

procedures will only apply to those divergences from historical demand used in initializing demand for facility charges, as discussed in the Reconsideration Order.

4. Accordingly, it is ordered that pursuant to authority contained in sections 1, 4 (i) and (j), 201-205, 218, 220, and 403 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154 (i) and (j), 201-205, 218, 220, and 403, and pursuant to section 1.108 of the Commission's rules, 47 CFR 1.108, the Commission reconsiders its decision in Transport Rate Structure and Pricing, First Memorandum Opinion and Order on Reconsideration, CC Docket No. 91-213, FCC 93-366 (released July 21, 1993), on its own motion to the extent specified herein.

5. It is further ordered that part 69 of the Commission's rules is amended as set forth below.

6. It is further ordered that the decisions and rules adopted herein shall be effective on September 1, 1993.¹

List of Subjects in 47 CFR Part 69

Communications common carriers, Reporting and recordkeeping requirements, Telephone.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

Part 69 of title 47, Code of Federal Regulations, is amended as follows:

PART 69—[AMENDED]

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, 1072, 1077, 1094, as amended, 47 U.S.C. 154, 201, 202, 203, 205, 218, 403.

2. Section 69.108 is amended by revising paragraph (c) to read as follows:

§ 69.108 Transport rate benchmark.

(c) If a telephone company's initial transport rates are based on special access rates with a DS3-to-DS1 benchmark ratio of less than 9.6 to 1, those initial transport rates will generally be suspended and investigated absent a substantial cause showing by the telephone company. Alternatively, the telephone company may adjust its initial transport rates so that the DS3-to-DS1 ratio calculated as described in paragraph (a) of this section of those rates is 9.6 or higher. In that case, initial

transport rates that depart from existing special access rates effective on September 1, 1992 so as to be consistent with the benchmark will be presumed reasonable only so long as the ratio of revenue recovered through the interconnection charge to the revenue recovered through facilities-based charges is the same as it would be if the telephone company's existing special access rates effective on September 1, 1992 were used.

3. Section 69.124 is amended by revising paragraph (b)(1) to read as follows:

§ 69.124 Interconnection charge.

(b)(1) For telephone companies not subject to price cap regulation, the interconnection charge shall be computed by subtracting entrance facilities, tandem-switched transport, direct-trunked transport, and dedicated signalling transport revenues from the part 69 transport revenue requirement, and dividing by the total interstate local switching minutes.

[FR Doc. 93-20784 Filed 8-26-93; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 93-146; RM-8231]

Radio Broadcasting Services; Potts Camp, MS

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 240A to Potts Camp, Mississippi, as that community's first local broadcast service in response to a petition filed by Potts Camp Broadcasting. See 58 FR 31688, June 4, 1993. The coordinates for Channel 240A are 34-35-39 and 89-19-33. There is a site restriction 6.1 kilometers (3.8 miles) south of the community. With this action, this proceeding is terminated.

DATES: Effective October 7, 1993. The window period for filing applications for Channel 240A at Potts Camp, Mississippi, will open on October 8, 1993, and close on November 8, 1993.

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

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 93-146, adopted August 4, 1993, and released August 23, 1993. The full text of this Commission decision is available for

inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., suite 140, Washington, DC 20037, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Mississippi, is amended by adding Potts Camp, Channel 240A.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 93-20782 Filed 8-26-93; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 93-118; RM-8219]

Radio Broadcasting Services; Trenton, FL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 269C2 for Channel 269A at Trenton, Florida, and modifies the license for Station WCWB(FM) to specify operation on Channel 269C2, at the request of Robert D. Fogel, personal representative of the Estate of William H. Burckhalter. See 58 FR 26947, May 6, 1993. Channel 269C2 can be allotted to Trenton in compliance with the minimum distance separation requirements of the Commission's Rules with a site restriction of 27.4 kilometers (17 miles) southwest at petitioner's desired transmitter site. The coordinates for Channel 269C2 at Trenton are North Latitude 29-35-00 and West Longitude 83-05-50. With this action, this proceeding is terminated.

EFFECTIVE DATE: October 7, 1993.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report

¹ Because the tariffing rules governing the tariffs to be filed on September 1, 1993 will become effective on that date, good cause exists to make these related modifications effective on the same date.

and Order, MM Docket No. 93-118, adopted August 4, 1993, and released August 23, 1993. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 1919 M Street, NW., room 246, or 2100 M Street, NW., suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Florida, is amended by removing Channel 269A and adding Channel 269C2 at Trenton.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 93-20783 Filed 8-26-93; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 93-101; RM-8201]

Radio Broadcasting Services; Pelham, GA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 222A to Pelham, Georgia, as that community's first local aural transmission service, at the request of Mitchell County Television. See 58 FR 26089, April 30, 1993. Channel 222A can be allotted to Pelham in compliance with the Commission's minimum distance separation requirements with a site restriction of 2.8 kilometers (1.8 miles) south, in order to avoid a short-spacing to Station WAZE (FM), Channel 221A, Dawson, Georgia, and Station WDDQ (FM), Channel 221A, Adel, Georgia. The coordinates for Channel 222A at Pelham are North Latitude 31-06-07 and West Longitude 84-08-44. With this action, this proceeding is terminated.

DATES: Effective October 7, 1993. The window period for filing applications for Channel 222A at Pelham, Georgia,

will open on October 8, 1993, and close on November 8, 1993.

FOR FURTHER INFORMATION CONTACT:

Nancy J. Walls, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 93-101, adopted August 3, 1993, and released August 23, 1993. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 1919 M Street, NW., room 246, or 2100 M Street, NW., suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Georgia, is amended by adding Pelham, Channel 222A.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 93-20781 Filed 8-26-93; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 192, 193, and 195

[Docket No. PS-131; Amdts. 192-68, 193-8, and 195-48]

RIN 2137 AC13

Update of Standards Incorporated by Reference; Correction

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Correction of final rule document.

SUMMARY: This document corrects a final rule published on Thursday, March 18, 1993 (FR Doc. 93-6257). The final rule updated references to documents incorporated in 49 CFR parts 192, 193, and 195.

EFFECTIVE DATE: April 19, 1993.

FOR FURTHER INFORMATION CONTACT:

Christina M. Sames, (202) 366-4561.

SUPPLEMENTARY INFORMATION:

Background

On March 18, 1993, RSPA published a final rule document titled, "Update of Standards Incorporated by Reference" (51 FR 14519). This final rule updated the editions of documents incorporated by reference in 49 CFR parts 192, 193, and 195 to more recent published editions. The final rule also deleted from the lists of documents incorporated by reference those documents that were no longer referenced.

The heading of the final rule document had an incomplete agency number. The following amendment designations were omitted from the agency number: Amdts. 192-68, 193-8, and 195-48.

The final rule clarified § 192.153(b) by adding "section VIII, Division 1, or section VIII, Division 2 of" prior to "the ASME Boiler and Pressure Vessel Code." This clarification should have read "section I, section VIII—Division 1, or section VIII—Division 2 of". The ASME Boiler and Pressure Vessel Code, section I should have also been added to the list of ASME document in appendix A to part 192.

Finally, the document, National Fire Protection Association (NFPA) 30, "Flammable and Combustible Liquids Code," which is incorporated by reference in 49 CFR 192.735, was inadvertently removed from the list of NFPA documents in appendix A to part 192. The referenced edition of this document should have been updated to the 1990 edition.

Correction of Publication

Accordingly, the final rule document published on March 18, 1993 (FR Doc. 93-6257) is corrected as follows:

1. On page 14519, in the first column, in the document heading, the agency number "[Docket No. PS-131]" is corrected to read "[Docket No. PS-131; Amdts. 192-68, 193-8, and 195-48]".

§ 192.153 [Corrected]

2. On page 14521, in the second column, § 192.153(b), line 4, insert "section I," after "accordance with".

Appendix A—[Corrected]

3. On page 14522, in the first column, appendix A to part 192, section II, paragraph C. is corrected by redesignating subparagraphs 3., 4., and 5. as 4., 5., and 6., respectively; and by adding subparagraph 3. as follows:

3. ASME Boiler and Pressure Vessel Code, Section I "Power Boilers" (1992 with Interpretations, Volume 30, dated July 1992).

4. On page 14522, in the first column, appendix A to part 192, section II, paragraph E, is corrected by redesignating subparagraphs 1., 2., and 3. as 2., 3., and 4. respectively; and by adding subparagraph 1. as follows:

1. ANSI/NFPA 30 "Flammable and Combustible Liquids Code" (1990).

Issued in Washington, DC, on August 20, 1993.

Rose A. McMurray,

Acting Administrator for the Research and Special Programs Administration.

[FR Doc. 93-20649 Filed 8-26-93; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 226

[Docket No. 930236-3210; I.D. 011293A]

Designated Critical Habitat; Steller Sea Lion

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Final rule.

SUMMARY: Pursuant to the Endangered Species Act (ESA), NMFS is designating critical habitat for the Steller (northern) sea lion (*Eumetopias jubatus*) in certain areas and waters of Alaska, Oregon and California. The direct economic and other impacts resulting from this critical habitat designation, over and above those arising from the listing of the species under the ESA, are expected to be minimal.

The primary benefit of this designation of critical habitat is that it provides notice to Federal agencies that a listed species is dependent on these areas and features for its continued existence and that any Federal action that may affect these areas or features is subject to the consultation requirements of section 7 of the ESA.

EFFECTIVE DATE: September 27, 1993.

ADDRESSES: Requests for copies of this rule or the Environmental Assessment should be addressed to the Director, Office of Protected Resources, National Marine Fisheries Service, 1335 East-West Highway, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Dr. Steven Zimmerman, National Marine Fisheries Service, Alaska Region, P.O. Box 21668, Juneau, AK 99802, (907) 586-7235, or Mr. Michael

Payne, Office of Protected Resources, National Marine Fisheries Service, 1335 East-West Highway, Silver Spring, MD 20910, (301) 713-2322.

SUPPLEMENTARY INFORMATION:

Background

Counts of Steller sea lions on rookeries and major haulouts during the breeding season have indicated that extensive declines have occurred within the Alaskan and the Russian portions of their range over the last 30 years. A 1989 range-wide survey of Steller sea lions indicated that about 70 percent of the Steller sea lion population during the summer resides in Alaska (Loughlin, Perlov and Vladimirov 1992). A series of counts in the Gulf of Alaska (GOA) and the Bering Sea/Aleutian Islands (BSAI) between the mid-1970s and 1991 indicated a 70 percent decline in the Alaskan portion of the population over this time period (Merrick, Calkins, and McAllister 1992). Counts in Southeast Alaska, British Columbia, and Oregon have remained stable over the same period; Steller sea lion numbers in California have declined. The causes of the Steller sea lion population decline are unknown. Potential causative factors include disease, incidental takes in fishing gear, direct mortality (shooting), and natural or human induced changes (through fishing) in the abundance and species composition of the sea lion prey (Merrick, Loughlin and Calkins 1987, Loughlin and Merrick 1989).

Because of the drastic population decline, NMFS issued an emergency interim rule on April 5, 1990, (55 FR 12645), which listed the Steller sea lion as a threatened species throughout its range and imposed protective measures. The final rule listing the Steller sea lion as threatened (55 FR 49204, Nov. 26, 1990) became effective on December 4, 1990, and imposed protective measures very similar to those established by the emergency interim rule (50 CFR 227.12). These protective measures were intended to reduce sea lion mortality, to restrict opportunities for unintentional harassment of sea lions, and to minimize disturbance and interference with sea lion behavior, especially at pupping and breeding sites.

On April 1, 1993 (58 FR 17181), NMFS published a proposed rule to designate critical habitat for the Steller sea lion. NMFS also completed an environmental assessment (EA) pursuant to the National Environmental Policy Act (NEPA), to evaluate both the environmental and economic impacts of the proposed critical habitat designation. The preamble to the proposed rule outlines previous federal

actions, including the recovery plan, and describes the procedures and criteria used to designate critical habitat.

After consideration of public comments, NMFS is designating critical habitat for the Steller sea lion as described in the proposed rule.

Essential Habitat of the Steller Sea Lion

Available biological information for the listed Steller sea lion can be found in the final recovery plan (NMFS 1992). The physical and biological habitat features that support reproduction, foraging, rest, and refuge are essential to the conservation of the Steller sea lion. For the Steller sea lion, essential habitat includes terrestrial, air and aquatic areas.

Terrestrial Habitat

Because of their traditional use and the relative ease of observation, terrestrial habitats are better known than aquatic habitats. Steller sea lion rookeries and haulouts are widespread throughout their geographic range (figure 1) and the locations used change little from year to year. Factors that influence the suitability of a particular area include substrate, exposure to wind and waves, the extent and type of human activities and disturbance in the region, and proximity to prey resources (Mate 1973).

The best known Steller sea lion habitats are the rookeries (Table 1), where adult animals congregate during the reproductive season for breeding and pupping. Rookeries are defined as those sites where males defend a territory and where pupping and mating occurs on a consistent annual basis. Rookeries typically occur on relatively remote islands, rocks, reefs, and beaches, where access by terrestrial predators is limited. A rookery may extend across low-lying reefs and islands, or may be restricted to a relatively narrow strip of beach by steep cliffs. Rookeries are occupied by breeding animals and some subadults throughout the breeding season, which extends from late May to early July throughout the range. Female sea lions frequently return to pup and breed at the same rookery in successive years (Gentry 1970), and this site may be the same rookery, or approximate rookery (same island) as the female's natal site (Calkins and Pitcher 1982).

Steller sea lion rookeries are found from the central Kuril Islands around the Pacific Rim of the Aleutian Islands to Prince William Sound (Seal Rocks, at the entrance to Prince William Sound, Alaska, is the northernmost rookery) and south along the coast of North