

costs in the mid-course adjustment is moot. The request is therefore dismissed.

2. Percentage and Growth Discounts

3. We reaffirm our conclusion in the *Third Reconsideration Order* that the discussion of discounted transport offerings in the *Switched Transport Expanded Interconnection Order (Expanded Interconnection with Local Telephone Company Facilities, Second Report and Order and Third Notice of Proposed Rulemaking 58 FR 48756 (September 17, 1993))* and as reaffirmed and modified by the *Expanded Interconnection Remand Order (Expanded Interconnection with Local Telephone Company Facilities, Memorandum Opinion and Order, 59 FR 38922 (August 1, 1994))* and the rules adopted in that Order do not contemplate percentage or growth discounts. As with any of the Commission's rules, a party may file for waiver if the party believes that, under the particular circumstances it faces, a waiver would better serve the public interest than application of the general rule. In the particular situation here at issue, a LEC is not precluded from seeking waiver of the transport access charge rules to offer its access customers a percentage or growth discount.

Waivers will only be granted for good cause shown (See 47 CFR 1.3). Such a showing requires the petitioning party to demonstrate the special circumstances that warrant deviation from the general rule and to show how such deviation would better serve the public interest. A showing that such discounts would be cost-based in the particular circumstances at issue, as suggested by MCI, is only one of a number of potentially relevant factors. Accordingly, MCI's request is granted insofar as it seeks clarification that a LEC may seek a waiver of our rules under normal waiver standards to offer percentage or growth discounts.

B. Expiration Date of the Interim Transport Rate Structure Rules

4. We believe that the public interest requires retention of the existing transport rate structure and pricing rules beyond October 31, 1995, and therefore reconsider, on our own motion, the expiration date for those rules. The process of adjusting from the old equal charge rate structure to the interim transport rate structure appears to have required more time and effort than we originally anticipated, and we wish to avoid the disruption predicted by the parties. We also agree that consideration of a long-term transport rate structure would raise issues that are closely

related to possible comprehensive reform of our access charge rules. Accordingly, we reconsider our original decision to impose the current transport rate structure and pricing rules only through October 31, 1995, and extend the effectiveness of the interim transport rate structure, pending further Commission action.

C. Ordering Clauses

5. Accordingly, IT IS ORDERED, 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, Part 69 of the Commission's rules is amended as set forth below.

6. It is further ordered that MCI's Petition for Clarification or, in the Alternative, Reconsideration is dismissed in part as moot, and is granted in part as indicated herein.

7. It is further ordered that the Commission's rules as amended herein shall be effective 30 days after the date of publication in the Federal Register.

List of Subjects in 47 CFR Part 69

Communications common carriers, Reporting and recordkeeping requirements, Telephone.

Amendment to the Code of Federal Regulations

Part 69 of Title 47 of the Code of Federal Regulations is amended as follows:

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

2. Section 69.110 is amended by revising paragraphs (a) and (e) to read as follows:

**§ 69.110 Entrance facilities.**

(a) A flat-rated entrance facilities charge expressed in dollars and cents per unit of capacity shall be assessed upon all interexchange carriers and other persons that use telephone company facilities between the interexchange carrier or other person's point of demarcation and the serving wire center.

\* \* \* \* \*

(e) Except as provided in paragraphs (f), (g), and (h) of this section, telephone companies shall not offer entrance facilities based on term discounts or volume discounts for multiple DS3s or

any other service with higher volume than DS3.

\* \* \* \* \*

3. Section 69.111 is amended by revising paragraphs (b) and (g) to read as follows:

**§ 69.111 Tandem-Switched Transport and Tandem Charge.**

\* \* \* \* \*

(b) A tandem-switched transmission charge expressed in dollars and cents per access minute shall be assessed upon all interexchange carriers and other persons that use telephone company tandem-switched transport facilities.

\* \* \* \* \*

(g) The tandem charge shall be set to recover twenty percent of the annual part 69 interstate tandem revenue requirement.

\* \* \* \* \*

4. Section 69.112 is amended by revising paragraphs (a) and (e) to read as follows:

**§ 69.112 Direct-Trunked Transport.**

(a) A flat-rated direct-trunked transport charge expressed in dollars and cents per unit of capacity shall be assessed upon all interexchange carriers and other persons that use telephone company direct-trunked transport facilities.

\* \* \* \* \*

(e) Except as provided in paragraphs (f), (g), and (h) of this section, telephone companies shall not offer direct-trunked transport rates based on term discounts or volume discounts for multiple DS3s or any other service with higher volume than DS3.

\* \* \* \* \*

Federal Communications Commission.  
William F. Caton,  
*Acting Secretary.*

[FR Doc. 95-24079 Filed 9-27-95; 8:45 am]

BILLING CODE 6712-01-M

**47 CFR Part 73**

[MM Docket No. 95-13; RM-8566 and RM-8628]

**Radio Broadcasting Services; Cowden and Tower Hill, IL**

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 252A to Tower Hill, Illinois, in response to a petition filed by Randal J. Miller. See 60 FR 5887, January 31, 1995. The coordinates for Channel 252A at Tower Hill are 39-18-27 and 88-59-22. There

is a site restriction 9 kilometers (5.6 miles) south of the community. The counterproposal filed by Kimberly B. Studstill (RM-8628), proposing the allotment of Channel 252A at Cowden, Illinois, has been denied. With this action, this proceeding is terminated.

**DATES:** Effective November 9, 1995. The window period for filing applications will open on November 9, 1995, and close on December 11, 1995.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Report and Order*, MM Docket No. 95-13, adopted September 15, 1995, and released September 25, 1995. 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 of title 47 of the Code of Federal Regulations is amended as follows:

#### **PART 73—[AMENDED]**

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

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

#### **§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Illinois, is amended by adding Tower Hill, Channel 252A.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 95-24076 Filed 9-27-95; 8:45 am]

BILLING CODE 6712-01-F

#### **47 Parts 80, 90, 95, and 97**

[DA 95-2005]

#### **Amendments To Reflect Bureau Name Changes and To Make Other Editorial Changes**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rules.

**SUMMARY:** On September 19, 1995, the Deputy Chief, Wireless

Telecommunications Bureau adopted an *Order* that reflected the new names in the Commission's organizational structure and corrected typographical errors. The *Order* was released September 20, 1995. The amendments were necessary so that users of rules would have information that is accurate. The effect of the rule amendments is to give members of the public rules that are current and that can be relief on.

**EFFECTIVE DATE:** October 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Maurice J. DePont of the Wireless Telecommunications Bureau at (202) 418-0690.

**SUPPLEMENTARY INFORMATION:** Order

Adopted: September 19, 1995.

Released: September 20, 1995.

In the Matter of: Amendment of Parts 80, 90, 95 and 97 of the Commission's Rules to reflect Bureau name changes and to make other editorial changes.

By the Deputy Chief, Wireless Telecommunications Bureau:

1. By this action, we are editorially amending various rules in the rule parts shown in caption. The amendments are necessary to reflect the new names in the Commission's organizational structure and correct typographical errors.

2. Because the rule amendments adopted herein are nonsubstantive in nature, the notice and comment provisions of Section 553 of the Administrative Procedure Act, 5 U.S.C. 553, are inapplicable. Authority for this action is contained in Section 0.331(a)(1) of the Commission's Rules, 47 C.F.R. 0.331(a)(1), and 47 U.S.C. 154(i) and 303(r).

3. Accordingly, Parts 80, 90, 95 and 97 of the Commission's Rules, 47 C.F.R. Parts 80, 90, 95 and 97, 47 C.F.R. Parts 80, 90, 95 and 97 ARE AMENDED, effective October 31, 1995, as set forth below.

List of Subjects

*47 CFR Part 80*

Communications equipment, Radio, Vessels.

*47 CFR Part 90*

Administrative practice and procedure, Communications equipment, Radio.

*47 CFR Part 95*

Radio, Reporting and recordkeeping requirements.

*47 CFR Part 97*

Communications equipment, Radio, Space station, Vanity call signs.

Federal Communications Commission.

Gerald P. Vaughan,

*Deputy Chief, Wireless Telecommunications Bureau.*

Parts 80, 90, 95 and 97 of Chapter I of Title 47 of the Code of Federal Regulations are amended as follows:

#### **PART 80—STATIONS IN THE MARITIME SERVICES**

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

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

#### **§ 80.21 [Amended]**

2. In § 80.21(b)(2), remove the words "Chief, Field Operations Bureau" and add in their place "Chief, Compliance and Information Bureau."

#### **§ 80.59 [Amended]**

3. In § 80.59, paragraph (e) introductory text, remove the words "Field Operations Bureau of the Federal Communications Commission" and add in their place "Compliance and Information Bureau of the Federal Communications Commission."

#### **§ 80.417 [Amended]**

4. In § 80.417, remove the words "Office of Congressional and Public Affairs" and add in their place "Office of Public Affairs, Public Service Division".

5. In § 80.514, the introductory text is revised to read as follows:

#### **§ 80.514 Marine VHF frequency coordinating committee(s).**

This section contains the names of organizations that have been recognized by the Commission to serve as marine VHF frequency coordinating committees for their respective areas. For frequency advisory committee mailing address information, write or call: FCC, Wireless Telecommunications Bureau, Customer Services Division, Consumer Assistance Branch, Gettysburg, PA 17326. Phone: 800-322-1117.

\* \* \* \* \*

6. Section 80.1085(a)(3) is revised to read as follows:

#### **§ 80.1085 Ship radio equipment—General.**

\* \* \* \* \*

(a) \* \* \*

(3) A radar transponder capable of operating in the 9 GHz band, which must be stowed so that it is easily utilized (this transponder may be one of