US customary units are shown in parentheses throughout this Subpart F. US customary units were the original dimensional units used in designing the plugs and jacks shown in the following pages. The dimensions shown without parenthesis are in SI units. The SI dimensional units are derived from the US customary units by multiplying "inches" by "25.4" to derive the exact conversion in millimeters with no rounding-off of the resulting decimal value. The number of decimal places to which the conversion is taken by adding a particular number of zeroes to the right end of the resulting SI value, where required, is governed by the concept that when the calculated SI dimensional unit is divided by "25.4," the resulting "inches" calculation will be exactly that shown in the parenthesis (the original design dimension). The conversion to SI force units, newtons, is rounded off to a number of decimal places that will result in the calculated SI force value being within less than one percent of the original US customary force unit value located adjacent in

parenthesis (the original design value). The rationale for this is that this will bring the force conversions to within the degree of accuracy of the force-measuring device and avoid the carrying of an unrealistic number of decimal places which would otherwise result from an exact conversion. The plugs and jacks described in this section represent the standard connections to be used for connections to the telephone network. The plug and jack designs shown are representative of generic types, and should not be interpreted as the only designs that may be used. Design innovation and improvement is expected; but for interchangeability to be maintained, alternative designs (the "or equivalent" permitted in § 68.104) must be compatible with the plugs and jacks shown. The interface dimensions between mating plugs and jacks must be maintained. Hardware used to mount, protect, and enclose standard jacks is not described. The only requirement on connecting blocks, housings, dust covers, outdoor boxes, and the like that contain standard network jacks is that they accept standard plugs with cordage. For special purpose applications, plugs may be made longer than shown or adapted for direct use on equipment or apparatus without cordage. The sliding modular plug used on the back of many modular wall telephone sets is an example of such a special purpose application. It is the responsibility of the designers and manufacturers of communication equipment who use such plugs to assure that they are compatible with the hardware used to mount standard jacks with which they plan to interface.

(a) Miniature 6-position plug:

* * * * *

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NOTE: ALL NOTES FOLLOW THIS FIGURE.

FIGURE 68.500(a)(2)(iii) - 6 POSITION PLUG
MECHANICAL SPECIFICATION (CONTINUED)

Notes: (Notes apply to Figures 68.500(a)(2)(i) and 68.500(a)(2)(ii))

3. The preferred major cordage cross section is 2.5400 mm (.100 inch) max. thick by 5.0800 mm (.200 inch) max. wide, with rounded corners. It should exit the plug on the plug centerline. Other cordage configurations are permitted but may inhibit the special features of some network jack enclosures.

4. The standard plug length is 11.6840 mm (.460 inch) max. Plugs may be made longer than standard or adapted for direct use on special cords, adapters

with out cordage, and on apparatus or equipment subject to the limitations described in the Section 68.500 introductory paragraphs. Plugs longer than standard may inhibit the special features of some network jack enclosures.

5. A 12.0396 mm (.474 inch) minimum tab length is required. It is preferred that a maximum tab length be no longer than 13.2080 mm (.520 inch). Longer tabs may be used with the same limitations as described in Note 4.

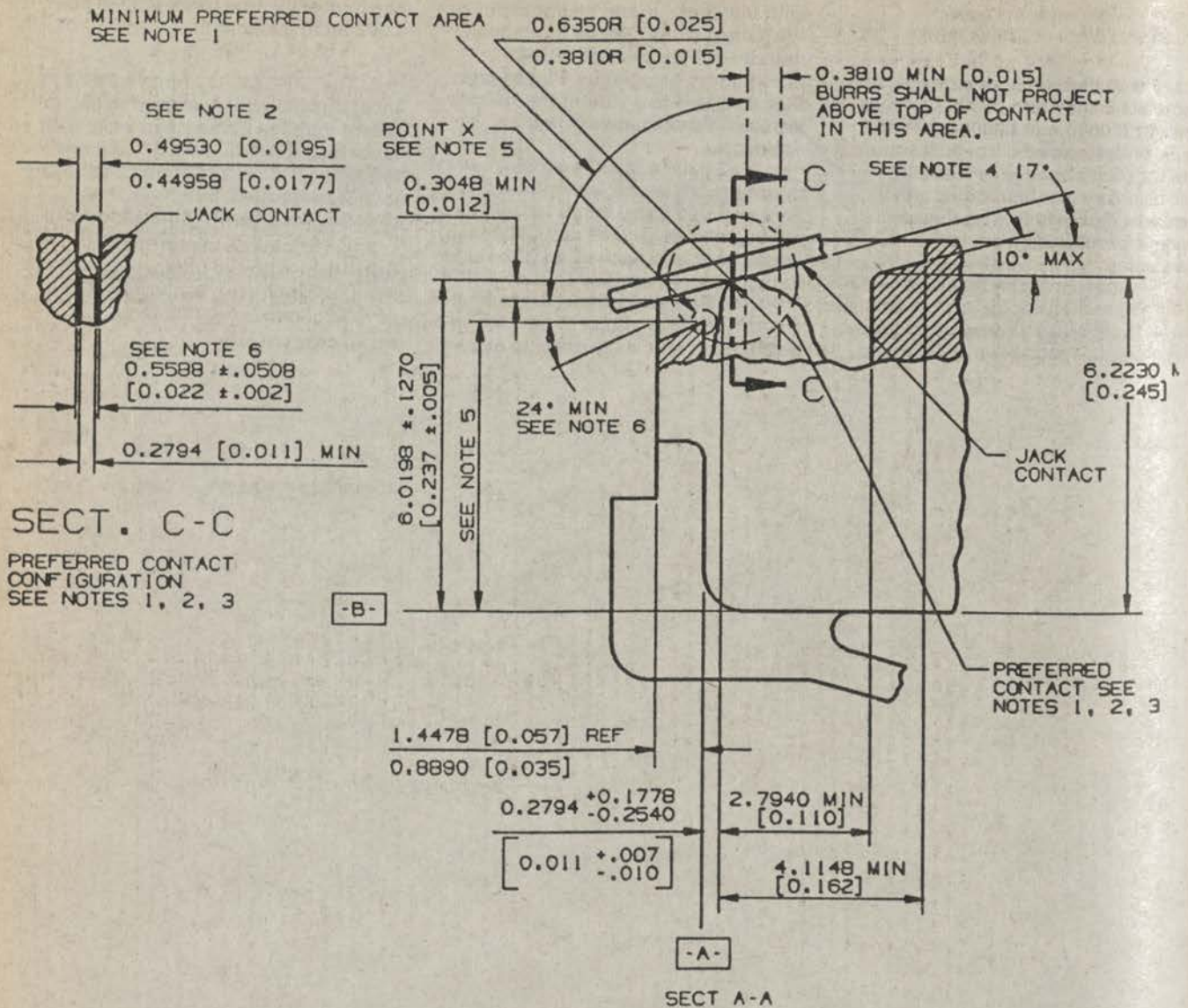
6. To obtain maximum plug guidance when 6-position plugs are inserted in 8-position jacks, it is desirable to extend

the front plug nose to the 2.3368 mm (.092 inch) maximum.

8. The 6.0452/6.1722 mm (.238/.243 inch) dimension is preferred to obtain maximum plug guidance in jacks with more than 6 conductors. A tolerance range of 5.9182/6.1722 mm (.233/.243 inch) is permitted, but may create targeting problems in 8-position jacks.

9. The center rib centerline shall be coincident with the plug width 9.6520 mm (.380 inch) ref. centerline within $\pm .0762$ mm ($\pm .003$ inch).

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NOTE: ALL NOTES FOLLOW THIS FIGURE.

NOTE: THE B POSITION PLUG/JACK CONTACT SPECIFICATION IS IDENTICAL.

FIGURE 68.500(6113)(1)- 6 POSITION PLUG
PLUG /JACK CONTACT SPECIFICATION

Notes: (Notes apply to Figure 68.500(a)(3)(i)).

1. The plug/jack contact interface should be hard gold to hard gold and should have a minimum gold thickness of .0012700 mm (0.000050 inch) on each side of the interface. The minimum contact force should be .98 N (100 grams). Any non-gold contact material must be compatible with gold and provide equivalent contact performance. A smooth, burr-free surface is required at the interface in the area shown.

2. The jack contact design is based upon .4572 mm (.018 inch) spring temper phosphor bronze round wire in

the modular plug blade and jack contact interface. Other contact configurations that provide contact performance equal to or better than the preferred configurations and do not cause damage to the plug or jack are permitted. The preferred jack contact width is .44958/.49530 mm (.0177/.0195 inches). Deviations from the preferred jack contact width are permitted for round contacts as well as noncircular cross sectional shapes but they must be compatible with existing plug configurations. The requirements of

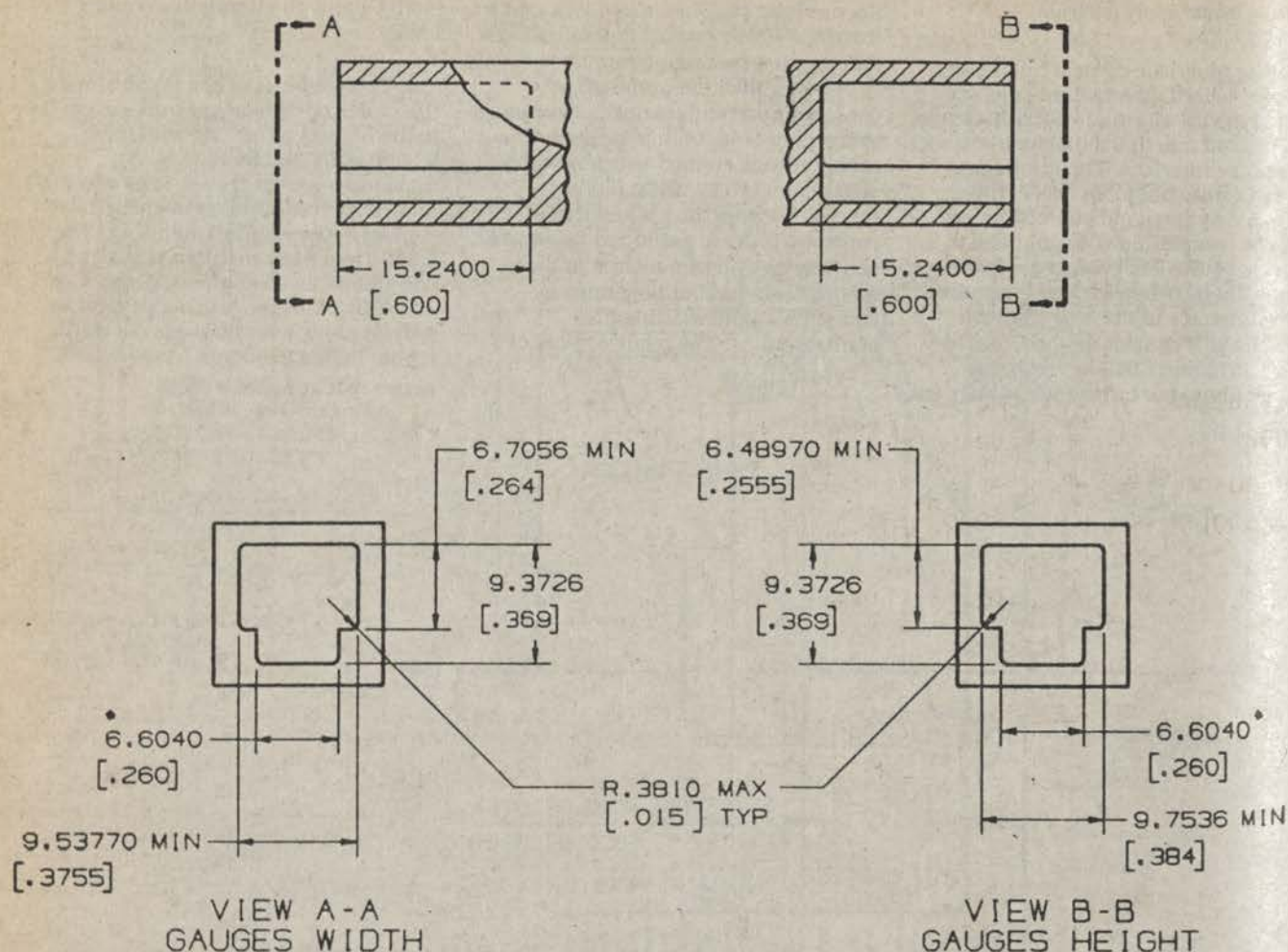
Note 1 apply to all possible contact areas.

* * * * *

5. To avoid loss of electrical contact, the preferred dimension from datum B to the highest point "X" should be 5.0800 mm (.200 inch) max. A dimension greater than 5.3594 mm (.211 inch) may result in loss of electrical contact between plugs and jacks. The 5.3594 mm (.211 inch) max. shall be considered an absolute maximum.

6. The 24 degree min. angle applies only to plugs with front plastic walls higher than 4.8260 mm (.190 inches).

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NOTES:

1. THE PLUG SHALL NOT BE CAPABLE OF ENTERING THE GAUGE MORE THAN 1.7780mm [.070] BEYOND DATUM-A- (SEE FIGURE 68.500(a)(2)(i)) WITH 8.90 newtons [2.0 POUNDS] INSERTION FORCE.
2. NON-TOLERANCED DIMENSIONS GIVEN TO FOUR PLACES SHALL BE WITHIN $\pm 0.0508\text{mm}$ [.002].
3. *6.6040mm [.260] DIMENSION TO BE CENTRALLY LOCATED WITH RESPECT TO 9.7536mm [.384] MINIMUM AND 9.53770mm [.3755] MINIMUM WITHIN $\pm 0.0508\text{mm}$ [.002].

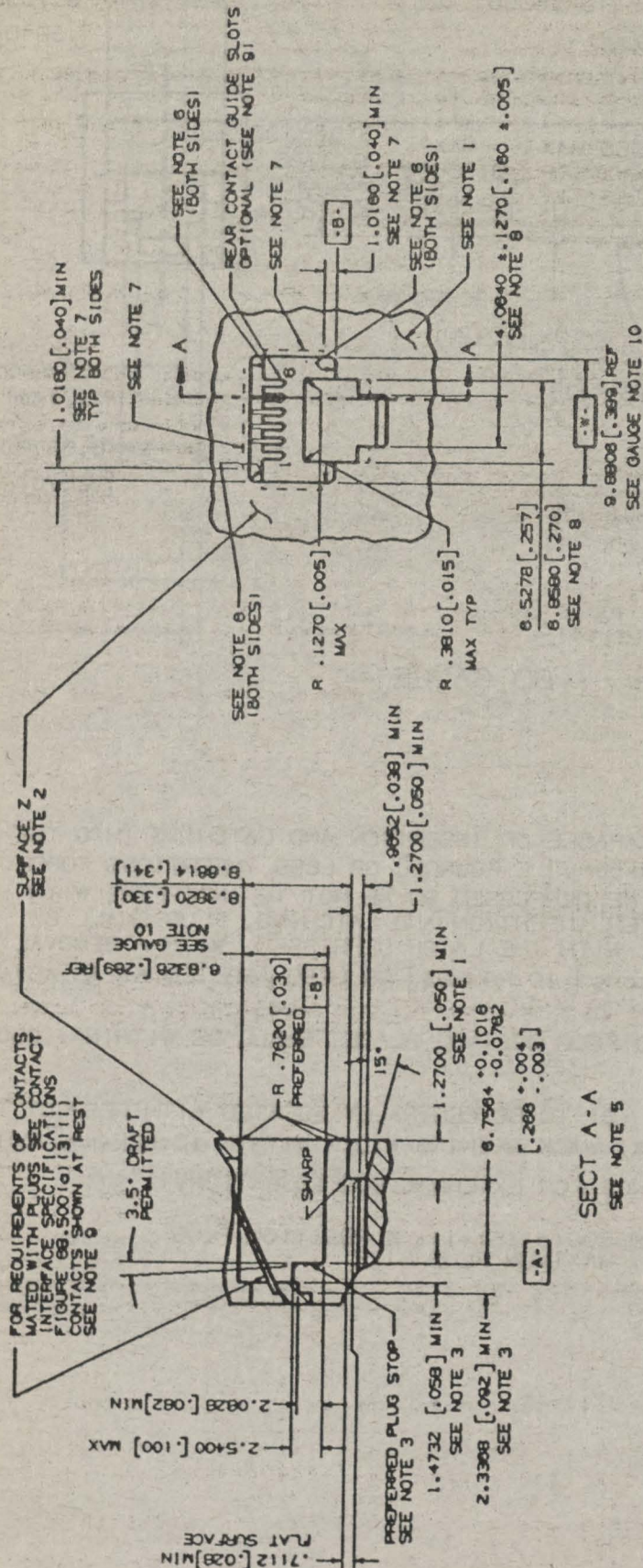
FIGURE 68.500(a)(4)(i) - 6 POSITION PLUG
MINIMUM PLUG SIZE

(b)* * *

(1) [reserved]

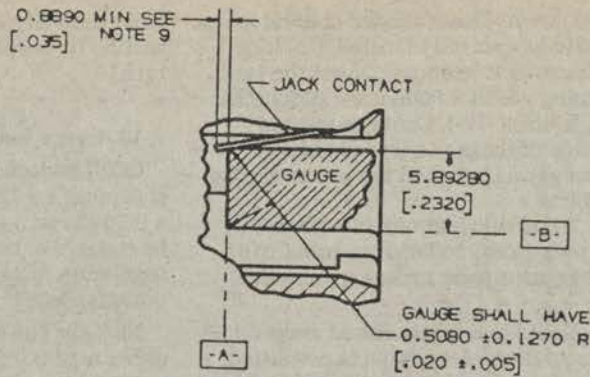
BILLING CODE 6712-01-M

(NOTE: THIS JACK IS DEPICTED EQUIPPED WITH 4 CONTACTS; IT MAY BE FABRICATED WITH ITS FULL 6 CONTACT CAPACITY.)



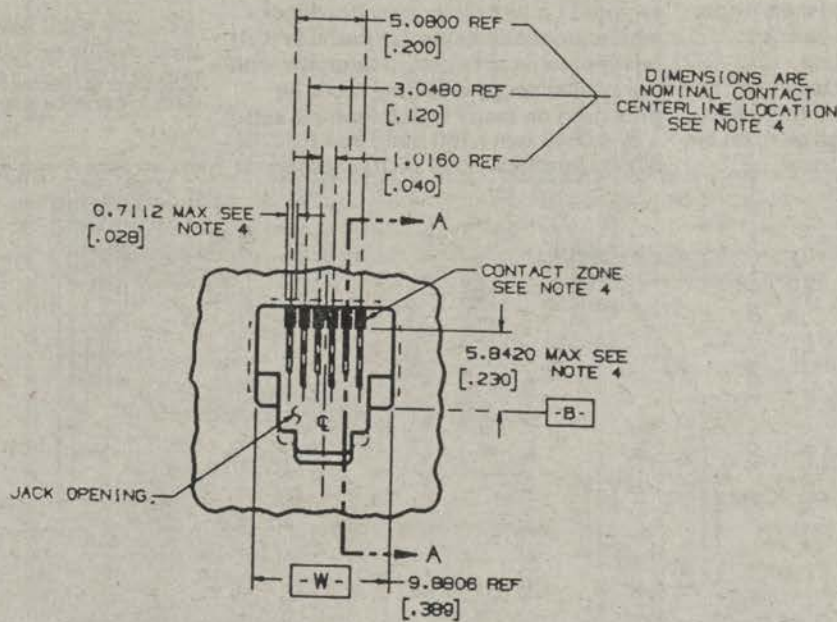
NOTE: ALL NOTES FOLLOW FIGURE 68.500(1)(3)(1) UNLESS SPECIFIED.

FIGURE 68.500(1)(2)(1) - 6 POSITION JACK MECHANICAL SPECIFICATION



SEC A-A

(SHOWN WITHOUT REAR CONTACT GUIDES)



VIEW OF CONTACT ZONE

(SHOWN WITHOUT REAR CONTACT GUIDES)

NOTE: ALL NOTES FOLLOW THIS FIGURE.

FIGURE 68.500(b)(3)(i)- 6 POSITION JACK
MECHANICAL SPECIFICATIONS (CONTINUED)

Notes: (Notes apply to Figures 68.500(b)(2)(i) and 68.500(b)(3)(i).)

1. Front surface projections beyond the 1.2700 mm (.050 inch) min. shall be configured so as not to prevent finger access to the plug release catch (Reference Figure 68.500(a)(2)(i), 6-Position Plug, Mechanical Specifications). A catch length greater than 1.2700 mm (.050 inch) is beneficial in providing greater breakout strength.

* * * * *

3. The preferred plug stop surface is indicated. If some other internal feature is used as a plug stop, it must be located so that the axial movement of a latched plug is no greater than 1.1430 mm (0.045 inch).

4. To prevent mistargeting between the plug and jack contacts, the jack contacts should be completely contained in their individual contact zones, .7112 mm (.028 inch) max. wide, where they extend into the jack openings. There is no location requirement for jack contacts below these zones 5.8420 mm (.230 inch) max., but adequate contact separation must be maintained to prevent electrical

breakdown. These shaded contact zones should be centrally located, (included all locating tolerances), about the jack opening width 9.8806 mm (.389 inch) Ref, (Datum -W-). Contacts located outside of these zones may result in mistargeting between the jack and plug contacts.

5. All inside and outside corners in the plug cavity to be .3810 mm (.015 inch) radius max. unless specified.

* * * * *

7. Relief inside the dotted areas on 3 sides of the jack opening is permitted. The 6.8326 mm (.269 inch) Ref and 9.8806 mm (.389 inch) Ref Gauge Requirements must be maintained in each corner, (ref. 1.0160 mm (0.040 inch) min), to assure proper plug/jack interface guidance. A .8128 mm $\pm$.1270 mm (.032 inch $\pm$.005 inch) relief on the top side, (opposite plug catch), is required on jacks in connecting blocks which mount and connect portable wall telephones so as to assure interface with the special purpose sliding modular plug used on many wall telephone sets.

8. 4.0640 mm (.160 inch) and 6.5278/6.8580 mm (.257/.270 inch) dimensions

to be centrally located to jack opening width -W- within $\pm$.1778 mm (0.007 inch).

* * * * *

10. Gauge Requirements:

GO: The jack shall be capable of accepting a 9.7536 x 6.7056 mm (0.3840 x 0.2640 inch) gauge and the gauge shall be capable of being removed with a maximum force of 8.9 newtons (2 pounds).

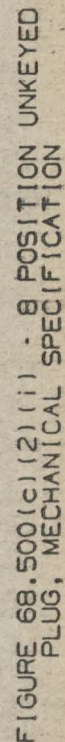
NO GO: The jack shall not accept either a 10.00760 x 6.45160 mm (0.3940 x 0.254 inch) horizontal width of opening gauge or a 6.95960 x 9.5504 mm (.2740 x .376 inch) vertical height of opening gauge. However, if either gauge is accepted the force necessary to remove the gauge shall be minimum .83 newtons (3.0 ounces).

* * * * *

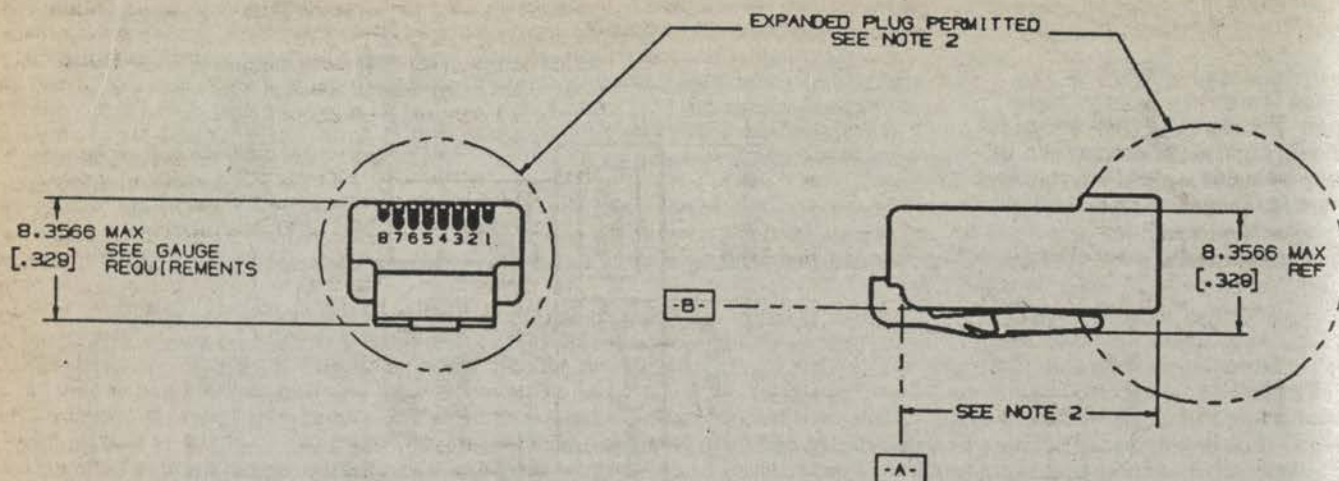
Gauges shall have a .7620 mm (.030 inch) radius on the nose and a .3810 mm (0.015 inch) radius on all edges with clearance provided for contacts.

(c) * * *

BILLING CODE 6712-01-M



NOTE: ALL NOTES FOLLOW FIGURE 68.500 (c)(2)(iii).



NOTE: ALL NOTES FOLLOW THIS FIGURE.

FIGURE 68.500(c)(2)(ii) - 8 POSITION UNKEYED
PLUG, MECHANICAL SPECIFICATION (CONTINUED)

Notes: (Notes apply to Figures 68.500(c)(2)(i) and 68.500(c)(2)(ii).)

2. The standard plug height in the area shown is 8.0010 mm (.315 inch) maximum. The standard plug length is 23.1140 mm (.910 inch) maximum. Plugs may be made longer than standard or adapted for direct use on special cords, adapters without cordage, apparatus or equipment subject to the

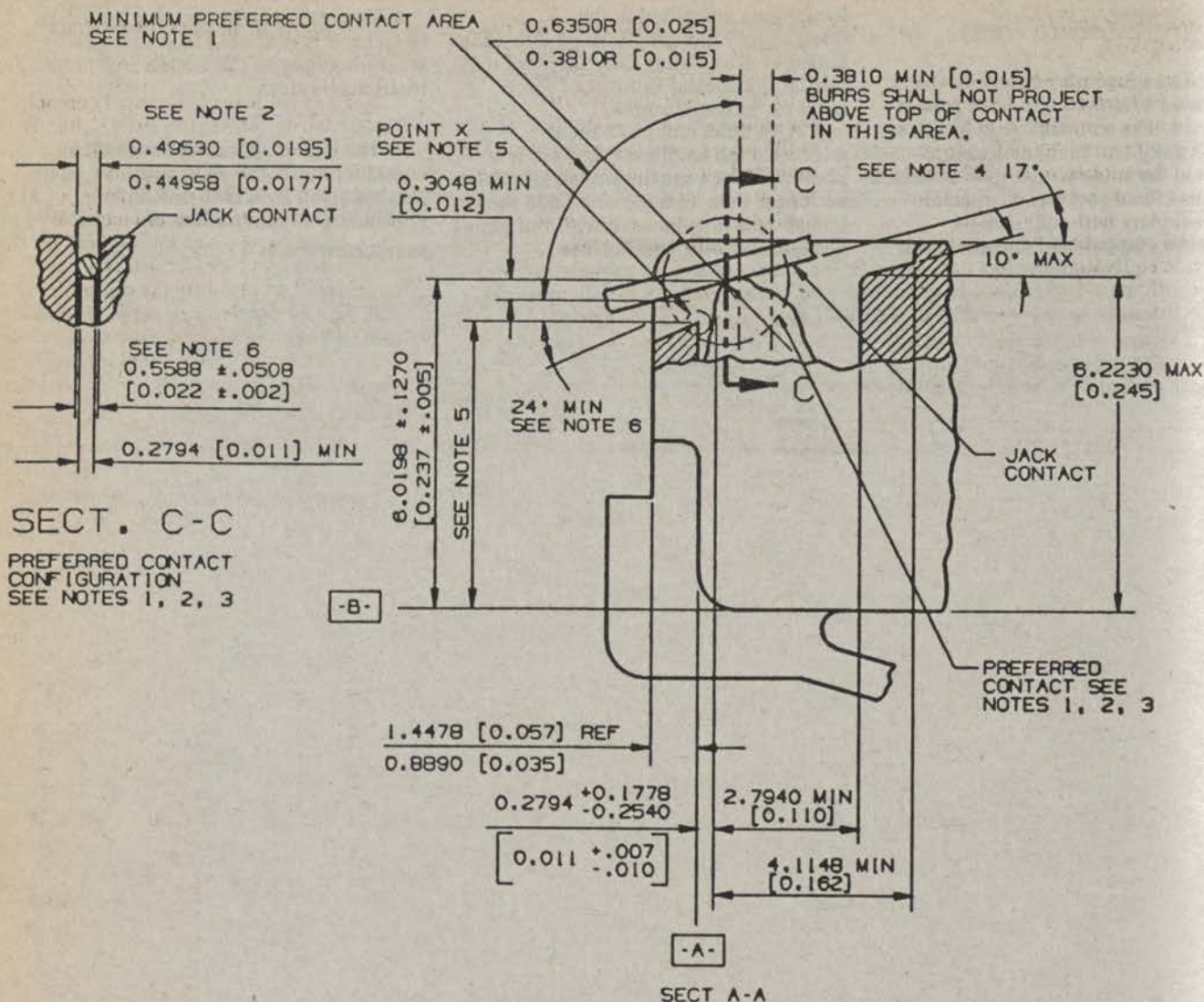
limitations described in the introductory paragraphs of 68.500. Plugs longer and/or higher than standard may inhibit the special features of some network jack enclosures.

3. A 14.6050 mm (.575 inch) minimum tab length is required. It is preferred that a maximum tab length be no longer than 15.8750 mm (.625 inch). Longer tabs may be used with the same limitations described in Note 2.

4. To obtain maximum plug guidance in jacks, it is desirable to extend the front plug nose to the 2.3368 mm (.092 inch) maximum.

6. The center rib centerline shall be coincident with the plug width 11.6840 mm ref. (.460 inch ref.) centerline within ± 0.0762 mm (.003 inch)

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NOTE: ALL NOTES FOLLOW THIS FIGURE.

NOTE: THE 6 POSITION PLUG/JACK CONTACT SPECIFICATION IS IDENTICAL.

FIGURE 68.500(c)(3)(11)- 8 POSITION UNKEYED PLUG
PLUG /JACK CONTACT SPECIFICATION

Notes: (Notes apply to Figure 68.500(c)(3)(i).)

1. The plug/jack contact interface should be hard gold to hard gold and should have a minimum gold thickness of .0012700 mm (.000050 inch) on each side of the interface. The minimum contact force should be .98 N (100 grams). Any non-gold contact material must be compatible with gold and provide equivalent contact performance. A smooth, burr-free surface is required at the interface in the area shown.

2. The jack contact design is based upon .4572 mm (.018 inch) spring temper phosphor bronze round wire in

the modular plug blade and jack contact interface. Other contact configurations that provide contact performance equal to or better than the preferred configurations and do not cause damage to the plug or jack are permitted. The preferred jack contact width is .44958/.49530 mm (.0177/.0195 inches). Deviations from the preferred jack contact width are permitted for round contacts as well as noncircular cross sectional shapes but they must be compatible with existing plug configurations. The requirements of

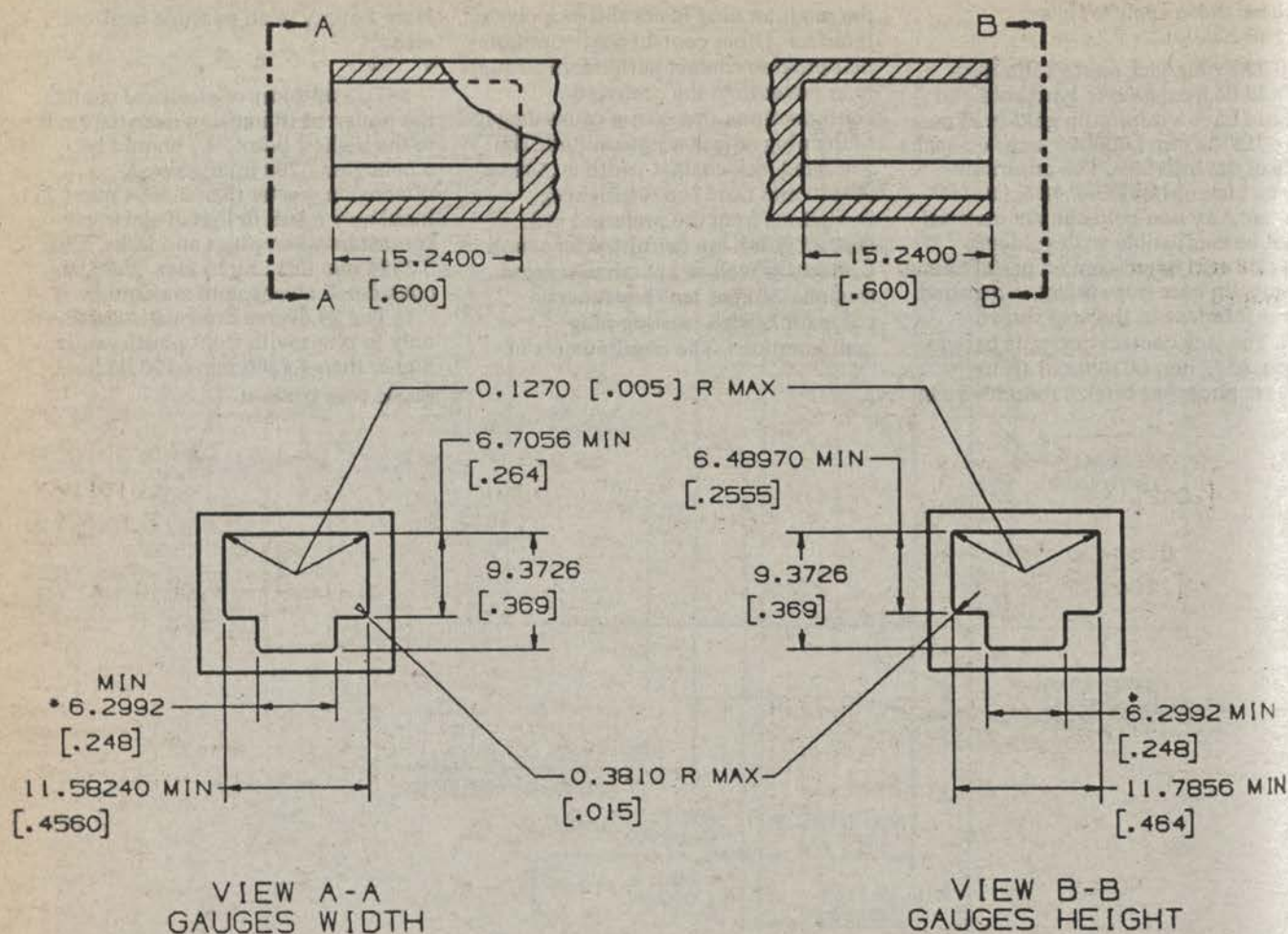
Note 1 apply to all possible contract areas.

* * * * *

5 To avoid loss of electrical contact, the preferred dimension from datum B to the highest point "X" should be 5.0800 mm (.200 inch) max. A dimension greater than 5.3594 mm (.211 inch) may result in loss of electrical contact between plugs and jacks. The 5.3594 mm (.211 inch) max. shall be considered an absolute maximum.

6. The 24 degree min. angle applies only to plugs with front plastic walls higher than 4.8260 mm (.190 inches).

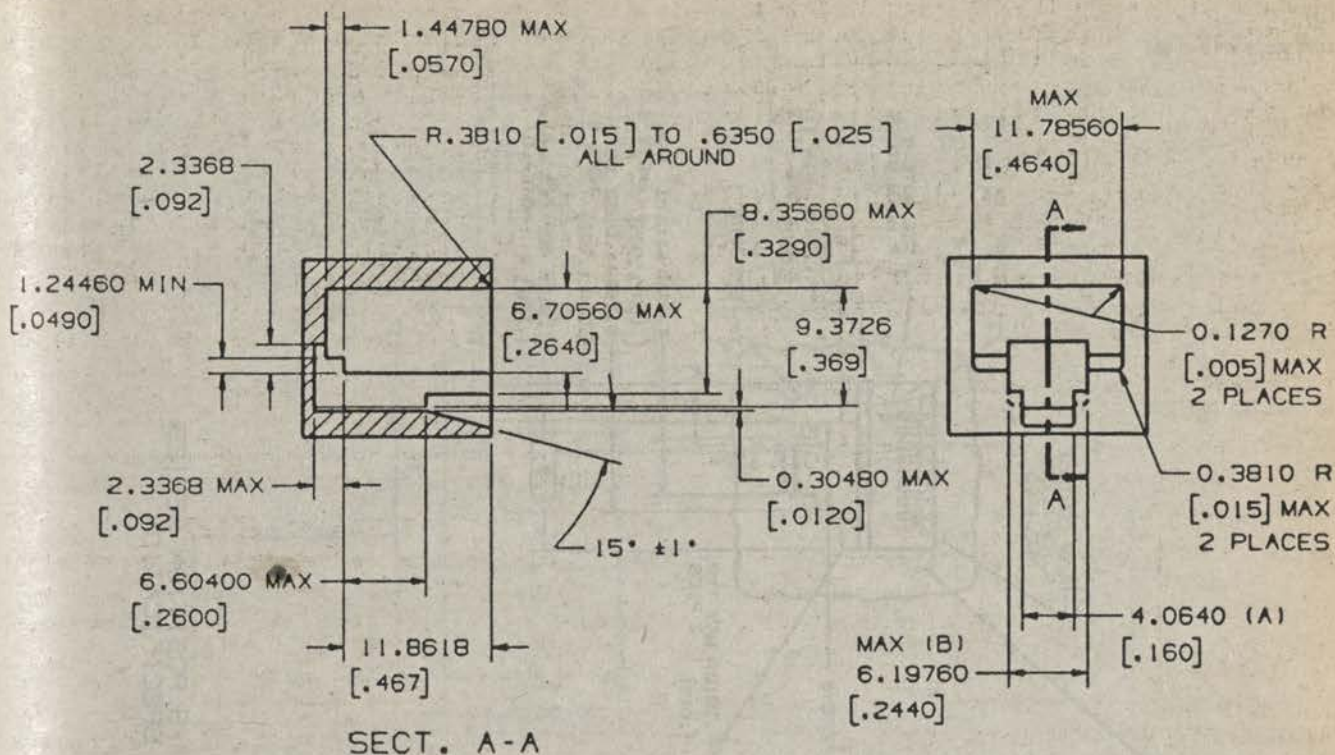
BILLING CODE 6712-01-M



NOTES:

1. THE PLUG SHALL NOT BE CAPABLE OF ENTERING THE GAUGE MORE THAN 1.7780mm [.070] BEYOND DATUM-A-(SEE FIGURE 68.500(c)(2)(i)) WITH 8.90 newton [2.0 POUNDS] INSERTION FORCE.
2. NON-TOLERANCED DIMENSIONS GIVEN TO FOUR PLACES SHALL BE WITHIN $\pm 0.0508\text{mm}$ [.002] .
3. • 6.2992mm [.248] DIMENSION TO BE CENTRALLY LOCATED WITH RESPECT TO 11.7856mm [.464] MINIMUM AND 11.58240mm [.4560] MINIMUM WITHIN $\pm 0.0508\text{mm}$ [.002] .

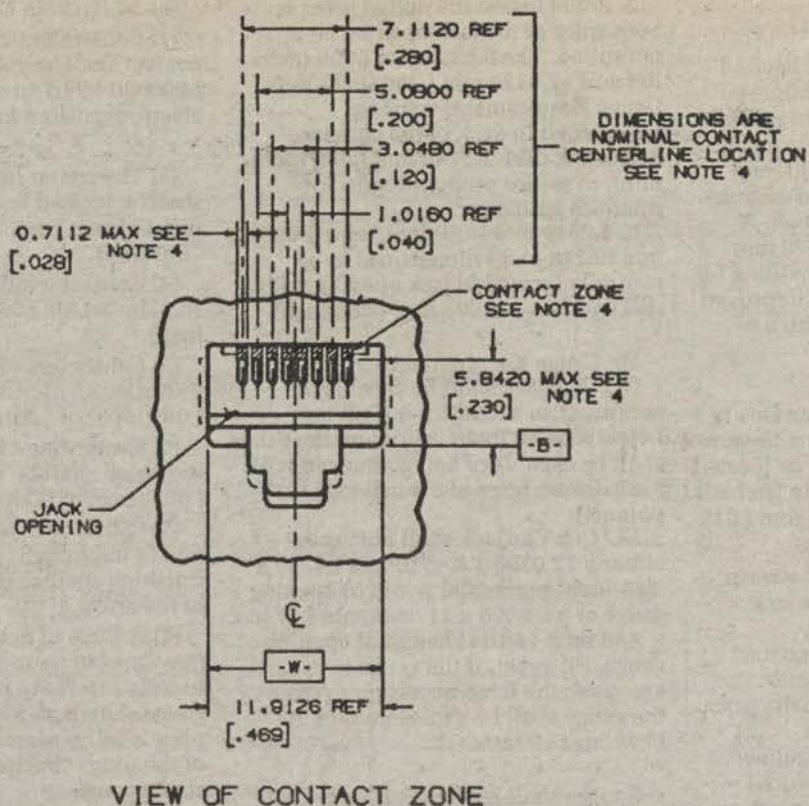
FIGURE 68.500(c)(4)(i)-8 POSITION UNKEYED PLUG, MINIMUM PLUG SIZE



NOTES:

1. THE PLUG SHALL BE CAPABLE OF INSERTION AND LATCHING INTO THE GAUGE WITH 22.24 newtons [5 POUNDS] OR OR LESS INSERTION FORCE. PLUG LATCHING BAR SHALL BE DEPRESSED SO AS NOT TO INTERFERE WITH THE PLUG ENTRY. AFTER INSERTION AND LATCHING, PLUG SHALL BE CAPABLE OF REMOVAL, WITH THE LATCH DEPRESSED, WITH REMOVAL FORCE OF 44.48 newtons [10 POUNDS] OR LESS APPLIED AT AN ADVANTAGEOUS ANGLE.
2. DIMENSIONS GIVEN TO FOUR DECIMAL PLACES SHALL BE WITHIN $\pm 0.0508\text{mm}$ [.002].
3. DIMENSIONS (A) AND (B) TO BE CENTRALLY LOCATED WITH RESPECT TO 11.78560mm [.4640] MAX. JACK OPENING WIDTH WITHIN $\pm 0.0254\text{mm}$ [.001].
4. DO NOT SCALE DRAWINGS FOR EXTERNAL CONFIGURATION.

FIGURE 68.500(c)(15)(ii)-B POSITION UNKEYED
PLUG, MAXIMUM PLUG SIZE



NOTE: ALL NOTES FOLLOW THIS FIGURE.

FIGURE 68.500(d)(3)(i)-B POSITION SERIES
JACK, MECHANICAL SPECIFICATION (CONTINUED)

Notes: (Notes apply to Figures 68.500(d)(2)(i) and 68.500(d)(3)(i).)

1. Front surface projections beyond the 1.3970 mm (.055 inch) minimum shall be configured so as not to prevent finger access to the plug release catch (Reference Figure 68.500(a)(2)(i) and Figure 68.500(c)(2)(i) 6 and 8-Position Plug, Mechanical Specifications). A catch length greater than 1.3970 mm (.055 inch) is beneficial in providing for greater breakout strength and improved guidance when interfacing with a 6-position plug.

* * * * *

3. The preferred plug stop surface is indicated. If some other internal feature is used as a plug stop, it must be located so that the axial movement of a latched plug is no greater than 1.1430 mm (.045 inch).

4. To prevent mistargeting between the plug and jack contacts, the jack contacts should be completely contained in their individual contact zones, (.7112 mm (.028 inch) max. wide), where they extend into the jack openings. There is no location requirement for jack contacts below these zones (5.8420 mm (.230 inch) max.), but adequate contact separation must be maintained to prevent electrical breakdown. These shaded contact zones should be centrally located, (include all locating tolerances), about the jack opening width 11.9126 mm (.469 inch) Ref, (Datum -W-). Contacts located outside of these zones may result in mistargeting between the jack and plug contacts.

5. All inside and outside corners in the plug cavity to be .3810 mm (.015 inch) radius max. unless specified.

* * * * *

7. Relief inside the dotted areas on both sides of the jack opening is permitted. The 6.8326 mm (.269 inch) Ref and 11.9126 mm (.469 inch) Ref Gauge Requirements must be maintained in each of the corners indicated, (Ref. 1.5240 mm (.060 inch) min), to assure proper plug/jack interface guidance.

8. 4.0640 mm (.160 inch) and 6.2992 mm (0.248 inch) dimensions to be centrally located to jack opening width -W- within $\pm .1270$ mm (.005 inch).

* * * * *

10. Gauge Requirements:

GO: The jack shall be capable of accepting an 11.7856 x 6.7056 mm (.4640 x .2640 inch) gauge and the gauge shall be capable of being removed with a maximum force of 8.9 newtons (2.0 pounds).

NO GO: The jack shall not accept either a 12.0396 x 6.4516 mm (.4740 x .254 inch) horizontal width of opening gauge or a 6.9596 x 11.5824 mm (.2740 x .456 inch) vertical height of opening gauge. However, if the gauge is accepted, the force necessary to remove the gauge shall be a minimum of .83 newtons (3.0 ounces).

* * * * *

Gauges shall have a .7620 mm (.030 inch) radius on the nose and a .3810 mm (.015 inch) radius on all edges with clearance provided for contacts.

* * * * *

12. The jack contact/bridging interface should be hard gold to hard gold and should have a minimum gold thickness of .0012700 mm (.000050 inch) on each side of the interface. The minimum contact bridging force should be .294 N (30 grams). Any non-gold contact material must be compatible with gold and provide equivalent contact performance.

(e) 50-Position Miniature Ribbon Plug:

(1) Contact finish in the region of contact shall be gold, .0007620 mm (.000030 inch) minimum thickness, electrodeposited hard gold preferred.¹

* * * * *

(3) The center line of each contact shall be located within .2286 mm (.009 inch) of true position with respect to "Datum B".¹

(4) Contact width at region of contact shall be 1.1430 $\pm$.0508 mm (.045 $\pm$.002 inch).¹

(5) Center line of shell dimension indicated shall be within .1270 mm (.005 inch) of "Datum B".¹

(6) Center line of barrier dimension indicated shall be within .1270 mm (.005 inch) of "Datum B".¹

(7) "Surface X" shall have a .0001016 mm (4 microinch) finish or better; finishing shall be done in the direction of the arrow.²

(8) A force of not more than 178 newtons (40 pounds) shall be sufficient to fully insert the plug onto the sizing gauge shown on Figure 68.500(e)(1). The plug is fully inserted when "Surface A" of the plug¹ touches "Surface A" of the sizing gauge.

(9) After one insertion of the plug on the sizing gauge, Figure 68.500(e)(2), a force of not more than 44.5 newtons (10 pounds) shall be sufficient to fully insert the plug on the continuity gauge shown in Figure 68.500(e)(3). The plug is fully inserted on the continuity gauge when "Surface A" of the plug¹ touches "Surface A" of the continuity gauge.

* * * * *

BILLING CODE 6712-01-M

¹ Figure 68.500(e)(1).

² Figures 68.500 (e)(2) and (e)(3).

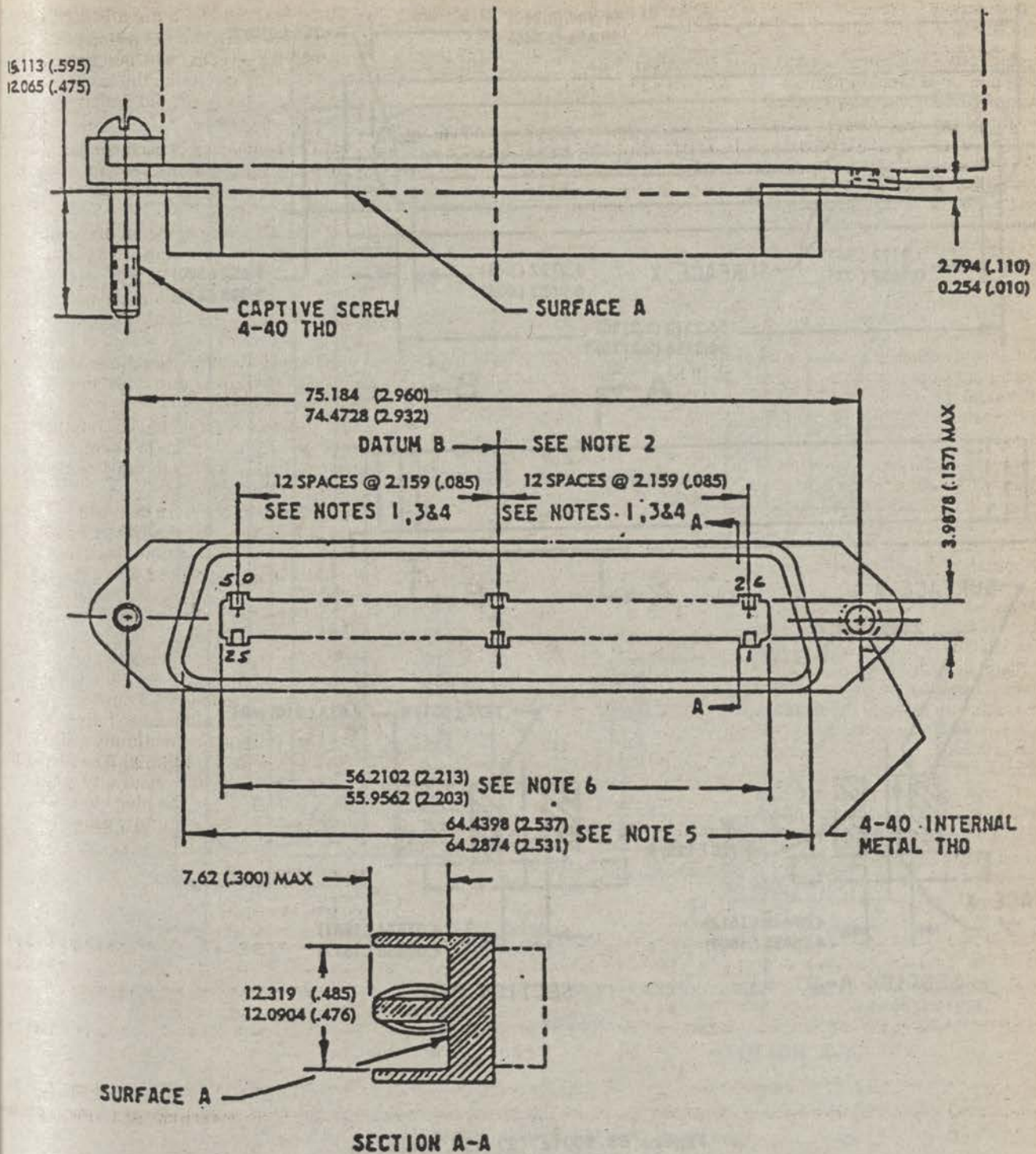


Figure 68.500(a)(1)--50 Position
Miniature Ribbon Plug

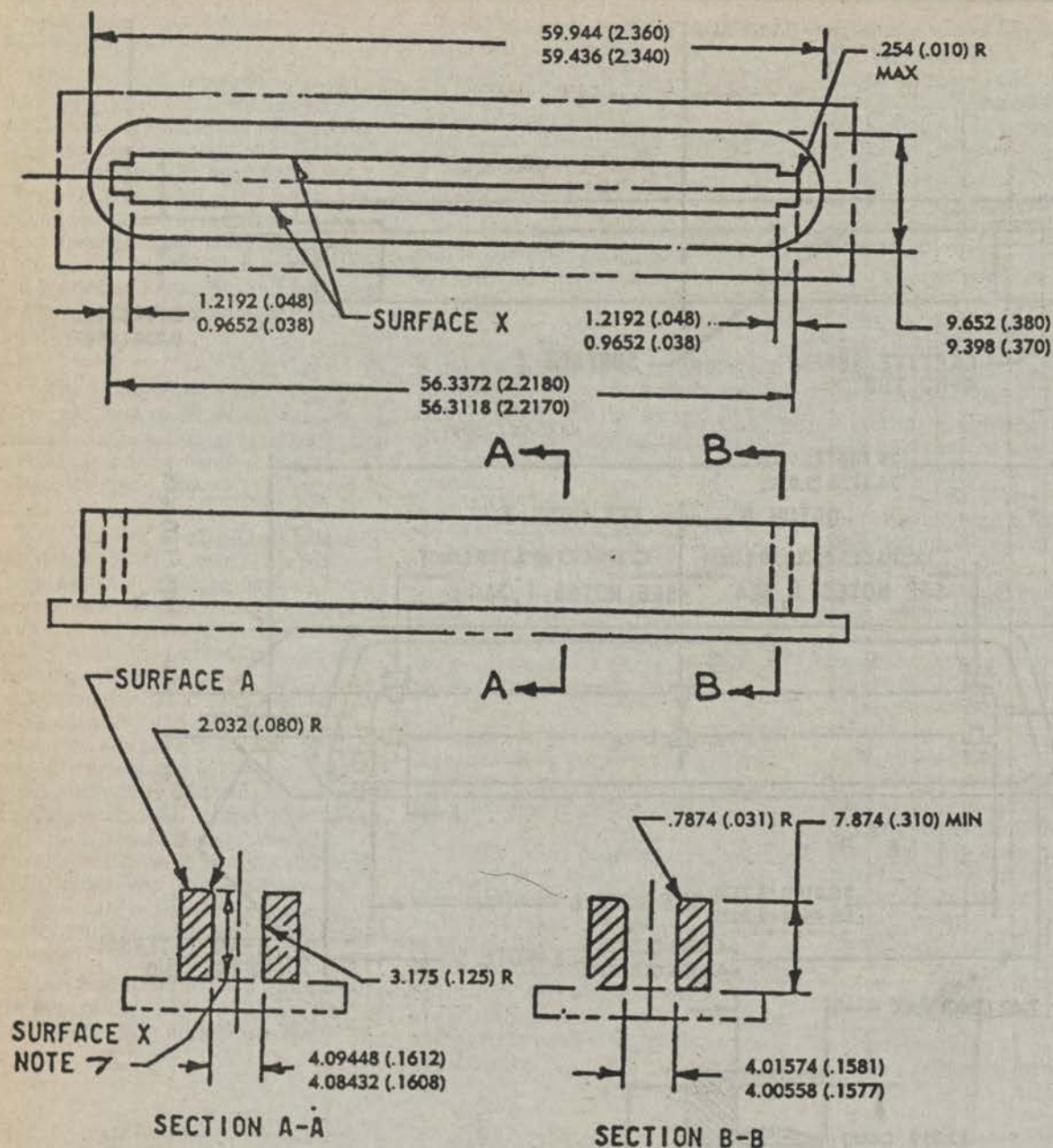


Figure 68.500(e)(2)--50 Position
Miniature Ribbon Plug
Sizing Gauge

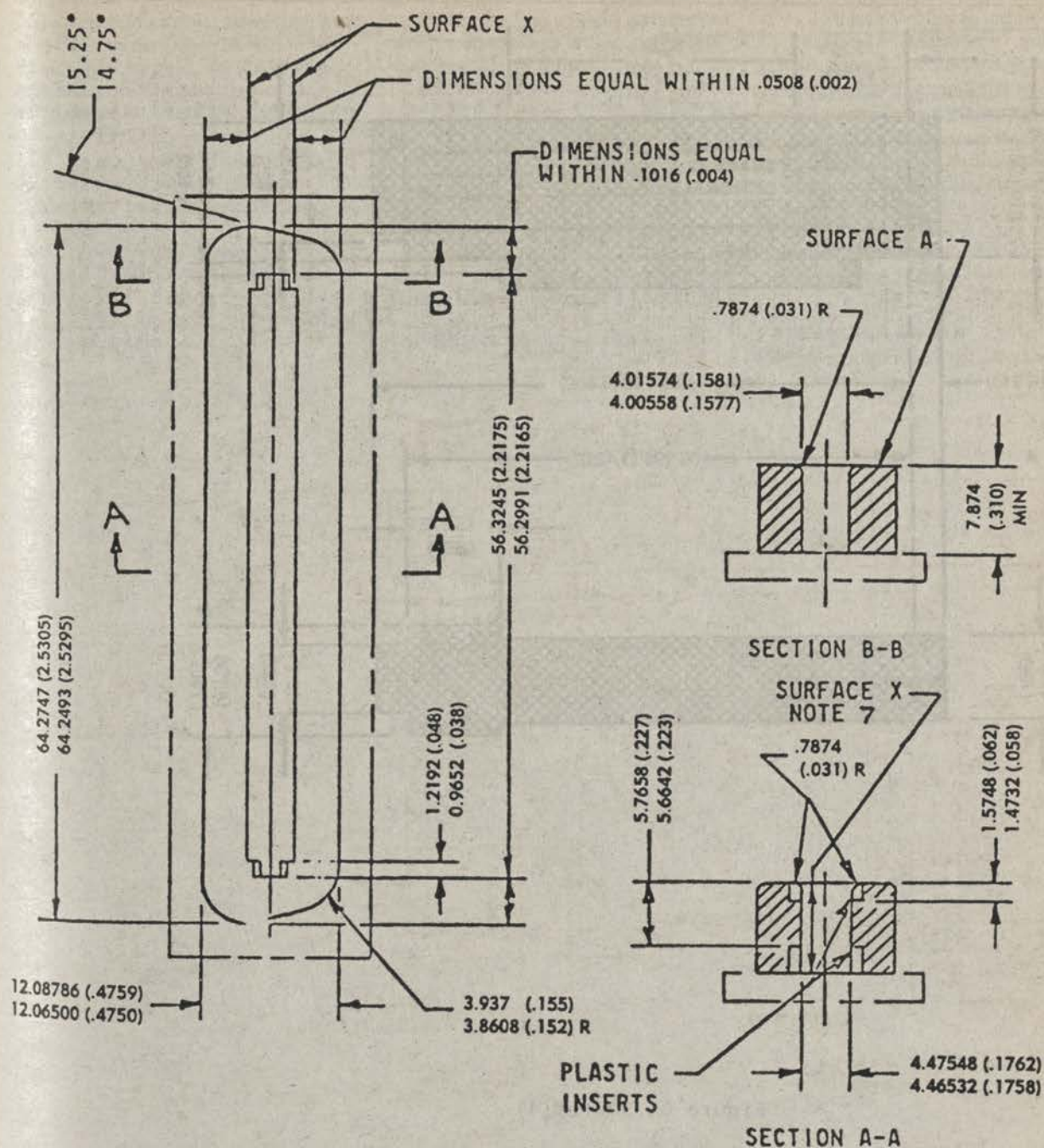


Figure 68.500(e)(3)--50 Position
Miniature Ribbon Plug
Continuity Gauge

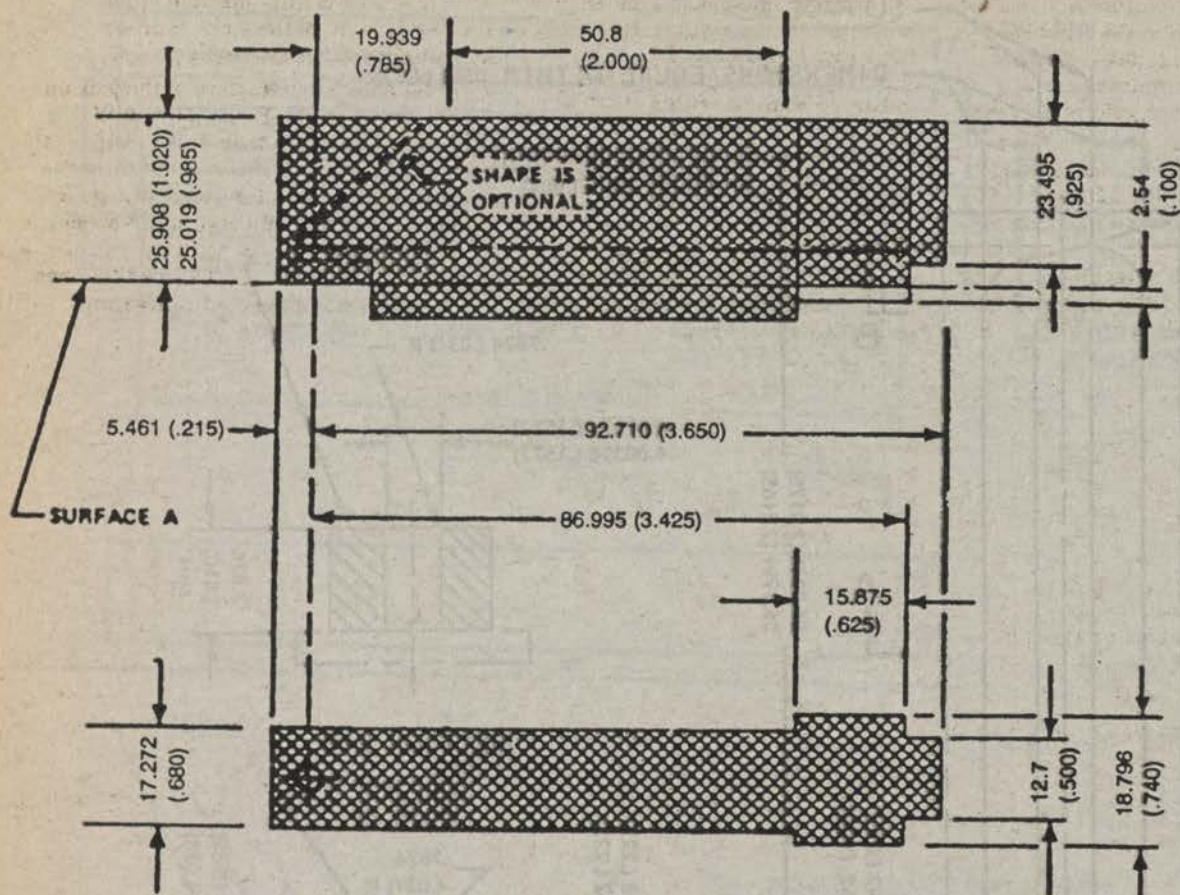


Figure 68.500(e)(4)

50-POSITION MINIATURE RIBBON PLUG - HOOD ENVELOPE

(f) 50-position miniature ribbon jack:

(1) Contact finish in the region of contact shall be gold, .0007620 mm (.000030 inch) minimum thickness, electrodeposited hard gold preferred.¹

* * * * *

(3) The center line of each contact shall be located within .2286 mm (.009 inch) of true position with respect to "Datum B".¹

(4) Contact width at region of contact shall be 1.1430 ± 0.0508 mm (.045 $\pm$ 0.002 inch).¹

(5) Center line of shell dimension indicated shall be within .1270 mm (.005 inch) of "Datum B".¹

(6) Center line of cavity dimension indicated shall be within .1270 mm (.005 inch) of "Datum B".¹

(7) "Surface X" shall have a .0001016 mm (4 microinch) finish or better; finishing shall be done in the direction of the arrow.²

(8) A force of not more than 134 newtons (30 pounds) shall be sufficient to fully insert the jack onto the sizing gauge shown on Figure 68.500(f)(2).

The jack is fully inserted when "Surface A" of the jack¹ touches "Surface A" of the sizing gauge.

(9) After one insertion of the jack on the sizing gauge, Figure 68.500(f)(2), a force of not more than 44.5 newtons (10 pounds) shall be sufficient to fully insert the jack on the continuity gauge shown in Figure 68.500(f)(3). The jack is fully inserted on the continuity gauge when "Surface A" of the jack¹ touches "Surface A" of the continuity gauge.

* * * * *

¹ Figure 68.500(f)(1).

² Figures 68.500 (f)(2) and (f)(3).

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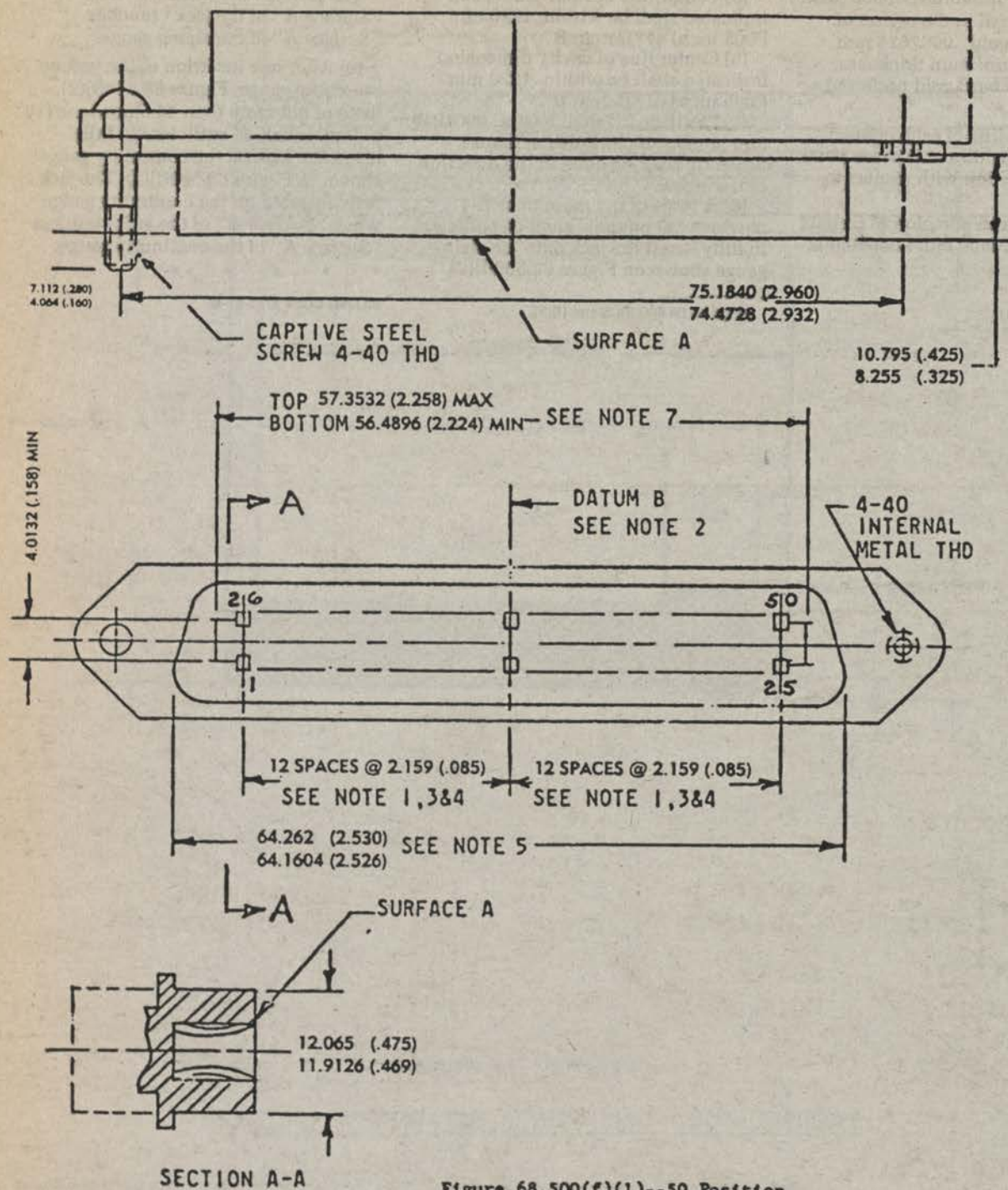


Figure 68.500(f)(1)--50 Position
Miniature Ribbon Jack

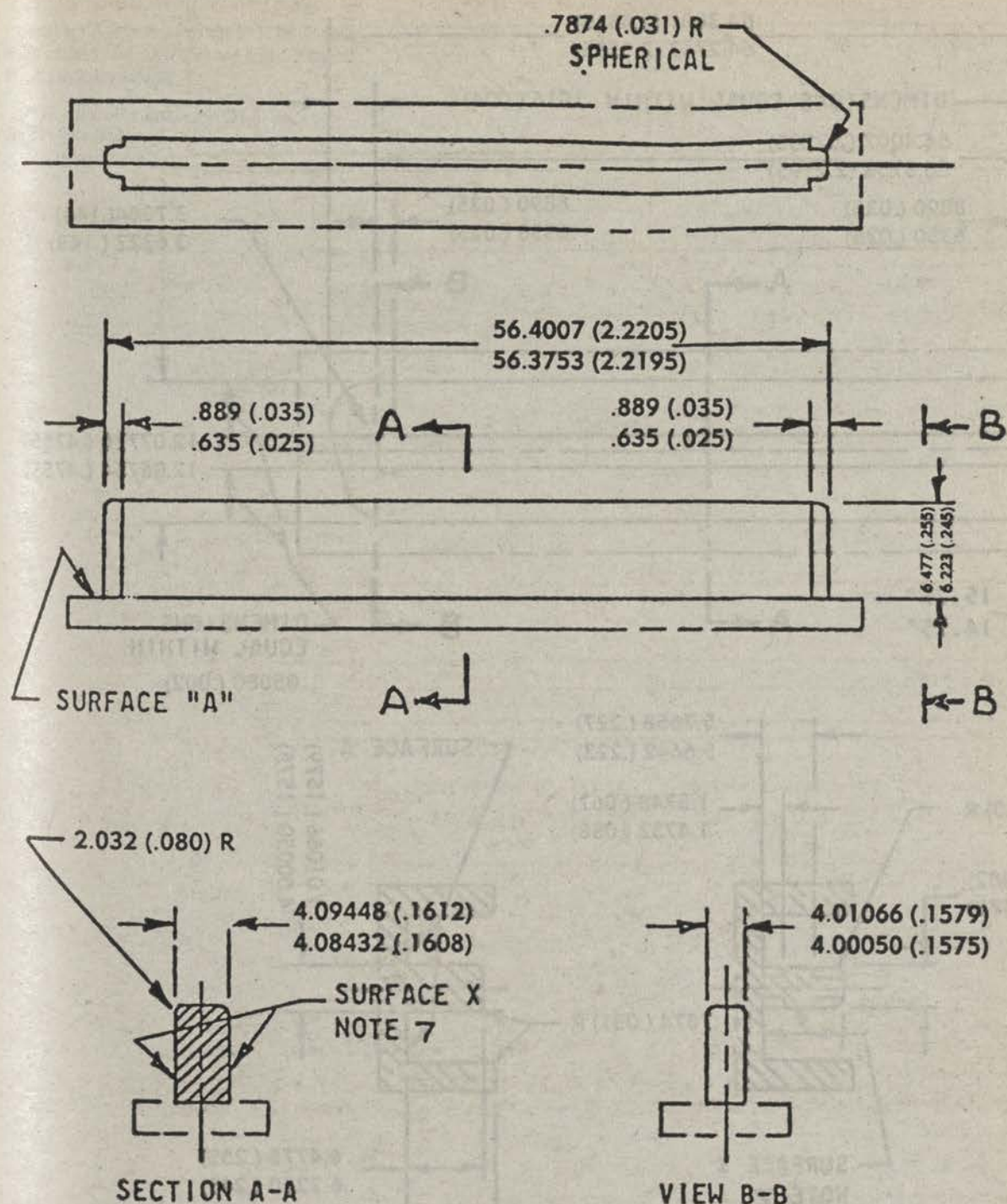


Figure 68.500(f)(2)--50 Position
Miniature Ribbon Jack
Sizing Gauge

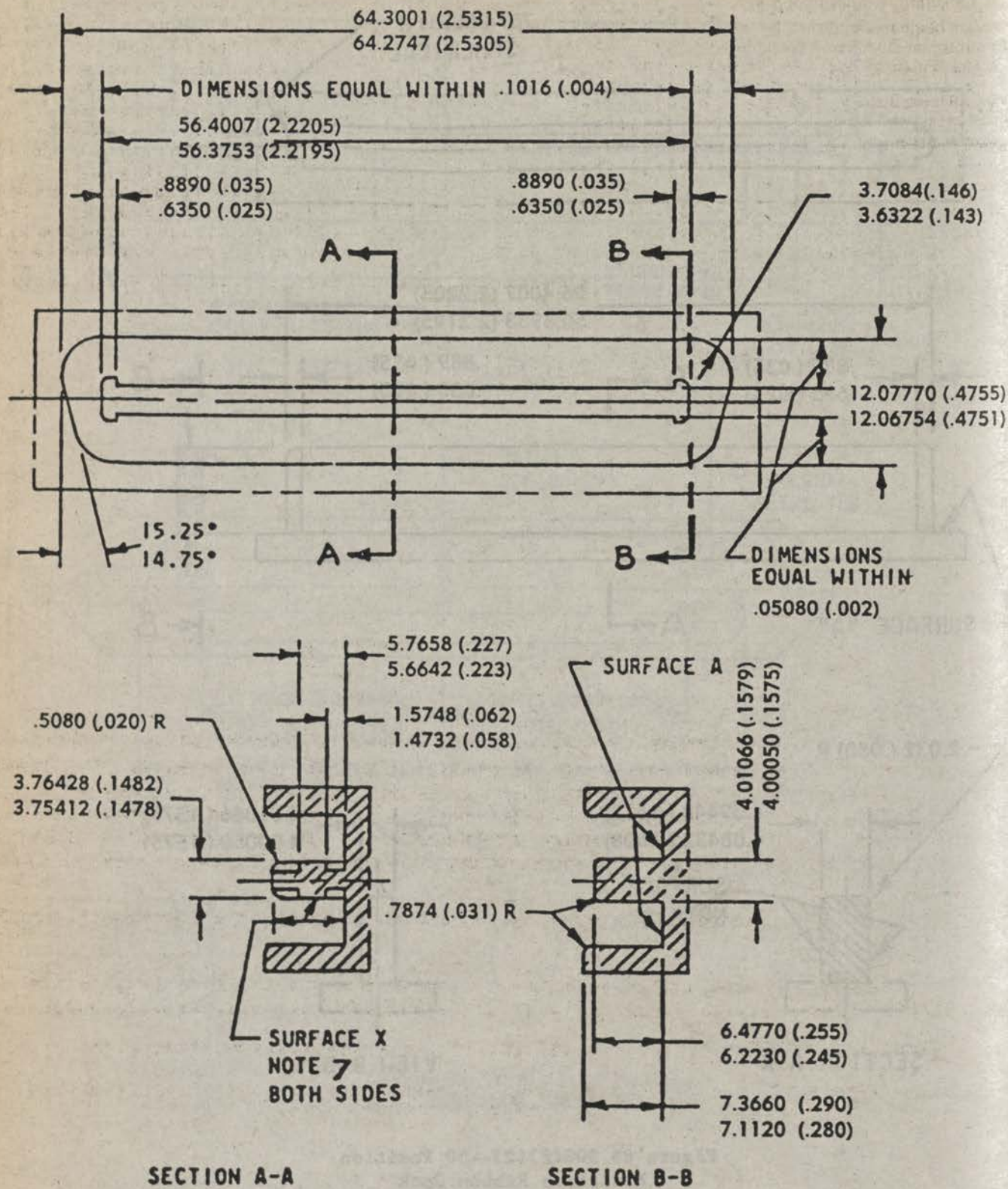


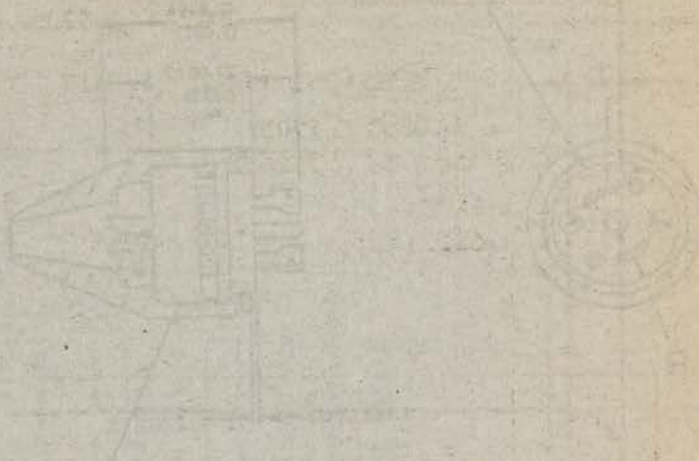
Figure 68.500(f)(3)--50 Position
Miniature Ribbon Jack
Continuity Gauge

(g) 3-Position weatherproof plug:

Contact blade material shall be brass, with minimum .00762 mm (.0003 inch) thick nickel plating.

Note: All linear dimensions are in millimeters (inches).

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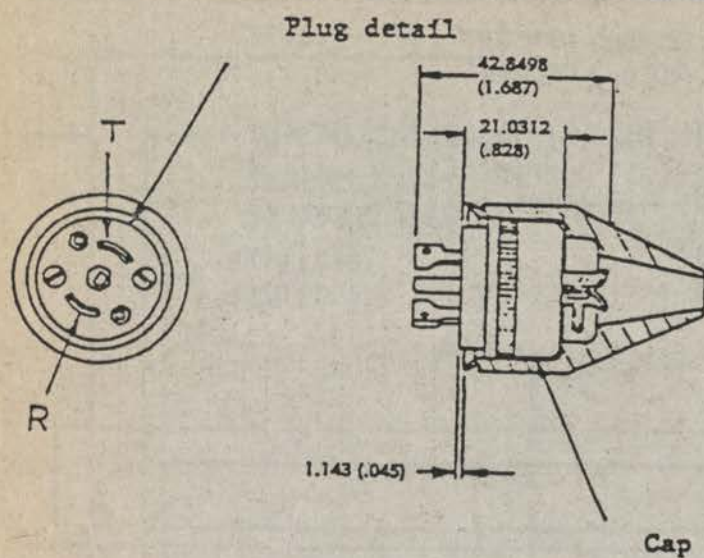
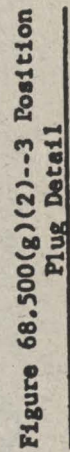


Figure 68.500(g)(1)--3 Position Plug
Plug Assembly



(h) 3-Position weatherproof jack:

Contact blade material shall be brass, with minimum .00762 mm (.0003 inch) thick nickel plating.

Note: All linear dimensions are in millimeters (inches).

BILLING CODE 6712-01-M

(Note: All linear dimensions are in inches.)

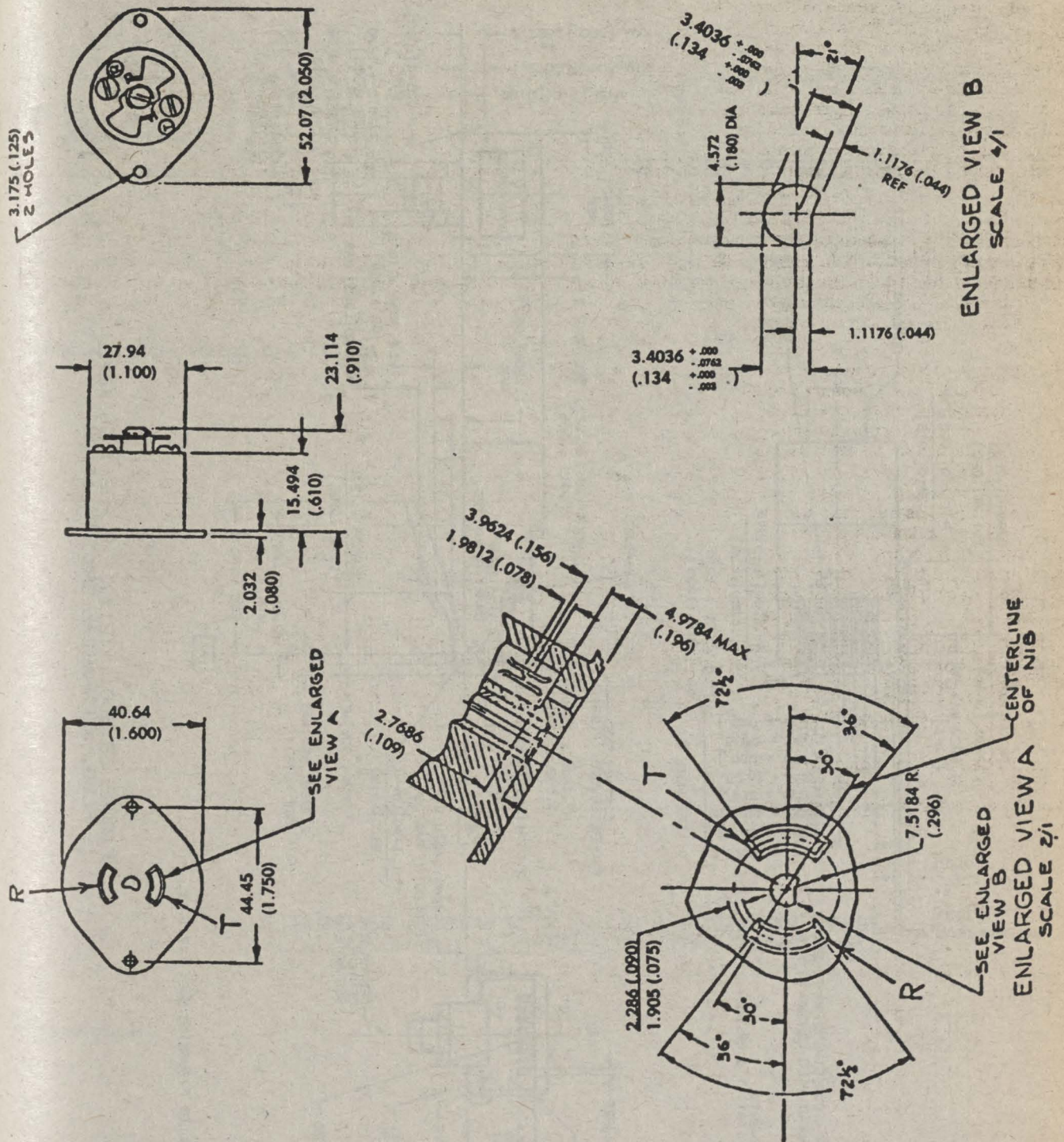


Figure 68.500(h)--3 Position Plug Detail

(Ed. 7/77)

BILLING CODE 6712-01-C

(i) * * *

BILLING CODE 6712-01-M

NOTE: THIS PLUG IS DEPICTED WITH ITS FULL 8 CONTACT CAPACITY. IT MAY BE FABRICATED WITH LESS THAN 8 CONTACTS.

* 6.0860 $\pm$ 0.0762 [$\pm$ 0.003] DIMENSION TO BE
CENTRALLY LOCATED ABOUT PLUG CENTER WITHIN
 $\pm$ 0.0762 [$\pm$ 0.003]

•• SEE GAUGE REQUIREMENTS
FIGURES 68.500(1)(4)(1) & 68.500(1)(5)(1)

SEE NOTE 5

 0.5588 ± 0.022 [R]

R . 1270 [. 005]

.6350 [.025]

REF 6.1

ف

R. 5080 4.1270

[500.7 020.7]

PREFERRED THAT
CTOR BE EXPOSE

SURFACE

ALL RADIUS PERM
ALL CLOTS

E107E TM

100

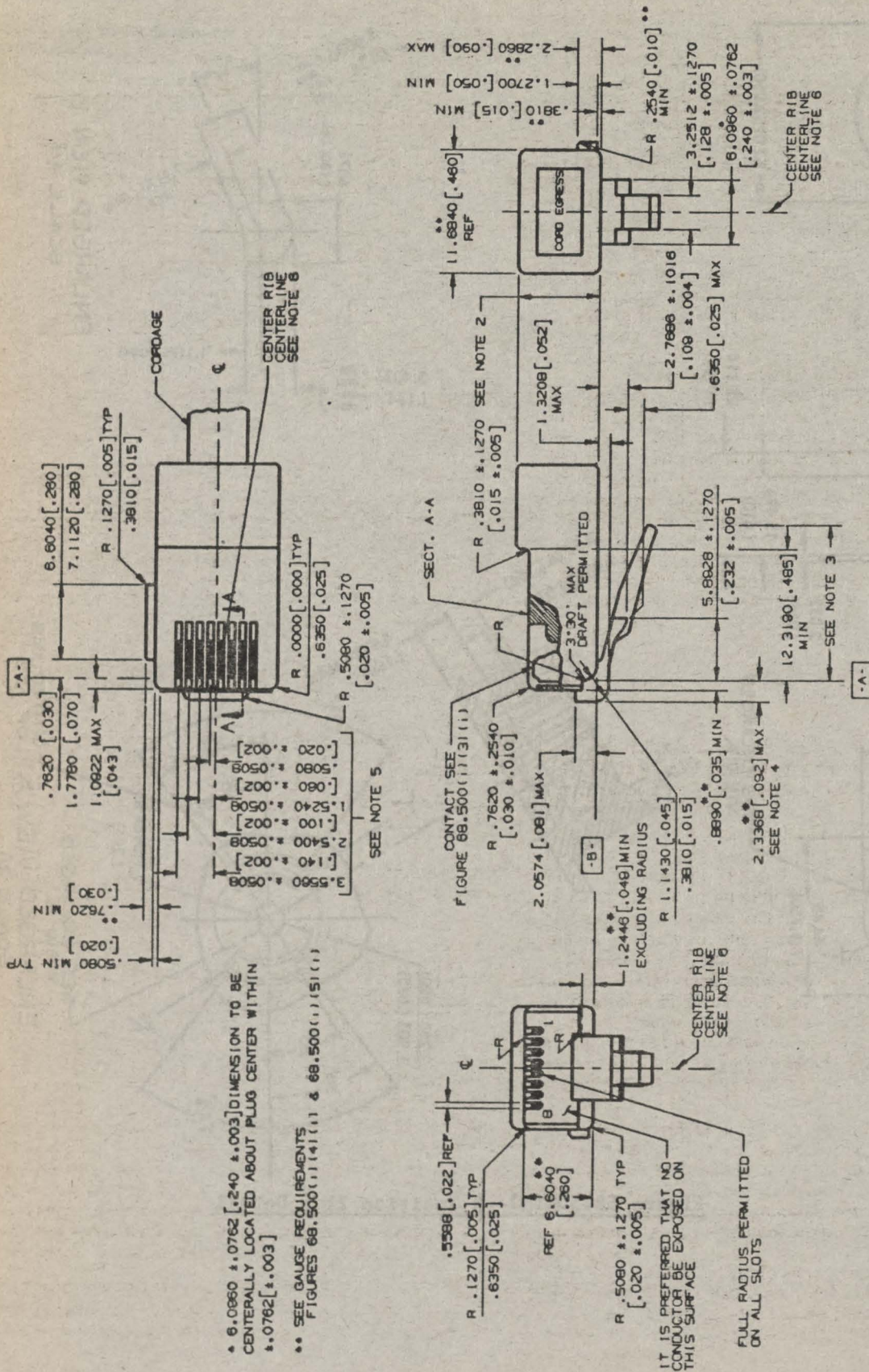
RE: ALL NOTES

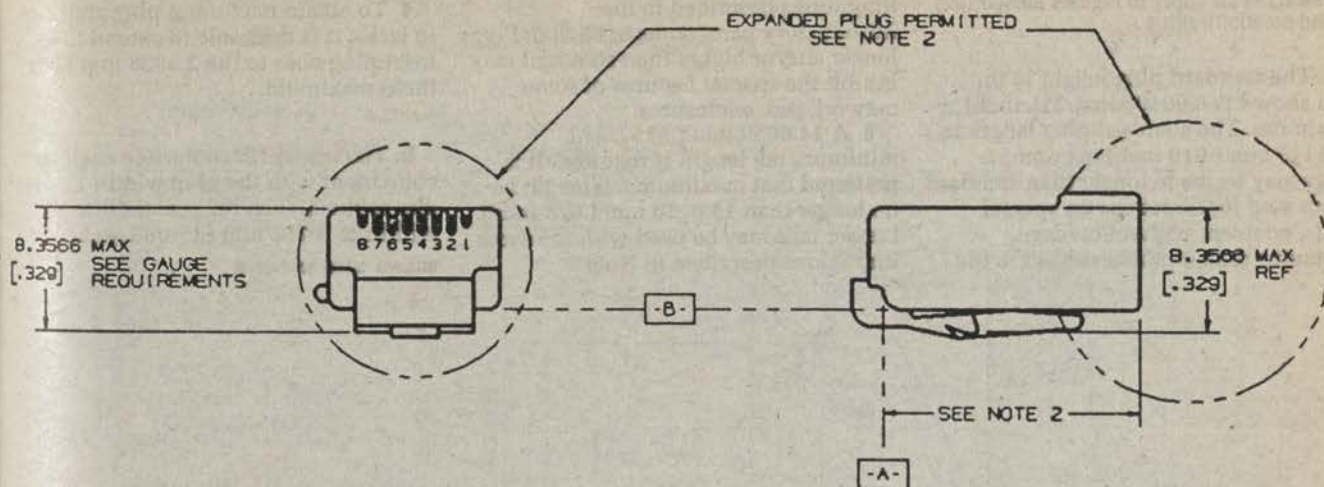
1

100

NOTE: ALL NOTES FOLLOW FIGURE 68,500(1121)(11).

FIGURE 68.500(i)(2)(i) - 8 POSITION KEYED PLUG, MECHANICAL SPECIFICATION





NOTE: ALL NOTES FOLLOW THIS FIGURE

FIGURE 68.500(i)(2)(ii) - 8 POSITION KEYED
PLUG, MECHANICAL SPECIFICATION (CONTINUED)

Notes: (Notes apply to Figures 68.500(i)(2) (i) and 68.500(i)(2)(ii))

* * * * *

2. The standard plug height in the area shown is 8.0010 mm (.315 inch) maximum. The standard plug length is 23.1140 mm (.910 inch) maximum. Plugs may be made longer than standard or adapted for direct use on special cords, adapters without cordage, apparatus or equipment subject to the

limitations described in the introductory paragraphs of 68.500. Plugs longer and/or higher than standard may inhibit the special features of some network jack enclosures.

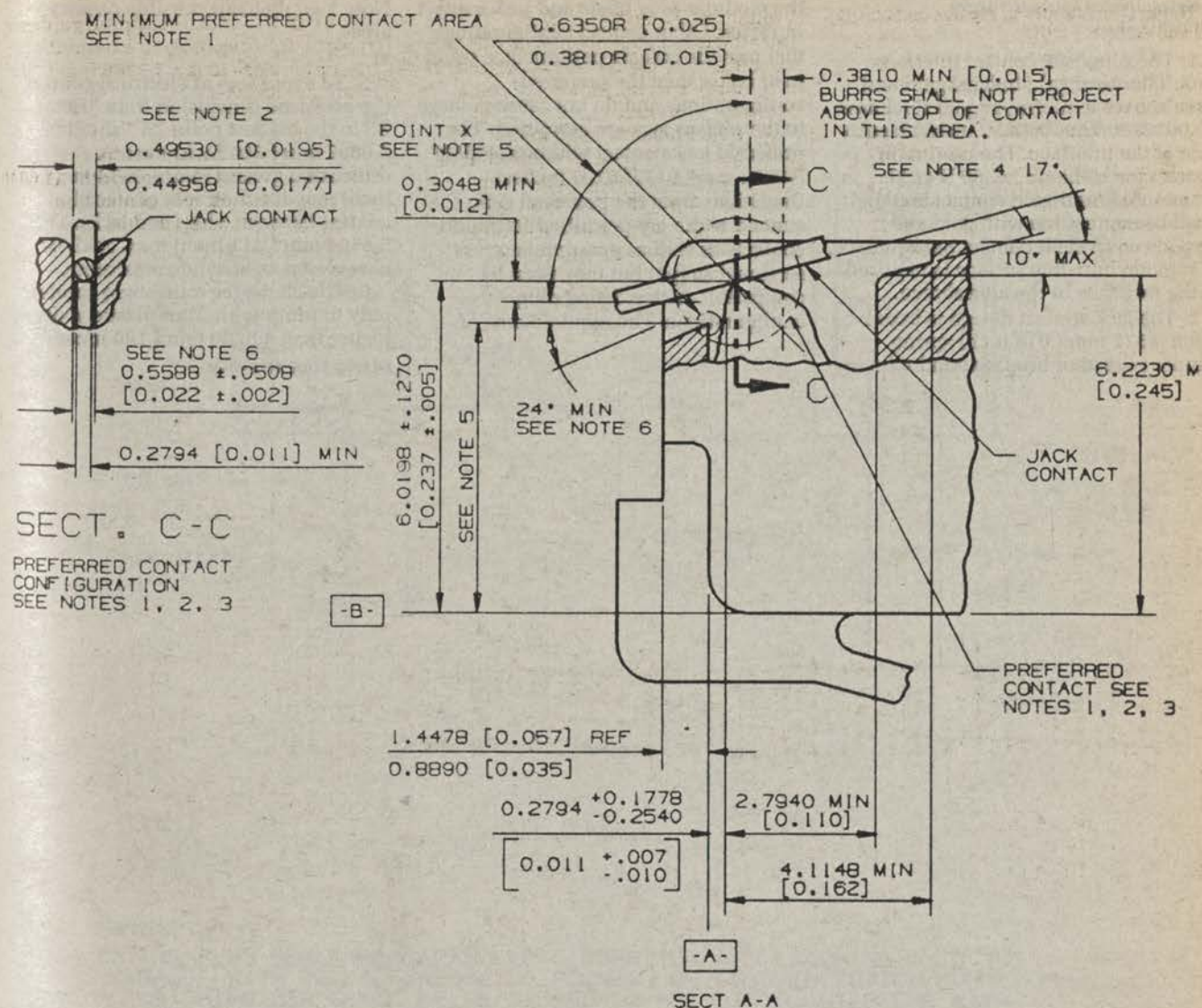
3. A 14.6050 mm (.575 inch) minimum tab length is required. It is preferred that maximum tab length be no longer than 15.8750 mm (.625 inch). Longer tabs may be used with the same limitations described in Note 2.

4. To obtain maximum plug guidance in jacks, it is desirable to extend the front plug nose to the 2.3368 mm (.092 inch) maximum.

* * * * *

6. The center rib centerline shall be coincident with the plug width, 11.6840 mm ref (.460 inch ref.) center line within $\pm .0762$ mm ($\pm .003$ inch).

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NOTE: ALL NOTES FOLLOW THIS FIGURE.

NOTE: THE 6 POSITION PLUG/JACK CONTACT SPECIFICATION IS IDENTICAL.

FIGURE 68.500(1)(3)(1)- B POSITION KEYED PLUG
PLUG /JACK CONTACT SPECIFICATION

Notes: (Notes apply to Figure 68.500(i)(3)(i))

1. The plug/jack contact interface should be hard gold to hard gold and should have a minimum gold thickness of .0012700mm (.000050 inch) on each side of the interface. The minimum contact force should be .98 N (100 grams). Any non-gold contact material must be compatible with gold and provide equivalent contact performance. A smooth, burr-free surface is required at the interface in the area shown.

2. The jack contact design is based upon .4572 mm (.018 inch) spring temper phosphor bronze round wire in

the modular plug blade and jack contact interface. Other contact configurations that provide contact performance equal to or better than the preferred configurations and do not cause damage to the plug or jack are permitted. The preferred jack contact width is .44958/.49530 mm (.0177/.0195 inches). Deviations from the preferred jack contact width are permitted for round contacts as well as noncircular cross sectional shapes but they must be compatible with existing plug configurations. The requirements of

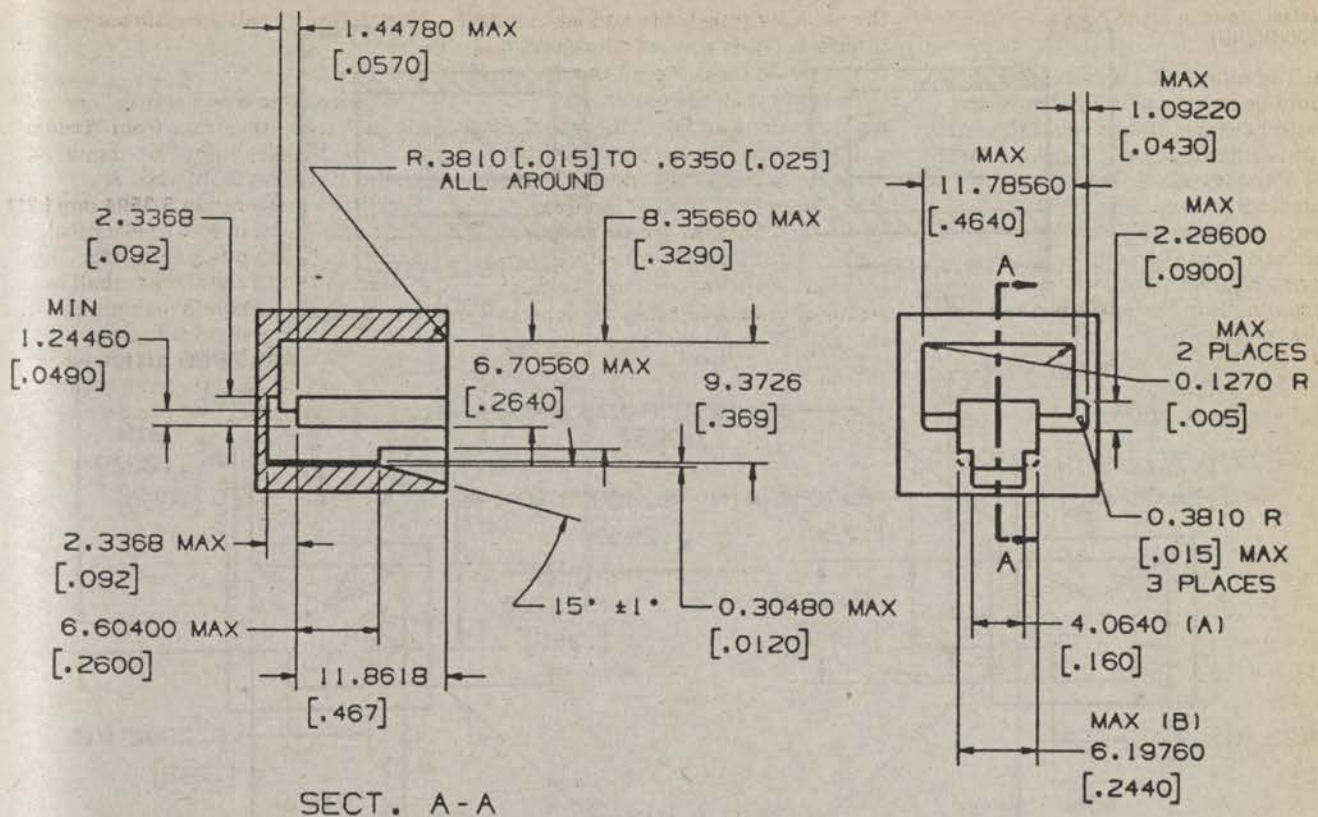
Note 1 apply to all possible contact areas.

* * * * *

5. To avoid loss of electrical contact, the preferred dimension from "Datum B" to the highest point "X" should be 5.0800 mm (.200 inch) max. A dimension greater than 5.3594 mm (.211 inch) may result in loss of electrical contact between plugs and jacks. The 5.3594 mm (.211 inch) max. shall be considered an absolute maximum.

6. The 25 degree min. angle applies only to plugs with front plastic walls higher than 4.8260 mm (.190 inches).

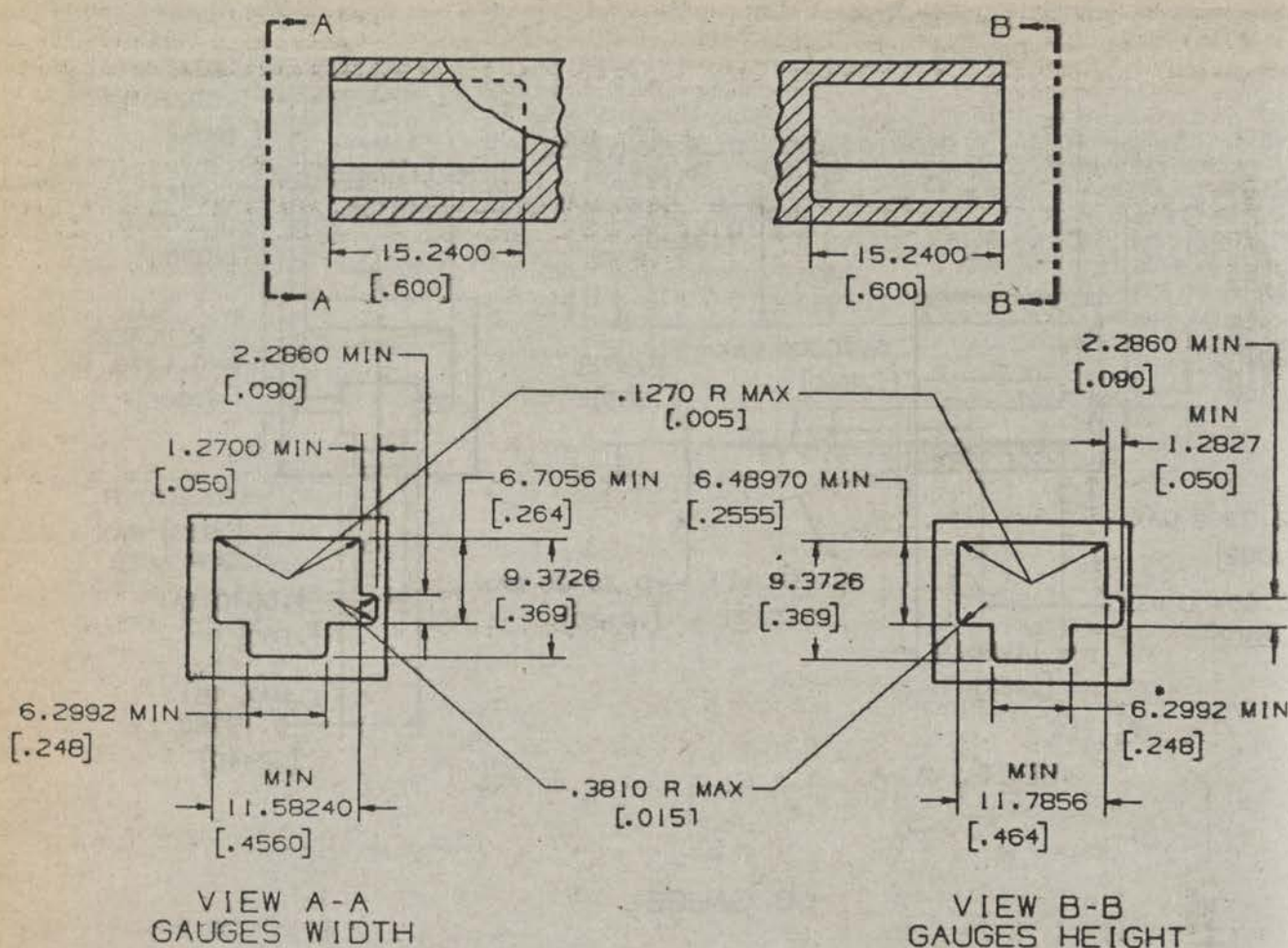
BILLING CODE 6712-01-M



NOTES:

1. THE PLUG SHALL BE CAPABLE OF INSERTION AND LATCHING INTO THE GAUGE WITH 22.24 newtons [5 POUNDS] OR LESS INSERTION FORCE. PLUG LATCHING BAR SHALL BE DEPRESSED SO AS NOT TO INTERFERE WITH THE PLUG ENTRY. AFTER INSERTION AND LATCHING, PLUG SHALL BE CAPABLE OF REMOVAL, WITH THE LATCH DEPRESSED, WITH A REMOVAL FORCE OF 44.48 newtons [10 POUNDS] OR LESS APPLIED AT AN ADVANTAGEOUS ANGLE.
2. DIMENSIONS GIVEN TO FOUR DECIMAL PLACES SHALL BE WITHIN $\pm 0.0508\text{mm}$ [.002].
3. DIMENSIONS (A) AND (B) TO BE CENTRALLY LOCATED WITH RESPECT TO 11.78560mm [.4640] MAX. JACK OPENING WIDTH WITHIN $\pm 0.0254\text{mm}$ [.001].
4. DO NOT SCALE DRAWINGS FOR EXTERNAL CONFIGURATION.

FIGURE 68.500(i)(4)(i)-8 POSITION KEYED PLUG
MAXIMUM PLUG SIZE



NO-GO GAUGE

NOTES:

1. THE PLUG SHALL NOT BE CAPABLE OF ENTERING THE GAUGE MORE THAN 1.7780mm [.070] BEYOND DATUM-A- (SEE FIGURE 68.500(1)(2)(1) WITH 8.90 newton [2.0 POUNDS] INSERTION FORCE.
2. NON-TOLERANCED DIMENSIONS GIVEN TO FOUR PLACES SHALL BE WITHIN $\pm 0.0508\text{mm}$ [.002] .
3. $\ast 6.2992\text{mm}$ [.248] DIMENSION TO BE CENTRALLY LOCATED WITH RESPECT TO 11.7856mm [.464] MINIMUM AND 11.58240mm [.4560] MINIMUM WITHIN $\pm 0.0508\text{mm}$ [.002] .

FIGURE 68.500(1)(5)(1)-8 POSITION KEYED PLUG, MINIMUM PLUG SIZE

Notes: (Notes apply to Figure 68.500(j)(2)(i))

1. Front surface projections beyond the 1.3970 mm (.055 inch) minimum shall be configured so as not to prevent finger access to the plug release catch (Reference Figure 68.500(i)(2)(ii) and 8-Position Plug, Mechanical Specifications). A catch length greater than 1.3970 mm (.055 inch) is beneficial in providing for greater breakout strength and improved guidance when interfacing with a 6-position plug.

3. The preferred plug stop surface is indicated. If some other internal feature is used as a plug stop, it must be located so that the axial movement of a latched plug is no greater than 1.1430 mm (.045) inch.

4. To prevent mistargeting between the plug and jack contacts, the jack contacts should be completely contained in their individual contact zones, (.7112 mm (.028 inch) max wide), where they extend into the jack openings. There is no location requirement for jack contacts below these zones (5.8420 mm (.230 inch) max), but adequate contact separation must be maintained to prevent electrical breakdown. These shaded contact zones should be centrally located, (include all locating tolerances), about the jack opening width 11.9126 mm (.469 inch) Ref. (Datum-W-). Contacts located outside of these zones may result in mistargeting between the jack and plug contacts.

5. All inside and outside corners in the plug cavity to be .3810 mm (.015 inch) radius max unless specified.

7. Relief inside the dotted areas on both sides of the jack opening is permitted. The 6.8326 mm (.269 inch) Ref and 11.9126 mm (.469 inch) Ref Gauge Requirements must be maintained in each of the corners indicated, (Ref. 1.5240 mm (.060 inch) min), to assure proper plug/jack interface guidance.

8. 4.0640 mm (.160 inch) and 6.2992 mm (.248 inch) dimensions to be centrally located to jack opening width -W- within ± 1.270 mm (.005).

10. Gauge Requirements:

GO: The jack shall be capable of accepting and 11.78560 $\times$ 6.70560 mm (.4640 $\times$.2640 inch) gauge and the gauge shall be capable of being removed with a maximum force of 8.9 newtons (2.0 pounds).

NO GO: The jack shall not accept either a 12.03960 $\times$ 6.4516 mm (.4740 $\times$.254 inch) horizontal width of opening gauge or a 6.95960 $\times$ 11.5824 mm (.2740

$\times$.456 inch) vertical height of opening gauge. However, if the gauge is accepted, the force necessary to remove the gauge shall be minimum of .83 newtons (3.0 ounces).

Removal forces do not include forces contributed by contact springs nor shall external forces be applied to the jack that will affect these removal forces.

Gauges shall have a .7620 mm (.030 inch) radius on the nose and a .3810 mm (.015 inch) radius on all edges with clearance provided for contracts.

PART 69—ACCESS CHARGES

1. The authority citation for part 69 continues to read as follows:

Authority: Secs. 4, 201, 202, 203, 205, 218, 403, 48 Stat. 1066, 1070, 1077, 1094, as amended, 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

2. Paragraphs (a)(1) and (a)(2) of § 69.108 are revised to read as follows:

§ 69.108 Transport rate benchmark.

- (a) * * *
- (1) The total charge for a 1.609 km (1 mi) channel termination, 16.09 km (10 mi) of interoffice transmission, and one DS3 multiplexer using the telephone company's DS3 special access rates to;
- (2) The total charge for a 1.609 km (1 mi) channel termination plus 16.09 km (10 mi) of interoffice transmission using the telephone company's DS1 special access rates.

§ 69.110 [Amended]

3. In the last sentence of paragraph (b)(1) of § 69.110 the first occurrence of the word "mileage" is removed and the word "distance" is added in its place. In the last sentence of paragraph (b)(1) of § 69.110 the second occurrence of the word "mileage" is removed and the word "kilometers" is added in its place.

4. In the last sentence of paragraph (b)(2) of § 69.110 the first occurrence of the word "mileage" is removed and the word "distance" is added in its place. In the last sentence of paragraph (b)(2) of § 69.110 the second occurrence of the word "mileage" is removed and the word "kilometers" is added in its place.

§ 69.111 [Amended]

5. In the last sentence of paragraph (b) of § 69.111 the first occurrence of the word "mileage" is removed and the word "distance" is added in its place. In the last sentence of paragraph (b) of § 69.111, the second occurrence of the word "mileage" is removed and the word "kilometers" is added in its place.

§ 69.112 [Amended]

6. In the last sentence of paragraph (b)(1) of § 69.112 the first occurrence of

word "mileage" is removed and the word "distance" is added in its place. In the last sentence of paragraph (b) (1) of § 69.112, the second occurrence of the word "mileage" is removed and the word "kilometers" is added in its place.

7. In the last sentence paragraph (b)(2) of § 69.112 the first occurrence of the word "mileage" is removed and the word "distance" is added in its place. In the last sentence of paragraph (b)(2) of § 69.112, the second occurrence of the word "mileage" is removed and the word "kilometers" is added in its place.

§ 69.125 [Amended]

8. In the third sentence of paragraph (b) of § 69.125 the first occurrence of the word "mileage" is removed and the word "distance" is added in its place. In the third sentence of paragraph (b) of § 69.125, the second occurrence of the word "mileage" is removed and the word "kilometers" is added in its place.

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

2. Paragraph (b) of § 73.312 is revised to read as follows.

§ 73.312 Typographic data.

(b) The Commission will not ordinarily require the submission of typographical maps for areas beyond 24 km (15 miles) from the antenna site, but the maps must include the principal city or cities to be served. If it appears necessary additional data may be requested.

3. The fifth sentence of paragraph (c)(2) of § 73.316 is revised to read as follows:

§ 73.316 FM antenna systems.

(c) * * *

(2) * * * The horizontal plane pattern must be plotted to the largest scale possible on unglazed letter-size polar coordinate paper (main engraving approximately 18 cm $\times$ 25 cm (7 inches $\times$ 10 inches)) using only scale divisions and subdivisions of 1, 2, 2.5, or 5 times 10-nth. * * *

4. Footnote 2 to the table in paragraph (a) of § 73.501 is revised to read as follows:

§ 73.501 Channels available for assignment.

(a) * * *

² The frequency 89.1 MHz, Channel 206, in the New York City metropolitan area, is reserved for the use of the United Nations with the equivalent of an antenna height of 150 meters (492 feet) above average terrain and effective radiated power of 20 kW and the Commission will make no assignments which would cause objectionable interference with such use.

5. The first sentence of the definition of "antenna power gain" in § 73.681 is revised to read as follows:

§ 73.681 Definitions.

Antenna power gain. The square of the ratio of the root-mean-square free space field strength produced at 1 kilometer in the horizontal plane, in millivolts per meter for one kW antenna input power to 221.4 mV/m. * * *

6. The first sentence of paragraph (f)(5) of § 73.685 is revised to read as follows:

§ 73.685 Transmitter location and antenna system.

(f) * * *
(5) All horizontal plane patterns must be plotted to the largest scale possible on unglazed letter-size polar coordinate paper (main engraving approximately 18 cm x 25 cm (7 inches x 10 inches)) using only scale divisions and subdivisions of 1, 2, 2.5 or 5 times 10-nth. * * *

7. Paragraph (b)(8) of § 73.1820 is revised to read as follows:

§ 73.1820 Station log.

(b) * * *
(8) The indicating equipment conforms to the requirements of § 73.1215 (Indicating instruments—specifications) except that the scales need not exceed 5 cm (2 inches) in length. Arbitrary scales may not be used.

PART 74—EXPERIMENTAL, AUXILIARY, AND SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

1. The authority citation for part 74 continues to read as follows:

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

2. The first sentence of paragraph (c)(4) of § 74.735 is revised to read as follows:

§ 74.735 Power limitation.

(c) * * *
(4) All horizontal plane patterns must be plotted to the largest scale possible on unglazed letter-size polar coordinate paper (main engraving approximately 18 cm x 25 cm (7 inches x 10 inches)) using only scale divisions and subdivisions of 1, 2, 2.5 or 5 times 10-nth. * * *

3. Paragraph (f) of § 74.902 is revised to read as follows:

§ 74.902 Frequency assignments.

(f) A temporary fixed ITFS station may use any available ITFS channel on a secondary basis. Operation of stations located within 56.3 km (35 miles) of Canada shall be limited by § 74.24(h)(3).

4. Paragraphs (b)(1)(ii), (b)(2) and (b)(3) of § 74.903 are revised to read as follows:

§ 74.903 Interference.

(b) * * *
(1) * * *
(ii) The proposed transmitter is within 80.5 km (50 miles) of the coordinates of any such station.

(2) An analysis of the potential for harmful adjacent channel interference with any authorized or previously proposed station(s) if the proposed transmitter is within 80.5 km (50 miles) of the coordinates of any other station(s) that utilize(s), or would utilize, an adjacent channel frequency.

(3) An analysis concerning possible adverse impact upon Mexican and Canadian communications if the station's transmitting antenna is to be located within 80.5 km (50 miles) of the border.

§ 74.931 [Amended]

5. In paragraphs (h) and (j) of § 74.931 the words "20 miles" are removed and the words "32 km (20 miles)" are added in their place.

§ 74.935 [Amended]

6. In paragraph (c) introductory text of § 74.935 the words "50 miles" are removed and the words "80.5 km (50 miles)" are added in their place.

7. The third sentence of paragraph (a) of § 74.937 is revised to read as follows:

§ 74.937 Antennas.

(a) * * * However, for the purpose of interference calculations, the general characteristics of the reference receiving antenna shown in Figure 1 of this section (i.e., a 0.6 meter (2 foot) parabolic reflector antenna) are assumed to be used in accordance with the

provisions of § 74.903(a)(3) unless pertinent data is submitted of the actual antenna in use at the receive site. * * *

§ 74.985 [Amended]

8. In paragraph (d) of § 74.985 the words "50 miles" are removed and the words "80.5 km (50 miles)" are added in their place, in paragraph (g) introductory text the words "5 miles" are removed and the words "8 km (5 miles)" are added in their place, and in paragraph (g)(5) the words "5 mile" are removed and the words "8 km (5 mile)" are added in their place.

§ 74.990 [Amended]

9. In paragraph (a) of § 74.990 the words "50 miles" are removed and the words "80.5 km (50 miles)" are added in their place.

PART 76—CABLE TELEVISION SERVICE

1. The authority citation for part 76 continues to read as follows:

Authority: Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

§ 76.5 [Amended]

2. Paragraph (e) of § 76.5 is amended by removing the words "35 air miles" and adding the words "56.3 air km (35 air miles)" in their place, paragraph (jj) is amended by removing the words "thirty households per route mile" and adding the words "19 households per route kilometer or thirty households per route mile" in their place.

§ 76.55 [Amended]

3. Paragraph (b)(1) of § 76.55 is amended by removing the words "50 miles" and adding the words "80.45 km (50 miles)" in their place, paragraph (d)(4) is amended by removing the words "35 miles" and adding the words "56.32 km (35 miles)" in their place.

4. Paragraphs (d) and (e) and the note following paragraph (f) of § 76.92 are revised to read as follows:

§ 76.92 Network non-duplication; extent of protection.

(d) Any community unit operating in a community to which a 100-watt or higher power translator is located within the predicted Grade B signal contour of the television broadcast station that the translator station retransmits, and which translator is carried by the community unit shall, upon request of such translator station licensee or permittee, delete the duplicating network programming of

any television broadcast station whose reference point (See § 76.53) is more than 88.5 km (55 miles) from the community of the community unit.

(e) Any community unit which operates in a community located in whole or in part within the secondary zone of a smaller market television broadcast station is not required to delete the duplicating network programming of any major market television broadcast station whose reference point (See Section 76.53) is also within 88.5 km (55 miles) of the community of the community unit.

(f) * * *

Note: With respect to network programming, the geographic zone within which the television station is entitled to enforce network non-duplication protection and priority of shall be that geographic area agreed upon between the network and the television station. In no event shall such rights exceed the area within which the television station may acquire broadcast territorial exclusivity rights as defined in § 73.658(m), except that small market television stations shall be entitled to a secondary protection zone of 32.2 additional kilometers (20 additional miles). To the extent rights are obtained for any hyphenated market named in § 76.51, such rights shall not exceed those permitted under § 76.658(m) for each named community in that market.

5. Paragraph (a)(3) of § 76.605 is revised to read as follows:

§ 76.605 Technical standards.

(a) * * *

(3) The visual signal level, across a terminating impedance which correctly matches the internal impedance of the cable system as viewed from the subscriber terminal, shall not be less than 1 millivolt across an internal impedance of 75 ohms (0 dBmV). Additionally, as measured at the end of a 30 meter (100 foot) cable drop that is connected to the subscriber tap, it shall not be less than 1.41 millivolts across an internal impedance of 75 ohms (+3 dBmV). (At other impedance values, the minimum visual signal level, as viewed from the subscriber terminal, shall be the square root of 0.0133 (Z) millivolts and, as measured at the end of a 30 meter (100 foot) cable drop that is connected to the subscriber tap, shall be 2 times the square root of 0.00662(Z) millivolts, where Z is the appropriate impedance value.)

6. Paragraph (h)(5) of § 76.609 is revised to read as follows:

§ 76.609 Measurements.

(h) * * *

(5) Measurements shall be made where other conductors are 3 or more meters (10 or more feet) away from the measuring antenna.

7. The definition of "θ" in paragraph (a)(1) of § 76.611 is revised to read as follows:

§ 76.611 Cable television basic signal leakage performance criteria.

(a) * * *

(1) * * *

θ is the fraction of the system cable length actually examined for leakage sources and is equal to the strand kilometers (strand miles) of plant tested divided by the total strand kilometers (strand miles) in the plant;

PART 78—CABLE TELEVISION RELAY SERVICE

1. The authority citation for part 78 continues to read as follows:

Authority: Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

378.11 [Amended]

2. In paragraph (e) of § 78.11 the words "20 feet" are removed and the words "6.1 meters (20 feet)" are added in their place.

3. Paragraph (i)(2) of § 78.18 is revised to read as follows:

§ 78.18 Frequency assignments.

* * * * *

(i) * * *

(2) The transmission path is more than 16.1 km (10 miles) in length;

* * * * *

4. Paragraphs (d)(1)(i), (d)(1)(ii), (d)(1)(iii) and (d)(1)(iv) of § 78.19 are revised to read as follows:

§ 78.19 Interference.

* * * * *

(d) * * *

(1) * * *

(i) All stations within 2.4 km (1.5 statute miles);

(ii) Stations within 4.8 km (3 statute miles) with 50 watts or more effective radiated power (ERP) in the primary plane of polarization in the azimuthal direction of the Table Mountain Radio Receiving Zone;

(iii) Stations within 16 km (10 statute miles) with 1 kW or more ERP in the primary plane of polarization in the azimuthal direction of the Table Mountain Radio Receiving Zone;

(iv) Stations within 80 km (50 statute miles) with 25 kW or more ERP in the primary plane of polarization in the

azimuthal direction of the Table Mountain Radio Receiving Zone.

* * * * *

5. Paragraph (c)(12) of § 78.33 is revised to read as follows:

§ 78.33 Special temporary authority.

* * * * *

(c) * * *

(12) Description of antenna to be used, including height. In the event that the proposed antenna installations will increase the height of any natural formation, or existing manmade structure, by more than 6.1 meters (20 feet), a vertical plan sketch showing the height of the structures proposed to be erected, the height above ground of any existing structure, the elevation of the site above mean sea level, and the geographic coordinates of the proposed sites shall be submitted with the application.

* * * * *

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, 1088, as amended; 47 U.S.C. 154, 303.

2. Paragraph (j) of § 80.257 is revised to read as follows:

§ 80.257 Manufacturing requirements for radiotelegraph automatic alarm receiver (auto alarm).

* * * * *

(j) The auto alarm must be capable of operating when subjected to vibrations having a frequency between 20 and 30 Hertz and an amplitude of 0.76 mm (0.03 inch) in a direction at an angle of 30 to 45 degrees with the base of the auto alarm.

3. Paragraph (1) of § 80.261 is revised to read as follows:

§ 80.261 Technical requirements for automatic-alarm-signal keying device.

* * * * *

(1) The automatic-alarm-signal keying device must be capable of operating when subjected to vibrations having a frequency between 20 and 30 Hertz and an amplitude of 0.76 mm (0.03 inch) in a direction at an angle of 30 to 45 degrees with the base of the automatic-alarm-signal keying device.

4. Paragraph (b)(9) of § 80.269 is revised to read as follows:

§ 80.269 Technical requirements for radio-telephone distress frequency watch receiver.

* * * * *

(b) * * *

(9) The receiver must be capable of operating when subjected to vibrations

having a frequency between 20 and 30 Hertz and an amplitude of 0.76 mm (0.03 inch) in a direction at an angle of 30 to 45 degrees with the base of the auto alarm.

5. Footnote 3 to the table in paragraph (c) of § 80.371 is revised to read as follows:

§ 80.371 Public correspondence frequencies.

*(c) * * *

³ Within 120 km (75 miles) of the United States/Canada border, in the area of the Puget Sound and the Strait of Juan de Fuca and its approaches, the frequency 157.925 MHz is available for use by ship stations for public correspondence communications only. One hundred twenty kilometers (75 miles) from the United States/Canada border 157.425 MHz is available for intership and commercial communications. Outside the Puget Sound area and its approaches and the Great Lakes, 157.425 MHz is available for communications between commercial fishing vessels and associated aircraft while engaged in commercial fishing activities.

*(c) * * *

6. The last sentence of paragraph (b)(6), footnote 8 to the table in paragraph (f), and the introductory text of paragraph (g) in § 80.373 are revised to read as follows:

§ 80.373 Private communications frequencies.

*(b) * * *

(6) * * * The geographic limitations to the frequencies 2738.0 KHz and 2830.0 KHz do not prohibit intership communication of less than 320 km (200 statute miles) when only one of the ship stations is within a permitted use geographic area.

*(f) * * *

* Within 120 km (75 miles) of the United States/Canada border, in the area of the Puget Sound and the Strait of Juan de Fuca and its approaches, 157.425 MHz is half of the duplex pair designated as Channel 88. In this area, Channel 88 is available to ship stations for communications with public coast stations only. More than 120 km (75 miles) from the United States/Canada border in the area of the Puget Sound and the Strait of Juan de Fuca, its approaches, the Great Lakes, and the St. Lawrence Seaway, 157.425 MHz is available for intership and commercial communications. Outside Puget Sound area and its approaches and the Great Lakes, 157.425 MHz is also available for communications between commercial fishing vessels and associated aircraft while engaged in commercial fishing activities.

*(g) * * *

(g) On-board communications: This section describes the carrier frequency pairs assignable for on-board mobile

radiotelephony communications. The center of the on-board repeater antenna must not be located more than 3 meters (10 feet) above the ship's working deck. These frequencies are available on a shared basis with stations in the Business Radio Service.

* * * * *

7. Paragraph (c)(2) of § 80.375 is revised to read as follows:

§ 80.375 Radiodetermination frequencies.

*(c) * * *

(2) The station antenna height does not exceed 6 meters (20 feet) above sea level in a buoy station or 6 meters (20 feet) above the mast of the ship in which it is installed.

* * * * *

8. Paragraphs (b)(5)(i) and (b)(7) of § 80.379 are revised to read as follows:

§ 80.379 Maritime frequencies assignable to aircraft stations.

*(b) * * *

*(5) * * *

(i) The altitude of aircraft stations does not exceed 300 meters (1,000 feet), except for reconnaissance aircraft participating in icebreaking operations where an altitude of 450 meters (1,500 feet) is allowed;

* * * * *

(7) Commercial fishing vessels and associated aircraft may use 157.425 MHz while engaged in commercial fishing activities except within 120 km (75 miles) of the United States/Canada border and Puget Sound and the Strait of Juan de Fuca and its approaches, the Great Lakes, and the St. Lawrence Seaway.

9. Paragraphs (b) and (c) of § 80.759 are revised to read as follows:

§ 80.759 Average terrain elevation.

* * * * *

(b) Draw a circle of 16 km (10 statute mile) radius using the antenna site as the center. Divide each radial into 320 meter (0.2 statute mile) increments inside the circumference to the 3.2 km (2 statute mile) point.

(c) Calculate the height above sea level of each 320 meter (0.2 statute mile) division by interpolating the contour intervals of the map, and record the value.

* * * * *

10. Paragraph (a)(8) of § 80.808 is revised to read as follows:

§ 80.808 Requirements of reserve installation.

*(a) * * *

(8) The emergency electric lights must be controlled by two-way switches

placed near the main entrance to the radiotelegraph operating room and at the radiotelegraph operating position, in all cases where the distance between these points is greater than 2.4 meters (8 feet). This requirement applies to stations which replace, or initially install the main or reserve radiotelegraph transmitter on and after May 26, 1965.

* * * * *

§ 80.828 [Amended]

11. In § 80.828 the words "5 inches" are removed and the words "12.7 cm (5 inches)" are added in their place.

12. Paragraph (f) of § 80.829 is revised to read as follows:

§ 80.829 Survival craft nonportable radiotelegraph installation.

* * * * *

(f) When the lifeboat is afloat the installation must be capable of developing an antenna current such that the product of the maximum height of the antenna above the mean surface of the water, expressed in meters, and the r.m.s. antenna current on the frequency 500 kHz, expressed in amperes, is not less than 9.6.

13. Section 80.865 is revised to read as follows:

§ 80.865 Radiotelephone station clock.

A clock having a face of at least 12.7 cm (5 in.) in diameter must be mounted in a position that can be observed from the principal operating position.

14. Paragraph (b) of § 80.875 is revised to read as follows:

§ 80.875 VHF radiotelephone power supply.

* * * * *

(b) When the power supply for the VHF radiotelephone installation consists of batteries, they must be installed in the upper part of the ship, secured against shifting with motion of the ship, capable of operating the installation for 6 hours, and accessible with not less than 26 cm (10 in.) head room.

* * * * *

15. Paragraph (b) of § 80.915 is revised to read as follows:

§ 80.915 Main power supply.

* * * * *

(b) When the main power supply consists of batteries, they must be installed as high above the bilge as practicable, secured against shifting with motion of the vessel, and accessible with not less than 26 cm (10 in.) head room.

* * * * *

16. Paragraph (c) of § 80.917 is revised to read as follows:

§ 80.917 Reserve power supply.

(c) When the reserve power supply consists of batteries, they must be installed as high above the bilge as practicable, secured against shifting with motion of the vessel, and accessible with not less than 26 cm (10 in.) head room.

17. Paragraph (a) of § 80.933 is revised to read as follows:

§ 80.933 General exemptions.

(a) Subject U.S. vessels less than 50 gross tons which are navigated not more than 300 meters (1,000 feet) from the nearest land at mean low tide are exempt from the provisions of Title III, Part III of the Communications Act.

18. Paragraph (c) of § 80.1001 is revised to read as follows:

§ 80.1001 Applicability.

(c) Every towing vessel of 7.8 meters (26 feet) or over in length, measured from end to end over the deck excluding sheer, while navigating; and

19. Paragraph (b) of § 80.1015 is revised to read as follows:

§ 80.1015 Power supply.

(b) When the power supply for a nonportable bridge-to-bridge radiotelephone installation consists of or includes batteries, they must be installed as high above the bilge as practicable, secured against shifting with motion of the vessel, and accessible with not less than 26 cm (10 in.) head room.

20. Paragraph (a) of § 80.1179 is revised to read as follows:

§ 80.1179 On-board repeater limitations.

(a) The on-board repeater antenna must be located no higher than 3 meters (10 feet) above the vessel's highest working deck.

21. Paragraph (a)(1) of § 80.1181 is revised to read as follows:

§ 80.1181 Station identification.

(1) The vessel is within 32 km (20 miles) of any coastline; or

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

2. Paragraphs (l)(1), (z) and (aa) in § 87.187, are revised to read as follows:

§ 87.187 Frequencies.

(1) The altitude of aircraft stations must not exceed 300 meters (1,000 feet), except for reconnaissance aircraft participating in icebreaking operations where an altitude of 450 meters (1,500 feet) is allowed;

(z) The frequencies 121.950 MHz, 122.850 MHz and 127.050¹ MHz are authorized for air-to-air use for aircraft up to and including 3 km (10,000 ft) mean sea level in the vicinity of Grand Canyon National Park in Arizona within the area bounded by the following coordinates:

36-28-00 N. Lat; 112-47-00 W. Long.
36-28-00 N. Lat; 112-48-00 W. Long.
35-50-00 N. Lat; 112-48-00 W. Long.
35-43-00 N. Lat; 112-47-00 W. Long.

(aa) The frequency 120.650¹ MHz is authorized for air-to-air use for aircraft up to and including 3 km (10,000 ft) mean sea level within the area bounded by the following coordinates:

35-59-45 N. Lat; 114-51-45 W. Long.
36-09-30 N. Lat; 114-50-00 W. Long.
36-09-30 N. Lat; 114-02-55 W. Long.
35-54-45 N. Lat; 113-48-45 W. Long.
35-54-45 N. Lat; 114-41-45 W. Long.

3. Paragraph (a)(3) in § 87.263 is revised to read as follows:

§ 87.263 Frequencies.

(3) The frequencies 122.825 and 122.875 MHz are available for assignment to enroute stations which provide local area service to aircraft approaching or departing a particular airport. These frequencies will be assigned without regard to the restrictions contained in § 87.261 (c) and (d). Only organizations operating aircraft with a maximum capacity of 56 passengers or 8,200 kg (18,000 lbs) cargo will be authorized use of these enroute frequencies.

4. Footnote 3 to the table in paragraph (b) of § 87.303 is revised to read as follows:

§ 87.303 Frequencies.

¹ Until further notice this frequency is available for air-to-air use as described in the Grand Canyon vicinity. Availability is a result of the FAA's assignment of this frequency. If the FAA reassigns this frequency the Commission may require air-to-air use to cease.

(b) * * *

³ Mobile station operations on these frequencies are limited to an area within 320 km (200 mi) of an associated flight test land station.

5. The first three sentences of paragraph (a)(1) of § 87.305 are revised to read as follows:

§ 87.305 Frequency coordination.

(a)(1) Each application for a new station license, renewal or modification of an existing license concerning flight test frequencies, except as provided in paragraph (b) of this section, must be accompanied by a statement from a frequency advisory committee. The committee must comment on the frequencies requested or the proposed changes in the authorized station and the probable interference to existing stations. The committee must consider all stations operating on the frequencies requested or assigned within 320 km (200 mi) of the proposed area of operation and all prior coordinations and assignments on the proposed frequency(ies).

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

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

Authority: Secs. 4, 303, 307, 331, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307, 332; secs. 4(i) and 303(r), Communications Act of 1934, as amended, Secs. 0.131 and 0.331 of the Commission's Rules and 5 U.S.C. 553 (b)(3)(B) and (d)(3).

2. The definitions of "average terrain" and "conventional radio system" in § 90.7 are revised to read as follows:

§ 90.7 Definitions.

Average terrain. The average elevation of terrain between 3.2 and 16 km (2 and 10 miles) from the antenna site.

Conventional radio system. A method of operation in which one or more radio frequency channels are assigned to mobile and base stations but are not employed as a trunked group. An "urban-conventional system" is one whose transmitter site is located within 24 km (15 miles) of the geographic center of any of the first 50 urbanized areas (ranked by population) of the United States. A "sub-urban-conventional system" is one whose transmitter site is located more than 24 km (15 miles) from the geographic center of the first 50 urbanized areas. See Table 21, Rank of Urbanized Areas in the United States by Population, page

PART 87—AVIATION SERVICES

1. The authority citation for part 87 continues to read as follows:

1-87, U.S. Census (1970); and Table 1 of § 90.635.

3. Paragraph (f)(7) of § 90.19 is revised to read as follows:

§ 90.19 Police Radio Service.

(f) * * *

(7) The frequency 173.075 MHz is available for stolen vehicle recovery systems on a shared basis with the Federal Government. Stolen vehicle recovery systems are limited to recovering stolen vehicles and are not authorized for general purpose vehicle tracking or monitoring. Mobile transmitters operating on this frequency are limited to 2.5 watts power output and base transmitters are limited 300 watts ERP. F1D and F2D emissions may be used within a maximum authorized 20 kHz bandwidth. Transmissions from mobiles shall be limited to 200 milliseconds every 10 seconds, except that when a vehicle is being tracked actively, transmissions may be increased to 200 milliseconds every second. Transmissions from base stations will be limited to a total time of 1 second every minute. Applications for base stations operating on this frequency shall require coordination with the Federal Government. Applicants shall perform an analysis for each base station located within 169 km (105 miles) of a TV channel 7 transmitter of potential interference to TV channel 7 viewers. Such stations will be authorized if the applicant has limited the interference contour to fewer than 100 residences or if the applicant:

- (i) Shows that the proposed site is the only suitable location;
- (ii) Develops a plan to control any interference caused to TV reception from the operations; and
- (iii) Agrees to make such adjustments in the TV receivers affected as may be necessary to eliminate interference caused by its operations. The licensee must eliminate any interference caused by its operation to TV channel 7 reception within 30 days of the time it is notified in writing by the Commission. If this interference is not removed within the 30-day period, operation of the base station must be discontinued. The licensee is expected to help resolve all complaints of interference.

4. Paragraph (c)(14) of § 90.23 is revised to read as follows:

§ 90.23 Highway Maintenance Radio Service.

(c) * * *

(14) This frequency may not be assigned within 161 km (100 miles) of New Orleans (coordinates 29-56-53 N and 90-04-10 W).

5. Paragraphs (c)(37), (c)(38) and (c)(40) of § 90.65 are revised to read as follows:

§ 90.65 Petroleum Radio Service.

(c) * * *

(37) This frequency is shared with the Special Industrial Radio Service and is available for assignment in the Petroleum Radio Service only in the States of Texas and Louisiana within 120 km (75 miles) of the Gulf of Mexico and in adjacent offshore waters. Mobile relay stations will not be authorized.

(38) This frequency is shared with the Special Industrial Radio Service in the States of North Dakota; South Dakota; Iowa; Nebraska; Kansas and Missouri beyond 80 km (50 miles) from St. Louis and Kansas City; Colorado and Wyoming east of Longitude 106 degrees; and Minnesota south of Latitude 47 degrees.

(40) This frequency may not be shared in the Special Industrial Radio Service within 32 km (20 miles) of the cities of Duluth, Minnesota; Des Moines and Davenport, Iowa; Omaha, Nebraska; Colorado Springs, Colorado; and Wichita, Kansas.

6. Paragraphs (c)(28), (c)(31) and (c)(33) of § 90.67 are revised to read as follows:

§ 90.67 Forest Products Radio Service.

(c) * * *

(28) This frequency is shared with the Taxicab Radio Service. It is available for assignment in this service only in the States of Washington, Oregon, Idaho, and Montana in areas at least 64 km (40 miles) from the center of urbanized areas of 200,000 or more population (U.S. Census of Population, 1970). The maximum output power is limited to 75 watts.

(31) This frequency is shared with the Special Industrial Radio Service in the States of North Dakota; South Dakota; Iowa; Nebraska; Kansas and Missouri beyond 80 km (50 miles) from St. Louis and Kansas City; Colorado and Wyoming east of Longitude 106 degrees; and Minnesota south of Latitude 47 degrees.

(33) This frequency may not be shared in the Special Industrial Radio Service

within 32 km (20 miles) of the cities of Duluth, Minnesota; Des Moines and Davenport, Iowa; Omaha, Nebraska; Colorado Springs, Colorado; and Wichita, Kansas.

7. Paragraphs (d)(3), (d)(29), (d)(30) and (d)(33) of § 90.73 are revised to read as follows:

§ 90.73 Special Industrial Radio Service.

(d) * * *

(3) Operation on this frequency is limited to a maximum output of 2 watts; and each station authorized will be classified and licensed as a mobile station. Any units of such a station, however, may provide the operational functions of a base or fixed station, on a secondary basis to mobile service operations provided that the separation between the control point and the center of the radiating portion of the antenna of any units so used does not exceed 7.6 m (25 ft).

(29) This frequency is shared with the Petroleum Radio Service in the States of Texas and Louisiana within 120 km (75 miles) of the Gulf of Mexico and in adjacent offshore waters.

(30) This frequency is shared with other Industrial Radio Services and is available for assignment in the Special Industrial Radio Service only in the States of North Dakota, South Dakota, Iowa, Nebraska, Kansas, and Missouri beyond 80 km (50 miles) from St. Louis and Kansas City; Wyoming and Colorado east of Longitude 106 degrees except within a 80 km (50 mile) radius of Denver; and Minnesota south of Latitude 47 degrees except within a 80 km (50 mile) radius of St. Paul, Minnesota. The maximum transmitter output power may not exceed 110 watts.

(33) This frequency is not available for assignment in the Special Industrial Radio Service within 32 km (20 miles) of the cities of Duluth, Minnesota; Des Moines and Davenport, Iowa; Omaha, Nebraska; Colorado Springs, Colorado; and Wichita, Kansas.

8. Paragraphs (c)(3) and (c)(27) of § 90.75 are revised to read as follows:

§ 90.75 Business Radio Service.

(c) * * *

(3) This frequency will be assigned only to stations used in itinerant operations, except within 56 km (35 miles) of Detroit, Mich., where it may be assigned for either itinerant or

permanent area operations (i.e., general use).

(27) Within the boundaries of urbanized areas of 200,000 or more population, defined in the United States Census of Population, 1960, vol. 1, table 23, page 1-50, this frequency may be used only by persons rendering a central station commercial protection service within the service area of the radio station utilizing the frequency and may be used only for communications pertaining to safety of life and property, and for maintenance or testing of the protection facilities. Central Station commercial protection service is defined as an electrical protection and supervisory service rendered to the public from and by a central station accepted and certified by one or more of the recognized rating agencies, or the Underwriters Laboratories' (UL), or Factory Mutual System. Other stations in the Business Radio Service may be licensed on this frequency only when all base, mobile relay and control stations are located at least 120 km (75 miles) from the city center or centers of the specified urbanized areas of 200,000 or more population. With respect to combination urbanized areas containing more than one city, 120 km (75 mile) separation shall be maintained from each city center which is included in the urbanized area. The locations of centers of cities are determined from appendix, page 226, of the U.S. Commerce publication "Air Line Distance Between Cities in the United States."

9. Paragraphs (d)(21) and (d)(22) of § 90.79 are revised to read as follows:

§ 90.79 Manufacturers Radio Service.

(d) * * *

(21) This frequency is shared with the Special Industrial Radio Service in the States of North Dakota; South Dakota; Iowa; Nebraska; Kansas and Missouri beyond 80 km (50 miles) from St. Louis and Kansas City; Colorado and Wyoming east of Longitude 106 degrees; and Minnesota south of Latitude 47 degrees.

(22) This frequency may not be shared in the Special Industrial Radio Service within 32 km (20 miles) of the cities of Duluth, Minnesota; Des Moines and Davenport, Iowa; Omaha, Nebraska; Colorado Springs, Colorado; and Wichita, Kansas.

10. Paragraph (d)(4) of § 90.81 is revised to read as follows:

§ 90.81 Telephone Maintenance Radio Service.

(d) * * *

(4) This frequency is available on a shared basis in the Power, Petroleum, Forest Products, Manufacturers, and Telephone Maintenance Radio Services. It may be assigned only when all of the base and mobile frequencies in the 450-470 MHz band for which the applicant is primarily eligible are assigned within 56 km (35 miles) of the proposed base station. Applications for this frequency must be coordinated with all five services. Telephone Maintenance Radio Service licensees on this frequency authorized prior to September 26, 1986, including their successors or assignees in business, will be permitted to renew their authorizations indefinitely, increase the number of transmitters operated, and expand the geographic coverage area of their systems, without a showing that all of the base and mobile Telephone Maintenance Radio Service frequencies in this band are assigned within 56 km (35 miles) of the existing base station.

11. Paragraph (c)(10) of § 90.93 is revised to read as follows:

§ 90.93 Taxicab Radio Service.

(c) * * *

(10) This frequency is shared by stations in the Forest Products Radio Service in the States of Washington, Oregon, Idaho, and Montana in areas at least 64 km (40 miles) removed from the center of urbanized areas of 200,000 or more population, 1970 Decennial Census. (Provided that, taxicab operations within the specified urbanized areas will not be authorized on frequencies shared with the Forest Products Radio Service until the unshared frequencies are fully utilized.) For two-frequency systems, separation between base and mobile transmit frequencies is 5 MHz; however, a mobile station may be assigned the frequency of an associated base station. (Such operation may, however, subject the single-frequency system to interference that would not occur to a two-frequency system.)

12. Paragraphs (c)(26) and (c)(27) of § 90.103 are revised to read as follows:

§ 90.103 Radiolocation Service.

(c) * * *

(26) Each frequency assignment in this band is on an exclusive basis within the primary service area to which assigned. The primary service area is the

area where the signal intensities are adequate for radiolocation purposes from all stations in the radiolocation system of which the station in question is a part; that is, the primary service area of the station coincides with the primary service area of the system. The normal minimum geographical separation between stations of different licensees shall be at least 1931 km (1200 miles) when the stations are operated on the same frequency or on different frequencies separated by less than 1.0 kHz. Where geographical separation of less than 1931 km (1200 miles) is requested under these circumstances, it must be shown that the desired separation will result in a protection ratio of at least 20 decibels throughout the primary service area of other stations.

(27) Notwithstanding the bandwidth limitations otherwise set forth in this section of the rules, wideband systems desiring to operate in this band may use such bandwidth as is necessary for proper operation of the system provided that the field strength does not exceed 120 microvolts per meter per square root Hertz (120 uv/m/Hz^{1/2}) at 1.6 km (1 mile). Such wideband operations shall be authorized on a secondary basis to stations operating within otherwise applicable technical standards. Applications for wideband systems in this band will be accepted beginning December 15, 1985.

13. Paragraph (a)(2) of § 90.137 is revised to read as follows:

§ 90.137 Applications for operation at temporary locations.

(a) * * *

(2) The application must specify the general geographic area within which the operation will be confined. The area may be specified as a city, a county or counties, a state or states or other definable geographic area such as a specified radius around a particular city or known geographic site.

14. Paragraph (a) of § 90.159 is revised to read as follows:

§ 90.159 Temporary permit.

(a) An applicant for a private land mobile station license utilizing an already authorized facility may operate the radio station(s) for a period of up to 180 days under a temporary permit evidenced by a properly executed temporary license certificate (Form 572) after submitting or filing a formal application for station license in accordance with § 90.127, provided that all the antennas employed by control stations are 6.1 m (20 ft) or less above

ground or 6.1 m (20 ft) or less above a man-made structure other than an antenna tower to which it is affixed. When required by § 90.175, applications must be accompanied by evidence of frequency coordination. The temporary operation of stations, other than mobile stations within the Canadian coordination zone is limited to stations with a maximum of 5 watts effective radiated power and a maximum antenna height of 6.1 meters (20 ft) above average terrain.

15. Paragraph (a) of § 90.175 is revised to read as follows:

§ 90.175 Frequency coordination requirements.

(a) For frequencies between 25 and 470 MHz. A statement from the applicable frequency coordinator recommending the most appropriate frequency. The coordinator's recommendation may appropriately include comments on technical factors such as power, antenna height and gain, terrain, and other factors which may serve to mitigate potential interference. Except for narrowband operations, the coordinator must not recommend any adjacent channel frequency 15 kHz removed to existing stations which would result in a separation of less than 16 km (10 miles), or 11 km (7 miles) in the Taxicab Radio Service. If the frequency recommended is in the 150–170 MHz band, and is 17.5 kHz or less removed from a frequency which is available to another radio service, the coordinator's statement must show that approval has been received from the coordinator for the other service. Coordination with another service is not required, however, for narrowband assignments more than 5 kHz removed from other narrowband assignments. Frequencies in the 450–470 MHz band, when used for secondary fixed operations, shall be assigned and coordinated pursuant to § 90.261.

16. Paragraph (c)(3)(ii) of § 90.239 is revised to read as follows:

§ 90.239 Interim provisions for operation of automatic vehicle monitoring (AVM) systems.

(c) (3) (ii) The minimum separation between a proposed AVM station and the nearest co-channel base station of another licensee operating a voice system is 120 km (75 miles) for a single frequency mode of operation or 56 km (35 miles) for a two-frequency mode of operation.

Where the minimum distance separation cannot be achieved, agreement to the use of F1D, F2D, G1D, G2D or P0N emission must be received from all existing co-channel licensees using voice emissions within the applicable distance separation limits. If there is interference with voice operations and required agreement was not received, or operation was authorized on a secondary noninterference basis, the licensee of the AVM system is responsible for eliminating the interference.

17. Paragraph (a)(4) of § 90.241 is revised to read as follows:

§ 90.241 Radio call box operations.

(a) (4) The antenna and its supporting structure must not exceed 6.1 m (20 ft) in height above the ground.

18. Paragraph (d) of § 90.250 is revised to read as follows:

§ 90.250 Meteor burst communications.

(d) Co-channel base stations of different licensees shall be located at least 241 km (150 miles) apart. A remote station and a base station of different licensees shall be located at least 241 km (150 miles) apart if the remote units of the different licensees operate on the same frequency. Waiver of this requirement may be granted if affected users agree to a cooperative sharing arrangement.

19. Paragraph (a)(1) of § 90.271 is revised to read as follows:

§ 90.271 Narrowband operations.

(1) Applications for narrowband operations must be accompanied by evidence of frequency coordination (§ 90.175). In the case of frequencies 7.5 kHz removed from FM channels the interference analysis should consider existing stations located within 96 km (60 miles).

20. Paragraph (c) introductory text, and paragraph (d), of § 90.273 are revised to read as follows:

§ 90.273 Availability and use of frequencies in the 421–430 MHz band.

(c) Base or control stations shall be located within 48 km (30 miles) of the center of Buffalo or 80 km (50 miles) of the center of Detroit. In Cleveland, base or control stations will be allowed at locations north of line A that are within 48 km (30 miles) of the city center. In

addition, low power (2 watts or less) base stations may locate within 80 km (50 miles) of the center of Buffalo. The following coordinates shall be used for the centers of these areas:

(d) Mobile operation shall be confined to within 80 km (50 miles) of the centers of Detroit, Cleveland, or Buffalo.

21. Paragraph (a) of § 90.279 is revised to read as follows:

§ 90.279 Power limitations applicable to the 421–430 MHz band.

(a) Base station authorizations in the 421–430 MHz band will be subject to Effective Radiated Power (ERP) and Effective Antenna Height (EAH) limitations as shown in the table below. ERP is defined as the product of the power supplied to the antenna and its gain relative to a half-wave dipole in a given direction. EAH is calculated by subtracting the Assumed Average Terrain Elevation (AATE) as listed in Table 7 of § 90.619 from the antenna height above mean sea level.

LIMITS OF EFFECTIVE RADIATED POWER (ERP) CORRESPONDING TO EFFECTIVE ANTENNA HEIGHTS (EAH) OF BASE STATIONS IN THE 421–430 MHz BAND

Effective antenna height (EAH) in meters (feet)	Maximum effective radiated power (ERP) (watts)
0–152 (0–500)	250
Above 152–305 (above 500–1000)	150
Above 305–457 (above 1000–1500)	75
Above 457–610 (above 1500–2000)	40
Above 610–762 (above 2000–2500)	20
Above 762–914 (above 2500–3000)	15
Above 914–1219 (above 3000–4000)	10
Above 1219 (above 4000)	5

22. Paragraph (d) of § 90.307 is revised to read as follows:

§ 90.307 Protection criteria.

(d) The minimum distance between a land mobile base station which has associated mobile units and a protected adjacent channel television station is 145 km (90 miles).

23. Paragraphs (a)(2), (a)(3), (a)(4) and (a)(5) and Tables A, B, C, D and E in § 90.309 are revised to read as follows:

§ 90.309 Tables and figures.

(a) * * *

(2) Entering the proper table at the mileage figure found in paragraph (a)(1) of this section, find opposite, a selection of powers that may be used for antenna heights ranging from 15 m (50 ft) to 152.5 m (500 ft) (AAT). If the exact antenna height proposed for the land mobile base station does not appear in the proper table, use the power figure beneath the next greater antenna height.

(3) The lowest power found using the tables mentioned in paragraphs (a)(1) and (a)(2) of this section is the maximum power that may be employed by the proposed land mobile base station.

(4) In determining the average elevation of the terrain, the elevations between 3.2 km (2 mi) and 16 km (10 mi) from the antenna site are employed. Profile graphs shall be drawn for a minimum of eight radials beginning at the antenna site and extending 16 km

(10 mi). The radials should be drawn starting with true north. At least one radial should be constructed in the direction of the nearest cochannel and adjacent channel UHF television stations. The profile graph for each radial shall be plotted by contour intervals of from 12.2 m (40 ft) to 30.5 m (100 ft) and, where the data permits, at least 50 points of elevation (generally uniformly spaced) should be used for each radial. For very rugged terrain 61 m (200 ft) to 122 m (400 ft) contour intervals may be used. Where the terrain is uniform or gently sloping, the smallest contour interval indicated on the topographic chart may be used. The average elevation of the 12.8 km (8-mile) distance between 3.2 km (2 mi) and 16 km (10 mi) from the antenna site should be determined from the profile graph for each radial. This may be obtained by averaging a large number of equally spaced points, by using a planimeter, or

by obtaining the median elevation (that exceeded by 50 percent of the distance) in sectors and averaging those values. In the preparation of the profile graphs, the elevation or contour intervals may be taken from U.S. Geological Survey Topographic Maps, U.S. Army Corps of Engineers Maps, or Tennessee Valley Authority Maps. Maps with a scale of 1:250,000 or larger (such as 1:24,000) shall be used. Digital Terrain Data Tapes, provided by the National Cartographic Institute, U.S. Geological Survey, may be utilized in lieu of maps, but the number of data points must be equal to or exceed that special above. If such maps are not published for the area in question, the next best topographic information should be used.

(5) Applicants for base stations in the Miami, FL, urbanized area may, in lieu of calculating the height of average terrain, use 3 m (10 ft) as the average terrain height.

TABLE A—BASE STATION—COCHANNEL FREQUENCIES (50 DB PROTECTION) MAXIMUM EFFECTIVE RADIATED POWER (ERP)¹

Distance in kilometers (miles): ²	Antenna height in meters (feet) (AAT)									
	15 (50)	30.5 (100)	45 (150)	61 (200)	76 (250)	91.5 (300)	106 (350)	122 (400)	137 (450)	152.5 (500)
260 (162)	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
257 (160)	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	800
249 (155)	1,000	1,000	1,000	1,000	1,000	875	775	700	625	575
241 (150)	1,000	1,000	950	775	725	625	550	500	450	400
233 (145)	850	750	650	575	500	440	400	350	320	300
225 (140)	600	575	475	400	350	300	275	250	230	225
217 (135)	450	400	335	300	255	240	200	185	165	150
209 (130)	350	300	245	200	185	160	145	125	120	100
201 (125)	225	200	170	150	125	110	100	90	80	75
193 (120)	175	150	125	105	90	80	70	60	55	50

¹ The effective radiated power (ERP) and antenna height above average terrain (AAT) shall not exceed the values given in this table.

² At this distance from transmitter site of protected UHF television station.

TABLE B—BASE STATION—COCHANNEL FREQUENCIES (40 DB PROTECTION) MAXIMUM EFFECTIVE RADIATED POWER (ERP)¹

Distance in kilometers (miles): ²	Antenna height in meters (feet) (AAT)									
	15 (50)	30.5 (100)	45 (150)	61 (200)	76 (250)	91.5 (300)	106 (350)	122 (400)	137 (450)	152.5 (500)
209 (130)	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
201 (125)	1,000	1,000	1,000	1,000	1,000	1,000	1,000	850	750	725
193 (120)	1,000	1,000	1,000	1,000	900	750	675	600	550	500
185 (115)	1,000	1,000	800	725	600	525	475	425	375	350
177 (110)	850	700	600	500	425	375	325	300	275	225
169 (105)	600	475	400	325	275	250	225	200	175	150
161 (100)	400	325	275	225	175	150	140	125	110	100
153 (95)	275	225	175	125	110	95	80	70	60	50
145 (90)	175	125	100	75	50					

¹ The effective radiated power (ERP) and antenna height above average terrain (AAT) shall not exceed the values given in this table.

² At this distance from transmitter site of protected UHF television station.

TABLE C—MOBILE AND CONTROL STATION—DISTANCE BETWEEN ASSOCIATED BASE STATION AND PROTECTED COCHANNEL TV STATION
[50 dB protection]

Effective radiated power (watts) of mobile unit and control station	Distance	
	Kilometers	Miles
200	249	155
150	243	151
100	233	145
50	217	135
25	201	125
10	188	117
5	180	112

TABLE D—MOBILE AND CONTROL STATION—DISTANCE BETWEEN ASSOCIATED LAND MOBILE BASE STATION AND PROTECTED COCHANNEL TV STATION

Effective radiated power (watts) of mobile unit and control station	Distance	
	Kilometers	Miles
200	209	130
150	201	125
100	193	120
50	185	115
25	177	110

TABLE D—MOBILE AND CONTROL STATION—DISTANCE BETWEEN ASSOCIATED LAND MOBILE BASE STATION AND PROTECTED COCHANNEL TV STATION—Continued

Effective radiated power (watts) of mobile unit and control station	Distance	
	Kilometers	Miles
10	169	105
5	161	100

TABLE E—BASE STATION ADJACENT CHANNEL FREQUENCIES MAXIMUM EFFECTIVE RADIATED POWER (ERP)¹

Distance in kilometers (miles): ^{2,3}	Antenna height in meters (feet) (AAT)									
	15 (50)	30.5 (100)	45 (150)	61 (200)	76 (250)	91.5 (300)	106 (350)	122 (400)	137 (450)	152.5 (500)
108 (67)	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
106 (66)	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	750
104 (65)	1,000	1,000	1,000	1,000	1,000	1,000	1,000	825	650	600
103 (64)	1,000	1,000	1,000	1,000	1,000	1,000	775	625	500	400
101 (63)	1,000	1,000	1,000	1,000	1,000	650	450	325	325	225
99 (62)	1,000	1,000	1,000	1,000	525	375	250	200	150	125
98 (61)	1,000	1,000	700	450	250	200	125	100	75	50
96 (60)	1,000	1,000	425	225	125	100	75	50		

¹ The effective radiated power (ERP) and antenna height above average terrain (AAT) shall not exceed the values given in this table.² At this distance from transmitter site of protected UHF television station.³ The minimum distance is 145 km (90 miles) where there are mobile units associated with the base station. See sec. 90.307(d).

24. Paragraphs (a), (f), (g), (h) and (i) and Table 1 and its notes in paragraph (d), and Table 2 and its notes in paragraph (e), in § 90.315 are revised to read as follows:

§ 90.315 Special provisions governing use of frequencies in the 476–494 MHz band (TV Channels 15, 16, and 17) in the Southern Louisiana-Texas Offshore Zone.

(a) The frequency bands from 490–491 and 493–494 MHz will be available for assignment to stations governed by this part within Zone A. The boundaries of Zone A are from longitude 87°45' on the east to longitude 94°00' on the west, and from the 3-mile limit along the Gulf of Mexico shoreline on the north to the limit of the Outer Continental Shelf on the south. The frequency bands from 484–485 and 476–488 MHz will be available for assignment to stations governed by this part within Zone B. The boundaries of Zone B are from longitude 87°45' on the east to longitude 95°00' on the west and from the 3-mile limit along the Gulf of Mexico shoreline on the north to the limit of the Outer

Continental Shelf on the south. The frequency bands from 478–479 and 481–481 MHz will be available for assignment to stations governed by this part within Zone C. The boundaries of Zone C are from longitude 94°00' on the east, the 3-mile limit on the north and west, a 281 km (175 mile) radius from the reference point at Linares, N.L., Mexico on the southwest, latitude 26°00' on the south, and the limits of the Outer Continental Shelf on the southeast. These frequencies may also be assigned to fixed stations located on shore designed to provide communications service within the zone.

(d) * * *

TABLE 1.—PROTECTION OF COCHANNEL TELEVISION STATIONS BY OFFSHORE STATIONS OPERATING IN THE SOUTHERN LOUISIANA-TEXAS OFFSHORE ZONE (65 dB PROTECTION); MAXIMUM EFFECTIVE RADIATED POWER

Distance from transmitter to co-channel TV station kilometers (miles)	Antenna Height above sea level meters (feet)		
	30.5 (100)	45 (150)	61 (200)
338 (210)	1,000	1,000	1,000
330 (205)	1,000	900	800
322 (200)	800	710	630
314 (195)	590	520	450
306 (190)	450	400	330
298 (185)	320	280	240
290 (180)	250	210	175
281 (175)	175	150	130
274 (170)	130	110	100
265 (165)	95	80	70
257 (160)	65	55	50
249 (155)	50	40	35
241 (150)	35	30	25

Note: To determine the maximum permissible effective radiated power:

(1) As specified in § 73.611 determine the distance between the proposed station and the cochannel television station. If the exact

distance does not appear in Table 1 of this section, the next lower distance separation is to be used.

(2) Opposite this distance figure ERPs are given that may be used for antenna heights

of 30.5, 45 or 61 meters (100, 150 or 200 ft) ASL. If the exact antenna height is not shown, the ERP allowed will be that shown for the next higher antenna height.

(e) * * *

TABLE 2.—MAXIMUM REARWARD EFFECTIVE RADIATED POWER ALLOWED FOR SHORE STATIONS; REARWARD EFFECTIVE RADIATED POWER (IN WATTS) FROM SHORE ANTENNA IN A SECTOR $\leq 22\frac{1}{2}^\circ$ FROM THE LINE JOINING THE SHORE ANTENNA TO THE COCHANNEL TELEVISION STATION

Distance from transmitter to cochannel television station: kilometers (miles)	Antenna height above ground in meters (feet)					
	30.5 (100)	45 (150)	61 (200)	91.5 (300)	152.5 (500)	228 (750)
298 (185)	320	280	240	190	125	90
290 (180)	250	210	175	125	100	60
281 (175)	175	150	130	100	70	50
274 (170)	130	110	100	75	40	35
265 (165)	95	82	70	50	35	25
257 (160)	65	55	50	40	25	20
249 (155)	50	40	35	30	20	15
241 (150)	35	30	25	20	15	10
233 (145)	25	20	18	15	10	7
225 (140)	18	15	13	10	7	5
217 (135)	13	10	9	7	5	3
209 (130)	10	8	6	5	3	2
201 (125)	7	6	5	4	3	2
193 (120)	5	4	3	3	2	1

Note: As an example of the use of Tables 1 and 2, assume an offshore station located 290 km (180 mi) from TV Channel 17 located in Bude, Miss. with an antenna height of 30.5 m (100 ft). Table 1 allows this station to operate with 250 W ERP. Now assume the shore station communicating with the offshore station is 48 km (30 mi) from the offshore station and 241 km (150 mi) from Bude, Miss. The shore station antenna height is 152.5 m (500 ft) above ground. The shore station will be allowed the same ERP as the offshore station (250 W) in the direction of the offshore station. Table 2 indicates that the effective radiated power in a sector $\leq 22\frac{1}{2}^\circ$ from the line joining the shore antenna to Bude, Miss. can only be 15 W. Consequently, a directional antenna must be used whose minimum front-to-back ratio over this 45° sector must be at least 12.2 dB. (250 W forward power to 15 W rearward power is a power ratio of 16.6 or 12.2 dB).

(f) To provide cochannel protection to television stations, no shore station will be allowed closer than 193 km (120 miles) from the cochannel television station.

(g) To provide adjacent channel protection to television stations, no shore or offshore station shall be allowed within an 128 km (80 mile) distance of the adjacent channel television station.

(h) Mobile stations shall not operate closer to shore than 6.4 km (4 miles) beyond the three mile limit and shall not operate with an ERP in excess of 100 watts with 9.1 m (30 ft) maximum antenna height.

(i) Mobile stations installed in aircraft shall operate 11 km (7 miles) beyond the

three mile limit and shall not operate with an ERP in excess of 1 watt or at heights in excess of 305 m (1000 feet) AMSL.

* * * * *

25. Paragraphs (a)(1), (c)(1) and (c)(2) of § 90.423 are revised to read as follows:

§ 90.423 Operation on board aircraft.

(a) * * *

(1) Operations are limited to aircraft that are regularly flown at altitudes below 1.6 km (1 mi) above the earth's surface;

* * * * *

(c) * * *

(1) Operations may be continued only for the balance of the term of such licenses if aircraft involved are regularly flown at altitudes greater than 1.6 km (1 mi) above the earth's surface.

(2) Operations may be continued for one additional renewal license term if the aircraft involved are regularly flown at altitudes below 1.6 km (1 mi) above the earth's surface.

* * * * *

26. Paragraph (a)(4)(ii) of § 90.425 is revised to read as follows:

§ 90.425 Station identification.

* * * * *

(a) * * *

(4) * * *

(ii) In the Land Transportation Radio Services, licensees may request the Commission's local Engineer-in-Charge to approve the use of special mobile

unit identifiers in lieu of the assigned call sign. Such requests, however, will not be granted where it appears that harmful interference to international operations may be caused by stations below 50 MHz, or by stations operating in areas within 80 km (50 miles) of an international boundary, or where it appears that the proposed method of identification will not adequately distinguish the mobile units of the applicant from the mobile units of other licensees in the area.

* * * * *

27. Paragraph (f) of § 90.463 is revised to read as follows:

§ 90.463 Transmitter control points.

* * * * *

(f) In urban areas, the location of fixed transmitter control points will be specified, "same as transmitter," unless the control point is at a street address which is different from that of the transmitter(s) controlled. In rural areas, the location of fixed control points will be specified, "same as transmitter," unless the control point is more than 152.5 m (500 ft) from the transmitter(s) controlled. In the latter case, the approximate location of the control point will be specified in distance and direction from the transmitter(s) controlled in terms of distance and geographical quadrant, respectively. It would be assumed that the location of a fixed control point is the same as the location of the transmitter(s) controlled, unless the applicant includes a request

for a different location described in appropriate terms as indicated herein.

28. Paragraph (d)(3) of § 90.477 is revised to read as follows:

§ 90.477 Interconnected systems.

(d) * * *

(3) In the Special Emergency Radio Service (subpart C of this part), except for medical emergency systems in the 450-470 MHz band, the business and Special Industrial Radio Services (subpart D of this part) and the Automobile Emergency and Taxicab Radio Services (subpart E of this part), interconnection will be permitted only where the base station site or sites of proposed stations are located 120 km (75 miles) or more from the designated centers of the urbanized areas listed below. If licensees seek to interconnect in these five services within 120 km (75 miles) of the 25 cities they must obtain the consent of all co-channel licensees located both within 120 km (75 miles) of the center of the city; and within 120 km (75 miles) of the interconnected base station transmitter. The consensual agreements among the co-channel licensees must specifically state the terms agreed upon and a statement must be submitted to the Commission indicating that all co-channel licensees have consented to the use of interconnection. If a licensee has agreed to the use of interconnection on the channel, but later decides against the use of interconnection, the licensee may request that the co-channel licensees reconsider the use of interconnection. If the licensee is unable to reach an agreement with co-channel licensees, the licensee may request that the Commission consider the matter and assign it to another channel. If a new licensee is assigned to a frequency where all the co-channel licensees have agreed to the use of interconnection and the new licensee does not agree, the new licensee may request that the co-channel licensees reconsider the use of interconnection. If the new licensee cannot reach an agreement with co-channel licensees it may request that the Commission reassign it to another channel.

29. Paragraphs (b)(1)(ii), (b)(2)(i), (b)(2)(ii), (c) and (d) of § 90.483 are revised to read as follows:

§ 90.483 Permissible methods and requirements of interconnecting private and public systems of communications.

(b) * * *

(1) * * *

(ii) When a frequency is shared by more than one system, automatic monitoring equipment must be installed at the base station to prevent activation of the transmitter when signals of co-channel stations are present and activation would interfere with communications in progress. Licensees may operate without the monitoring equipment if they have obtained the consent of all co-channel licensees located within a 120 km (75 mile) radius of the interconnected base station transmitter. A statement must be submitted to the Commission indicating that all co-channel licensees have consented to operate without the monitoring equipment. If a licensee has agreed that the use of monitoring equipment is not necessary, but later decides that the monitoring equipment is necessary, the licensee may request that the co-channel licensees reconsider the use of monitoring equipment. If the licensee cannot reach an agreement with co-channel licensees, the licensee may request that the Commission consider the matter and assign it to another channel. If a new licensee is assigned to a frequency where all the co-channel licensees have agreed that the use of monitoring equipment is not necessary, and the new licensee does not agree, the new licensee may request the co-channel licensees to reconsider the use of monitoring equipment. If the new licensee cannot reach an agreement with co-channel licensees, it should request a new channel from the Commission. Systems on frequencies above 800 MHz are exempt from this requirement.

(2) * * *

(i) When a frequency is shared by more than one system, automatic monitoring equipment must be installed at each base station to prevent its activation when signals of other co-channel stations are present and activation would interfere with communications in progress. Licensees may operate without this equipment if they have obtained the consent of all co-channel licensees located within a 120 km (75 mile) radius of the interconnected base station transmitter. A statement must be submitted to the Commission indicating that all co-channel licensees have consented to operate without the monitoring equipment. If a licensee has agreed that the use of monitoring equipment is not necessary, but later decides that the monitoring equipment is necessary, the licensee may request that the co-channel licensees reconsider the use of monitoring equipment. If the licensee cannot reach an agreement with co-channel licensees, the licensee may request that the Commission consider

the matter and assign it to another channel. If a new licensee is assigned to a frequency where all the co-channel licensees have agreed that the use of monitoring equipment is not necessary, and the new licensee does not agree, the new licensee may request the co-channel licensees to reconsider the use of monitoring equipment. If the new licensee cannot reach an agreement with co-channel licensees, it should request a new channel from the Commission. Systems above 800 MHz are exempt from this requirement.

(ii) Initial access from points within the public switched telephone network must be limited to transmission of a 3-second tone, after which time the transmitter shall close down. No additional signals may be transmitted until acknowledgement from a mobile station of the licensee is received. Licensees are exempt from this requirement if they have obtained the consent of all co-channel licensees located within a 120 km (75 mile) radius of the interconnected base station transmitter. However, licensees may choose to set their own time limitations. A statement must be submitted to the Commission indicating that all co-channel licensees have consented to operate without the monitoring equipment. If a licensee has agreed that the use of monitoring equipment is not necessary, but later decides that the monitoring equipment is necessary, the licensee may request that the co-channel licensees reconsider the use of monitoring equipment. If the licensee cannot reach an agreement with co-channel licensees, the licensee may request that the Commission consider the matter and assign it to another channel. If a new licensee is assigned to a frequency where all the co-channel licensees have agreed that the use of monitoring equipment is not necessary, and the new licensee does not agree, the new licensee may request the co-channel licensees to reconsider the use of monitoring equipment. If the new licensee cannot reach an agreement with co-channel licensees, it should request a new channel from the Commission. Systems above 800 MHz are exempt from this requirement.

(c) In single frequency systems, equipment must be installed at the base station which will limit any single transmission from within the public switched telephone network to 30 seconds duration and which in turn will activate the base station receiver to monitor the frequency for a period of not less than three (3) seconds. The mobile station must be capable of terminating the communications during the three (3) seconds. Licensees are

exempt from this requirement if they have obtained the consent of all co-channel licensees located within a 120 km (75 mile) radius of the interconnected base station transmitter. However, licensees may choose to set their own time limitations. A statement must be submitted to the Commission indicating that all co-channel licensees have consented to operate without the monitoring equipment. If a licensee has agreed that the use of monitoring equipment is not necessary, but later decides that the monitoring equipment is necessary, the licensee may request that the co-channel licensees reconsider the use of monitoring equipment. If the licensee cannot reach an agreement with co-channel licensees, the licensee may request that the Commission consider the matter and assign it another channel. If a new licensee is assigned to a frequency where all the co-channel licensees have agreed that the use of monitoring equipment is not necessary, the licensee cannot reach an agreement with co-channel licensees, it should request a new channel from the Commission.

(d) A timer must be installed at the base station transmitter which limits communications to three (3) minutes. After three (3) minutes, the system must close down, with all circuits between the base station and the public switch telephone network disconnected. This provision does not apply to systems licensed in the Police, Fire, Local Government, Special Emergency, Power, Petroleum, Railroad Radio Services, or above 800 MHz. All systems must be equipped with a timer that closes down the transmitter within three minutes of the last transmission. Licensees may operate without these requirements if they have obtained the consent of all co-channel licensees located within a 120 km (75 mile) radius of the interconnected base station transmitter. However, licensees may choose to set their own time limitations. A statement must be submitted to the Commission indicating that all co-channel licensees have consented to operate without the monitoring equipment. If a licensee has agreed that the use of monitoring equipment is not necessary, but later decides that the monitoring equipment is necessary, the licensee may request that the co-channel licensees reconsider the use of monitoring equipment. If the licensee cannot reach an agreement with co-channel licensees, the licensee may request that the Commission consider the matter and assign it to another channel. If a new licensee is assigned to a frequency where all the co-channel licensees have agreed that the use of monitoring equipment is not necessary,

and the new licensee does not agree, the new licensee may request the co-channel licensees to reconsider the use of monitoring equipment. If the new licensee cannot reach an agreement with co-channel licensees, it should request a new channel from the Commission.

30. Paragraph (f) of § 90.494 is revised to read as follows:

§ 90.494 One-way paging operations in the 929–930 MHz band.

(f) The effective radiated power and antenna height for base stations providing one-way paging service in the frequency band 929–930 MHz must not exceed 1 kilowatt (30 dBw) and 305 m (1000 ft) above average terrain (AAT), or the equivalent thereof determined from the following table:

Antenna height (AAT) meters (feet)	Effective radiated power (ERP) (watts)
Above 1,372 (4,500)	65
Above 1,220 (4,000) to 1,372 (4,500)	70
Above 1,067 (3,500) to 1,220 (4,000)	75
Above 915 (3,000) to 1,067 (3,500) ..	100
Above 763 (2,500) to 915 (3,000)	140
Above 610 (2,000) to 763 (2,500)	200
Above 458 (1,500) to 610 (2,000)	350
Above 305 (1,000) to 458 (1,500)	600

31. The "special limitations" column of the combined frequency list in § 90.555(b) is revised for the frequencies 166.250 MHz and 170.150 MHz, only, to read as follows:

§ 90.555 Combined Frequency Listing.

(b) * * *

Frequency	Services	Special limitations
166.250	PF	Available only within 241 km (150 mi) of New York City.
170.150	PF	Available only within 241 km (150 mi) of New York City.

32. Paragraph (d)(4) of § 90.609 is revised to read as follows:

§ 90.609 Special limitations on amendment of applications for assignment or transfer of authorizations for radio systems above 800 MHz.

* * *

(d) * * *

(4) Each application must include a signed statement listing any co-channel licensees (including call signs) located within 113 km (70 miles) of the primary site of the trunked system verifying that they all have agreed to the proposed trunked use (see § 90.621(c)).

* * *

33. Paragraph (b)(2)(ii) of § 90.615 is revised to read as follows:

§ 90.615 Frequencies available in the General Category.

* * *

(b) * * *

(2) * * *

(ii) Each application must include a written signed statement from each co-channel licensee located within 113 km (70 miles) of the primary site of the trunked system verifying that each such licensee has agreed to the proposed trunked use (see § 90.621(c)). The statement(s) should include each licensee's call sign.

* * *

34. Paragraph (d) introductory text and footnotes 2 and 3 to Table 4C of § 90.617 are revised to read as follows:

§ 90.617 Frequencies in the 809.750–824/854.750–869 MHz, and 896–901/935–940 MHz bands available for trunked or conventional system use in non-border areas.

* * *

(d) The channels listed in Tables 4A and 4B are available only for eligibles in the SMR category which consists of Specialized Mobile Radio (SMR) stations and eligible end users. This paragraph deals with the assignment of frequencies only in areas farther than 110 km (68.4 miles) from the U.S./Mexico border and farther than 140 km (87 miles) from the U.S./Canada border. See § 90.619 for the assignment of SMR frequencies in these border areas. For stations located within 113 km (70 miles) of Chicago, channels 401–600 will be assigned in groups as outlined in Table 4C.

* * *

² These frequencies will be authorized only in the area encompassed by a 113 km (70 mile) radius centered at 41°52'28" N. 87°38'22" W.

³ All stations located beyond the 113 km (70 mile) distance authorized on or before August 16, 1982 to use these frequencies may continue to do so. Stations beyond the 113 km (70 mile) distance authorized after August 16, 1982, shall employ frequencies listed in Table 4A subject to the provisions of § 90.621 (b) or (c) as applicable.

35. Paragraph (b)(6) of § 90.619 is revised to read as follows:

§ 90.619 Frequencies available for use in the U.S./Mexico and U.S./Canada border areas.

* * * * *

(b) * * *

(6) Two Canadian television stations provide service in British Columbia in the band 806–890 MHz in accordance with U.S./Canadian Television Agreement of 1952. They are:

Enderby, B.C.	Channel 72	818–824 MHz.
Radium/Hot Springs, B.C.	Channel 77	848–854 MHz.

Until reassignment of these stations, they must be protected as follows: the field strength of an interfering mobile radio signal at the station's calculated B contour (where the protected contour crosses the border, that portion of the border lying within the contour shall be treated as the relevant segment of the B contour) may not exceed 14 dBu for frequencies co-channel with the television channel utilized, and may not exceed 54 dBu in the two adjacent 6 MHz guard bands. The field strength of any interfering signal must be calculated using the FCC Report R-6602 F(50,10) propagation curves at a receiving effective antenna height of 9.1 m (30 ft).

* * * * *

36. Paragraphs (b)(2) (i) and (c) of § 90.621 are revised to read as follows:

§ 90.621 Selection and assignment of frequencies.

* * * * *

(b) * * *

(2) * * *

(i) Required co-channel separations between common antenna sites are given by Table 1. A channel group assigned to a station on a site listed in the vertical column may not be re-assigned to a station on a site listed in the horizontal column if there is an "X" in the box created by the intersection of the vertical and horizontal lines. The geographic coordinates listed in the table represent an average for each particular site; all locations within 1.6 km (1 mi) of the coordinates will be considered to be at that site.

* * * * *

(c) Trunked systems authorized on frequencies in the Public Safety, Industrial/Land Transportation, Business and General Categories will be protected solely on the basis of predicted contours. Coordinators will attempt to provide a 40 dBu contour and to limit co-channel interference levels to 30 dBu over an applicant's requested service area. This would result in a distance separation of 113 km (70 miles) for typical system parameters.

Applicants should be aware that in some areas, e.g., Seattle, Los Angeles, and northern California, separations greater than 113 km (70 miles) may be appropriate. Separations may be less than 113 km (70 miles) where the requested service areas, terrain or other factors warrant reduction. In the event that the separation is less than 113 km (70 miles), the coordinator must indicate that the protection criteria have been preserved or that the affected licensees have agreed in writing to the proposed system. Only co-channel interference between base station operations will be taken into consideration. Adjacent channel and other types of possible interference will not be taken into account.

* * * * *

§ 90.623 [Amended]

37. Paragraphs (c) introductory text and (d) in § 90.623 are amended by removing the words "40 miles" everywhere they occur and adding the words "64 km (40 miles)" in their place.

§ 90.627 [Amended]

38. In paragraph (b) introductory text of § 90.627 the words "40 miles" are removed and the words "64 km (40 miles)" are added in their place.

39. Tables 2, 3 and 4 of Section 90.635 are revised to read as follows:

§ 90.635 Limitations on power and antenna height.

* * * * *

TABLE 2—EQUIVALENT POWER AND ANTENNA HEIGHTS FOR BASE STATIONS IN THE 851–869 MHz AND 935–940 MHz BANDS WHICH HAVE A REQUIREMENT FOR A 32 KM (20 MI) SERVICE AREA RADIUS

Antenna height (AAT) meters (feet)	Effective radiated power (watts) ^{1,2,5}	
	Urban/trunked	Suburban
Above 1,372 (4,500)	65	15
Above 1,220 (4,000) to 1,372 (4,500)	70	20
Above 1,067 (3,500) to 1,220 (4,000)	75	25
Above 915 (3,000) to 1,067 (3,500)	100	30
Above 763 (2,500) to 915 (3,000) ...	140	35
Above 610 (2,000) to 763 (2,500) ...	200	50
Above 458 (1,500) to 610 (2,000) ...	350	80
Above 305 (1,000) to 458 (1,500) ...	600	160
Above 152.5 (500) to 305 (1,000) ...	³ 1,000	220
Up to 152.5 (500) .	1,000	⁴ 500

¹Power is given in terms of effective radiated power (ERP).

²Applicants in the Los Angeles, CA, area who demonstrate a need to serve both the downtown and fringe areas will be permitted to utilize an ERP of 1 kw at the following mountaintop sites: Santiago Park, Sierra Peak, Mount Lukens, and Mount Wilson.

³Stations with antennas below 305 m (1,000 ft) (AAT) will be restricted to a maximum power of 1 kw (ERP).

⁴Stations with antennas below 152.5 m (500 ft) (AAT) will be restricted to a maximum power of 500 W (ERP).

⁵Licensees in San Diego, CA, will be permitted to utilize an ERP of 500 watts at the following mountaintop sites: Palomar, Otay, Woodson and Miguel.

TABLE 3.—EQUIVALENT POWERS AND ANTENNA HEIGHTS FOR SUBURBAN-CONVENTIONAL BASE STATIONS IN THE 851–869 MHz AND 935–940 MHz Bands Which Have a Requirement for Less Than 32.2 km (20 mi) SERVICE AREA RADIUS—MAXIMUM EFFECTIVE RADIATED POWER (WATTS)

[Base station antenna height (AAT) in meters (feet)]

	Above/to					
	122 (400) to 152.5 (500)	91.5 (300) to 122 (400)	61 (200) to 91.5 (300)	30.5 (100) to 61 (200)	15 (50) to 30.5 (100)	0 (0) to 15 (50)
Service area radius km (mi):						

TABLE 3.—EQUIVALENT POWERS AND ANTENNA HEIGHTS FOR SUBURBAN-CONVENTIONAL BASE STATIONS IN THE 851-869 MHz AND 935-940 MHz BANDS WHICH HAVE A REQUIREMENT FOR LESS THAN 32.2 km (20 mi) SERVICE AREA RADIUS—MAXIMUM EFFECTIVE RADIATED POWER (WATTS)—Continued

[Base station antenna height (AAT) in meters (feet)]

	Above/to					
	122 (400) to 152.5 (500)	91.5 (300) to 122 (400)	61 (200) to 91.5 (300)	30.5 (100) to 61 (200)	15 (50) to 30.5 (100)	0 (0) to 15 (50)
32 (20)	500	500	500	500	500	500
30 (19)	400	500	500	500	500	500
29 (18)	310	385	500	500	500	500
27 (17)	235	300	385	500	500	500
26 (16)	175	220	285	440	500	500
24 (15)	130	160	215	330	500	500
22 (14)	95	120	155	240	480	500
21 (13)	70	85	115	175	350	500
19 (12)	50	60	80	125	250	500
18 (11)	35	45	60	90	180	380
16 (10)	25	30	40	60	120	240
14 (9)	15	20	25	40	80	160
13 (8)	10	12	15	25	50	100
11 (7)	6	7	10	15	30	60
10 (6)	3	4	5	7	15	30
8 (5) or less	1	2	3	4	8	16

TABLE 4.—EQUIVALENT POWERS AND ANTENNA HEIGHTS FOR URBAN-CONVENTIONAL AND TRUNKED SYSTEM BASE STATIONS IN THE 851-869 MHz AND 935-940 MHz BANDS WHICH HAVE A REQUIREMENT FOR LESS THAN 32.2 km (20 mi) SERVICE AREA RADIUS—MAXIMUM EFFECTIVE RADIATED POWER (WATTS)

Base station antenna height (AAT) meters (feet)

Above	228 (750)	152.5 (500)	122 (400)	91.5 (300)	61 (200)	30.5 (100)	15 (50)	0 (0)
to	305 (1,000)	228 (750)	152.5 (500)	122 (400)	91.5 (300)	61 (200)	30.5 (100)	15 (50)
Service area radius: km (mi):								
32 (20)	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
30 (19)	800	1,000	1,000	1,000	1,000	1,000	1,000	1,002
29 (18)	640	830	1,000	1,000	1,000	1,000	1,000	1,000
27 (17)	480	625	960	1,000	1,000	1,000	1,000	1,000
26 (16)	360	470	720	900	1,000	1,000	1,000	1,000
24 (15)	270	350	540	675	875	1,000	1,000	1,000
22 (14)	200	260	400	500	650	1,000	1,000	1,000
21 (13)	140	180	280	350	450	700	1,000	1,000
19 (12)	100	130	200	250	325	500	1,000	1,006
18 (11)	70	90	140	175	230	350	700	1,000
16 (10)	45	60	90	110	145	220	440	1,000
14 (9)	30	40	60	75	100	150	300	600
13 (8)	20	25	40	50	65	100	200	400
11 (7)	15	20	30	40	50	80	160	300
10 (6)	8	10	16	20	25	40	80	100
8 (5) or less	5	6	9	12	15	25	50	100

40. Section 90.657 is revised to read as follows:

§ 90.657 Temporary permit.

An applicant for a subpart S radio station license utilizing an already authorized facility may operate the radio station(s) for a period of up to 180 days under a temporary permit evidenced by a properly executed certification of FCC Form 572 after filing a formal application for station license, together with evidence of frequency coordination (when required), provided that the antenna(s) employed by the

control station(s) is (are) 6.1 m (20 ft) or less above ground or 6.1 m (20 ft) or less above a man-made structure other than an antenna tower to which it is affixed.

41. Paragraph (c) of § 90.729 is amended to read as follows:

§ 90.729 Limitations on power and antenna height.

* * * * *

(c) Channels 196-200 are limited to 2 watts ERP and a maximum antenna height of 6.1 meters (20 ft) above ground.

PART 94—PRIVATE OPERATIONAL FIXED MICROWAVE SERVICE

1. The authority citation for part 94 continues to read as follows:

Authority: Secs. 4, 301, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 301, 303, 307; secs. 4(i), 301, and 303(r), Federal Communications Act of 1934, as amended, 47 U.S.C. 4(i), 301 and 303(r).

2. In § 94.3, the definitions of "long haul system" and "short haul system" are revised to read as follows:

§ 94.3 Definitions.

* * * * *

Long Haul System. A microwave system licensed under this part in which the longest radio circuit of tandem radio paths exceeds 402 km (250 miles).

* * * * *

Short Haul System. A microwave system licensed under this part in which the longest radio circuit of tandem radio paths does not exceed 402 km (250 miles).

* * * * *

3. Paragraphs (g)(1) and (g)(2) of § 94.15 are revised to read as follows:

§ 94.15 Policy governing the assignment of frequencies.

* * * * *

(g) * * *

(1) An applicant may not apply for a frequency or frequency pair within a 40 km (25 mile) radius of any location for which it has concurrently applied;

(2) Further, no party may have an ownership interest, direct or indirect, in two or more pending applications proposing sites within 40 km (25 miles) of each other.

* * * * *

4. Paragraph (d)(4)(i) of § 94.63 is revised to read as follows:

§ 94.63 Interference protection criteria for operational fixed stations.

* * * * *

(d) * * *

(4) * * *

(i) For multiple address stations in the 928–929/952–960 MHz bands, a statement that the proposed system complies with the following co-channel separations from all existing stations and pending applications:

Fixed-to-fixed..... 145 km (90 miles)
Fixed-to-mobile..... 113 km (70 miles)
Mobile-to-mobile..... 80 km (50 miles)

Multiple address systems employing only remote stations will be treated as mobile for the purposes of determining the appropriate separation. For mobile operation, the distance is measured from the reference point specified on the license application.

* * * * *

5. The table in paragraph (a)(1)(v) of § 94.65 is revised to read as follows:

§ 94.65 Frequencies.

* * * * *

(a) * * *

(1) * * *

(v) *Equivalent power and antenna heights for multiple address master stations:*

Antenna height (AAT) in meters (feet)	Maximum effective radiated power	
	Watts	dBm
Above 305 (1,000)	200	53

Antenna height (AAT) in meters (feet)	Maximum effective radiated power	
	Watts	dBm
Above 274 (900) to 305 (1,000)	250	54
Above 244 (800) to 274 (900)	315	55
Above 213 (700) to 244 (800)	400	56
Above 182 (600) to 213 (700)	500	57
Above 152.5 (500) to 182 (600)	630	58
152.5 (500) and below	1,000	60

For mobile operations the maximum ERP is 25 watts (44 dBm).

* * * * *

6. Paragraph (f) of § 94.90 is revised to read as follows:

§ 94.90 Special provisions for low power, limited coverage systems in the 12,200–12,700 MHz band.

* * * * *

(f) Radio systems authorized under the provisions of this section shall have no more than three hops in tandem but in any event, the maximum tandem length of the system should not exceed 40 km (25 miles).

* * * * *

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