the use of Inmarsat aeronautical services in the United States.

11. Objectives. To propose rules to govern the use of Inmarsat-based aeronautical services in the United States.

12. Legal Basis. Authority as proposed for this rulemaking is contained in the provisions of the Communications Act, 47 U.S.C. §§ 151, 154, 303(r), 403, and 405.

13. Description, Potential Impact and Number of Small Entities Affected. None.

14. Reporting, Record Keeping and Other Compliance Requirements. None.

15. Federal Rules Which Overlap, Duplicate or Conflict with this Rule. None.

16. Any Significant Alternatives Minimizing Impact on Small Entities and Consistent with Stated Objectives. None.

Paperwork Reduction Act

17. This NPRM contains a proposed information collection. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collections contained in this NPRM, as required by the Paperwork Reduction Act of 1995, Public Law No. 104–13. Public and agency comments are due at the same time as other comments on this NPRM; OMB notification of action is due August 16, 1996. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

Procedural Provisions

18. This is a non-restricted notice and comment rulemaking proceeding. Ex Parte presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in 47 CFR § 1.1206(a).

19. Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's rules, 47 CFR §§ 1.415 and 1.419, interested parties may file comments on or before July 17, 1996 and reply comments on or before August 16, 1996. To file formally in this proceeding, you must file an original plus four copies of all comments, reply comments and supporting comments. If you want a Commissioner to receive a personal copy of your comments and reply comments you must file an original plus nine copies. You should send comments and reply comments to the Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554. Comments and reply comments will be available for public inspection during regular business hours in the Commission Public Reference Center, Room 239, Federal Communications Commission, 1919 M Street, N.W. Washington, D.C. 20554.

20. Written comments by the public on the proposed and/or modified information collections are due July 17, 1996 and reply comments on or before August 16, 1996. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before August 16, 1996. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, N.W., Washington, DC 20554, or via the Internet to dconway@fcc.gov and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725-17th Street, N.W., Washington, DC 20503 or via the Internet to fain—t@al.eop.gov. For additional information concerning the information collections contained in this NPRM contact Dorothy Conway at 202–418–0217.

Ordering Clauses

21. Accordingly, it is further ordered that the Secretary shall send a copy of this Further Notice of Proposed Rulemaking to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act, Public Law No. 96–354, 94 Stat. 1164, 5 U.S.C. §§ 601 et. seq. (1981).

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96–15268 Filed 6–14–96; 8:45 am]

BILLING CODE 6712–01–P

47 CFR Part 64

[CC Docket No. 92–77, FCC 96–253]

Billed Party Preference for O+ InterLATA Calls

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission adopted a Second Further Notice of Proposed Rulemaking (NPRM) seeking comment on tentative conclusions that it should establish benchmarks for the rates that consumers are asked to pay for operator service calls reflecting what consumers expect to pay for those calls and require that, if consumers will be charged rates above the benchmarks, the operator service provider (OSP) offering services through payphones and other aggregator locations disclose the applicable charges for the call to the consumer orally before connecting the call. The NPRM also seeks comment on what benchmark rates the Commission should establish, as well as on an alternative that would require all OSPs to disclose their rates orally on all operator service calls. The NPRM also solicits comment on whether the FCC should forbear from applying informational tariff filing requirements for interstate operator services, and, if not, on proposed rules and a waiver policy with respect to the filing of such tariffs. Finally, the Commission seeks comment on the best means to remedy the problem of high rates charged by some carriers that serve phones in prisons that are used by inmates to make collect calls. The proposed rule changes are intended to enable consumers to make better informed decisions whether to use a particular OSP when making a call from a payphone or other aggregator location away from home.

DATES: Written comment by the public on the Second Further Notice of Proposed RuleMaking and the proposed and/or modified information collections are due July 17, 1996. Reply comments are due on August 16, 1996. Written comments by the Office of Management and Budget (OMB) on the proposed and/or modified information collections are due on or before August 16, 1996.

ADDRESSES: Comments and reply comments should be sent to the Secretary, Federal Communications Commission, 1919 M St. N.W., Washington, DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications

Commission, Room 234, 1919 M Street, N.W., Washington, DC 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725–17th Street, N.W., Washington, DC 20503 or via the Internet to fain—t@al.eop.gov.

FOR FURTHER INFORMATION CONTACT: Adrien Auger, Enforcement Division, Common Carrier Bureau, (202) 418–0960. For additional information concerning the information collections contained in this Second Further Notice of Proposed RuleMaking contact Dorothy Conway at 202/418–0217, or via the Internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Second Further Notice of Proposed Rulemaking in Billed Party Preference, CC Docket No. 92–77, FCC 96–252, adopted June 4, 1995, and released June 6, 1996. The full text of this Commission NPRM is available for inspection and copying during normal business hours in the FCC Reference Center, Room 239, 1919 M St., N.W., Washington, DC. The complete text of the NPRM may also be purchased from the Commission's duplicating contractor, International Transcription Services, 2100 M St., N.W., Suite 140, Washington, D.C. 20037 (202) 857–3800. The NPRM contains proposed or modified information collections subject to the Paperwork Reduction Act of 1995, Public Law No. 104–13 (PRA). It has been submitted to OMB for review under Section 3507(d) of the PRA. OMB, the general public, and other Federal agencies are invited to comment on the proposed or modified information collections contained in this proceeding.

Paperwork Reduction Act

The NPRM contains proposed or modified information collections. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and OMB to comment on the information collections contained in the NPRM, as required by the PRA. Public and agency comments are due at the same time as other comments on the NPRM; OMB comments are due August 16, 1996. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

(1) *OMB Control Number:* None.

Title: Proposed benchmark system.

Type of Review: New collection.

Respondents: Business or other for-profit, including small business.

Number of Respondents: 10.

Estimated Time per Response: 2 hours.

Total Annual Burden: 20 hours.

Estimated Cost Per Respondent: $0.

Needs and Uses: Oral disclosure, at point of purchase, of the specific charges, including any surcharges, that would be charged for interstate operator services is necessary to enable consumers to make informed decisions whether to use a particular OSP when making a call from a payphone or other aggregator location.

(2) *OMB Control Number:* None.

Title: Proposed certification requirement.

Type of Review: New collection.

Respondents: Business or other for-profit, including small business.

Number of Respondents: 190.

Estimated Time per Response: 10 minutes.

Total Annual Burden: 1900 minutes.

Estimated Cost Per Respondent: $0.

Needs and Uses: Certification that an interstate operator service provider's rates and associated surcharges do not exceed FCC-established benchmarks will better protect consumers from unexpected high charges and obviate the need for the operator service provider to file and maintain an informational tariff, which does not provide potential consumers with advance notice of rate changes.

(3) *OMB Control Number: None.*

Title: Proposed reporting requirement.

Type of Review: New collection.

Respondents: Business or other for-profit, including small business.

Number of Respondents: 10.

Estimated Time per Response: 50 hours.

Total Annual Burden: 500 burden hours.

Estimated Cost Per Respondent: $0.

Needs and Uses: Currently, under 47 U.S.C. 226(h)(1)(A), OSPs must file and maintain informational tariffs of applicable charges for interstate operator services provided from payphones and other aggregator locations. Should the Commission determine that it should not forbear from enforcing this section of the Communications Act, informational tariffs specifying applicable rates and surcharges for a particular call in dollars and cents will enable consumers to ascertain whether they wish to use a particular OSP when making a payphone call.

Summary of Notice of Proposed Rule Making

I. Background

In 1992, the Commission adopted Billed Party Preference for 0+ InterLATA Calls, CC Docket No. 92–77, Notice of Proposed Rulemaking, 7 FCC Rcd 3027, 57 FR 24574 (June 10, 1992), initiating a rulemaking proceeding to consider the merits of an automated ''billed party preference'' (BPP) routing methodology for 0+ interLATA traffic. The Commission tentatively concluded that BPP is, in concept, in the public interest, but sought comments on the costs and benefits of BPP as well as on a number of aspects of how BPP might be implemented.

In 1994, the Commission adopted a Further Notice of Proposed Rulemaking, 9 FCC Rcd 3320, 59 FR 30754 (June 15, 1994), seeking further comment. The Commission found that the available evidence indicated that the benefits of BPP outweighed its costs, but that some of the data underlying its cost/benefit analysis were not as precise and current as it desired. Therefore, the Commission sought additional and updated data, further comment on its cost/benefit analysis of BPP, and proposals for less costly alternatives to BPP.

II. Discussion

Currently, interstate 0+ calls—that is, interstate calls that are made by entering a ''0'' followed by a telephone number—are routed to the OSP selected by either the premises owner or the provider of the phone. The Commission found that this has led many callers to be charged substantially higher rates than they expected. Therefore, the Commission now tentatively concludes that it should adopt a benchmark reflecting what consumers expect to pay for interstate 0+ calls and require OSPs to orally disclose the total charges for which consumers will be liable for a call if those charges are above the benchmark. The Commission believes that this will help ensure that consumers are not surprised by unexpectedly high charges for their 0+ calls, but rather, that consumers can make better informed choices about which OSP to use for their calls.

The Commission also seeks comment on whether it should, alternatively, require all OSPs to disclose the prices for all 0+ calls, thereby avoiding the need to establish benchmarks, or whether the cost of such a disclosure requirement to OSPs, and ultimately to consumers, would exceed the benefit to

consumers, especially with regard to 0+ calls priced at or below levels that consumers generally expect. The Commission also seeks comment on, if it establishes a benchmark, where it should be set. The NPRM describes a number of benchmark options proposed by interested parties, including the average rate charged by AT&T, MCI, and Sprint, a level 15-percent above that average, and a fixed set of rates proposed by an OSP industry coalition. The Commission also considers several qualifications to the benchmark that would make OSP compliance administratively easier.

The Commission also seeks comment on whether, under the recently-enacted Telecommunications Act of 1996, it must forbear from applying informational tariff filing requirements and, if not, on proposed rules and a waiver policy with respect to the filing of such tariffs. Comments are also requested on whether the public interest would be better served by means other than BPP for calls from inmate-only telephones in prisons and other correctional institutions.

III. Comments and Ex Parte Presentations

All interested parties may file comments on the issues set forth in the NPRM, on which comment is specifically sought, by July 17, 1996, and reply comments by August 16, 1996. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding. To file formally in this proceeding, participants must file in accordance with the ordering clauses below. Parties are invited to submit, in conjunction with their comments or replies, proposed text for rules that the Commission could adopt in this proceeding. Specific rule proposals should be filed as an appendix to a party's comments or reply.

This is a non-restricted notice and comment rule making proceeding. *Ex parte* presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in Commission rules. *See, generally,* 47 CFR 1.1202, 1.1203, and 1.1206(a).

IV. Conclusion

The NPRM tentatively concludes that the FCC should: (1) establish benchmarks for OSPs' rates and associated charges that reflect consumers' expectations; and (2) require OSPs whose charges and related aggregator surcharges or premises-owner fees exceed such benchmarks to disclose orally to consumers, before connecting a call, the total charges for which consumers would be liable. In the alternative, the FCC seeks comment on whether it should require OSPs to give specific rate information for all 0+ calls before connecting the calls. It also solicits comment on proposed rules with respect to the filing of informational tariffs for interstate operator services and the extent to which it must or may forbear from enforcing the requirements for such tariffs. Finally, it solicits comment whether the public interest would be better served by alternative remedies than BPP for high rates charged by some carriers serving prisons.

V. Regulatory Flexibility Analysis

Reason for Action

The Commission is issuing the NPRM to consider alternatives to the implementation of Billed Party Preference by local exchange carriers, to protect consumers from excessive charges in connection with interstate operator services, and to help ensure that consumers are aware of the price of a long distance operator service call before incurring charges.

Objectives. The objective of the NPRM is to propose requirements regarding charges and surcharges applicable to interstate operator services and to provide an opportunity for public comment thereon.

Legal Basis. Sections 1, 4(i), 4(j), 201–205, 226 and 228 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 201–205, 226, 228.

Description, potential impact, and number of small entities affected. The proposed rules will require that interexchange carriers' Informational Tariffs, filed pursuant to Section 226 of the Communications Act, contain specific rates for their operator services. Hundreds of small operator services companies may have to file substitute tariffs and will have to implement other information disclosure requirements if their rates, and related payphone premises-owners' fees or aggregator surcharges, substantially exceed the rates charged by AT&T, MCI and Sprint. Small entities may feel some economic impact in additional printing costs, message production and recording costs due to these requirements.

Reporting, record-keeping, and other compliance requirements. The proposed rules would require carriers charging rates above an established benchmark to provide audibly to consumers the price, or maximum price, of the call before connecting a call.

Federal rules that overlap, duplicate, or conflict with the Commission's proposal. None.

Any significant alternatives minimizing impact on small entities and consistent with stated objectives. None apparent at this time.

Comments are solicited. The FCC requests written comments on this Initial Regulatory Flexibility Analysis. These comments must be filed in accordance with the same filing deadlines set for comments on the other issues in the NPRM, but they must have a separate and distinct heading designating them as responses to this Regulatory Flexibility Analysis. The FCC is sending a copy of the NPRM to the Chief Counsel for Advocacy of the Small Business Administration in accordance with Section 603(a) of the Regulatory Flexibility Act. *See* 5 U.S.C. 601, *et seq.*

VI. Ordering Clauses

1. Accordingly, It is Ordered, pursuant to Sections 1, 4(i), 4(j), 10, 201–205, 218 and 226 of the Communications Act of 1934, as amended, 47 U.S.C. § 151, 154(i), 154(j), 160, 201–205, 218, 226, that a Second Further Notice of Proposed Rule Making is Issued, proposing the amendment of 47 CFR Part 64 as set forth below.

2. It is further ordered that, pursuant to applicable procedures set forth in §§ 1.415 and 1.419 of the Commission's Rules, 47 CFR 1.415, 1.419, comments Shall be filed with the Secretary, Federal Communications Commission, Washington, D.C. 20554 on or before July 17, 1996. Reply comments should be filed no later than August 16, 1996. To file formally in this proceeding, participants must file an original and six copies of all comments, reply comments, and supporting comments. If participants want each Commissioner to receive a personal copy of their comments, an original plus nine copies must be filed. In addition, parties should file two copies of any such pleadings with the Enforcement Division, Common Carrier Bureau, Room 6008, 2025 M Street N.W., Washington, D.C. 20554. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Room 140, 2100 M Street, N.W., Washington, D.C. 20037. Comments and reply comments will be available for public inspection during regular business hours in the FCC Reference Center (Room 239) of the Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

3. It is further ordered that, in order to facilitate review of comments and reply comments, both by parties and by Commission staff, we require that comments and reply comments include a summary of the substantive arguments raised in the pleading. Comments and reply comments must also comply with section 1.49 and all other applicable sections of the Commission's Rules. *See* 47 CFR § 1.49. Parties are also asked to submit comments and reply comments on diskette. Such diskette submissions would be in addition to the formal filing requirements addressed above. Parties submitting diskettes should submit them to Adrien Auger of the Common Carrier Bureau, 2025 M Street, N.W., Room 6120, Washington, D.C. 20554. Such submission should be on a 3.5 inch diskette formatted in an IBM compatible form using MS DOS 5.0 and WordPerfect 5.1 software. The diskette should be submitted in ''read only'' mode. The diskette should be clearly labelled with the party's name, proceeding, type of pleading (comment or reply comments) and date of submission. The diskette should be accompanied by a cover letter.

4. It is further ordered that any written comments by the public, as provided for in the Paper Reduction Act of 1995, on the proposed and/or modified information collections are due July 17, 1996. Written comments must be submitted by the Office of Management and Budget on the proposed and/or modified information collections on or before August 16, 1996. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, N.W., Washington, DC 20554, or via the Internet to dconway@fcc.gov and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725-17th Street, N.W., Washington, DC 20503 or via the Internet to fain—t@al.eop.gov.

5. It is further ordered, that the Chief of the Common Carrier Bureau is delegated authority to require the submission of additional information, make further inquiries, and modify the dates and procedures in this docket if necessary to provide for a more complete record and a more efficient proceeding.

6. It is further ordered, that the Secretary shall mail a copy of this Second Further Notice of Proposed Rule Making to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with section 603(a) of the Regulatory Flexibility Act, 5 U.S.C. § 603(a)(1981). The Secretary shall also cause a summary of this NPRM to appear in the Federal Register.

List of Subjects in 47 CFR Part 64

Communications common carriers, Reporting and recordkeeping requirements, Telephone.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

Rule Changes

Part 64 of Title 47 of the Code of Federal Regulations is proposed to be amended as follows:

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

1. The authority citation for Part 64 continues to read as follows:

Authority: Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154, unless otherwise noted. Interpret or apply secs. 201, 218, 226, 228, 48 Stat. 1070, as amended, 1077; 47 U.S.C. 201, 218, 226, 228, unless otherwise noted.

2. Section 64.703 is amended by revising paragraph (c) to read as follows:

§ 64.703 Consumer information.

* * * * *

(c) Information disclosure.

(1) Informational tariffs filed pursuant to 47 U.S.C. § 226(h)(1)(A) shall contain specific rates expressed in dollars and cents for all interstate operator services of the carrier and shall also contain applicable surcharges, if any, billed on behalf of aggregators by the carrier or another billing agent.

(2) Surcharges billed on behalf of aggregators, if any, shall be specified in informational tariffs in dollars and cents.

(3) In order to remove all doubt as to their proper application, all informational tariffs must contain clear and explicit explanatory statements regarding the rates, *i.e.*, the tariffed price per unit of service, and the regulations governing the offering of service in that tariff.

(4) Operator services providers whose charges and any applicable aggregator surcharge for any call exceed any benchmark established by the Commission, or exceed benchmarks established by the Commission for the initial minute or additional minutes, shall provide, at no charge before the call is connected, either the specific charges, including any aggregator surcharge or premises owner fee, applicable to that call, or the maximum charges, including any aggregator surcharge or premises owner fee, that the consumer may be billed for that call.

(5) Informational tariffs shall be accompanied by a cover letter, addressed to the Secretary of the Commission, explaining the purpose of the filing.

(i) The original of the cover letter shall be submitted to the Secretary without attachments, along with FCC Form 159, and the appropriate fee to the Mellon Bank, Pittsburgh, Pennsylvania.

(ii) Copies of the cover letter and the attachments shall be submitted to the Secretary's Office, the Commission's contractor for public records duplication, and the Chief, Tariff Review Branch.

(6) Any changes to the tariff shall be submitted under a new cover letter with a complete copy of the tariff, including changes.

(i) Changes to a tariff shall be explained in the cover letter but need not be symbolized on the tariff pages.

(ii) Revised tariffs shall be filed pursuant to the procedures specified in subsection 64.703(c)(5).

* * * * *

[FR Doc. 96–15147 Filed 6–14–96; 8:45 am]

BILLING CODE 6712–01–P

47 CFR Part 73

[MM Docket No. 96–114; RM–8786]

Radio Broadcasting Services; Fort Bragg and Willits, CA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Henry Radio Company, licensee of Station KLLK-FM, Fort Bragg, California, requesting the reallotment of Channel 228B from Fort Bragg to Willits, California, and modification of the license for Station KLLK-FM to specify Willits as its community of license, pursuant to the provisions of Section 1.420(i) of the Commission's Rules. Coordinates for Channel 228B at Willits are 39–24–36 and 123–21–12.

DATES: Comments must be filed on or before July 29, 1996, and reply comments on or before August 13, 1996.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Richard M. Riehl, Esq., Haley, Bader & Potts, P.L.C., 4350 North Fairfax Dr., Suite 900, Arlington, VA 22203–1633.