

| State and county | Location | Dates and name of newspaper where notice was published | Chief executive officer of community | Effective date of modification | Community No. |
|-------------------------|-----------------------|--|--|--------------------------------|---------------|
| Texas: Tarrant | City of Mansfield | August 20, 1998, August 27, 1998, <i>Mansfield News-Mirror</i> . | The Honorable Harry David, Mayor, City of Mansfield, 1305 East Broad Street, Mansfield, Texas 76063. | August 4, 1998 ... | 480606 |
| Montgomery ... | Unincorporated Areas. | August 14, 1998, August 21, 1998, Conroe Courier. | The Honorable Alan Sadler, Montgomery County Judge, 301 North Thompson Street, Suite 210, Conroe, Texas 77301. | July 14, 1998 | 480483 |
| McLennan | City of Waco | August 4, 1998, August 11, 1998, <i>Waco Tribune-Herald</i> . | The Honorable Michael D. Morrison, Mayor, City of Waco, P.O. Box 2570, Waco, Texas 76702-2570. | July 9, 1998 | 480461 |

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: September 29, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 98-27241 Filed 10-8-98; 8:45 am]

BILLING CODE 6718-04-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: Base (1% annual chance) flood elevations and modified base flood elevations are made final for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATE: The date of issuance of the Flood Insurance Rate Map (FIRM) showing base flood elevations and modified base flood elevations for each community. This date may be obtained by contacting the office where the FIRM is available for inspection as indicated in the table below.

ADDRESSES: The final base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-3461.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency makes final determinations listed below of base flood elevations and modified base flood elevations for each community listed. The proposed base flood elevations and proposed modified base flood elevations were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed base flood elevations and proposed modified base flood elevations were also published in the **Federal Register**.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67.

FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR Part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community.

The base flood elevations and modified base flood elevations are made final in the communities listed below. Elevations at selected locations in each community are shown.

National Environmental Policy Act

This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Associate Director for Mitigation certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because final or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community

eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

Regulatory Classification

This final rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR Part 67 is amended to read as follows:

PART 67—[AMENDED]

1. The authority citation for Part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 67.11 [Amended]

2. The tables published under the authority of § 67.11 are amended as follows:

| Source of flooding and location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|--|--|
| CALIFORNIA | |
| Humboldt County (Unincorporated Areas) (FEMA Docket No. 7246) <i>Eastside Channel:</i> | |

| Source of flooding and location | #Depth in feet above ground. *Elevation in feet (NGVD) |
|--|---|
| Approximately 400 feet south of intersection of Market Street and Van Ness Avenue | *28 |
| <i>Williams Creek:</i> At confluence with Salt River At Rose Avenue | *28 *47 |
| Approximately 1,150 feet upstream of Grizzly Bluff Road | *65 |
| <i>Janes Creek:</i> Approximately 800 feet upstream of Samoa Road | *7 |
| Approximately 140 feet upstream of Lumberyard Road | *24 |
| <i>Mad River (At Blue Lake):</i> Approximately 6,000 feet upstream of confluence with Noisy Creek | *65 *86 |
| At Hatchery Road | |
| <i>Dave Power's Creek:</i> Approximately 100 feet upstream of an unnamed road (log bridge) | *72 |
| Approximately 2,150 feet upstream of confluence with Mad River | *75 |
| Maps are available for inspection at the Humboldt County Planning Department, 3015 H Street, Eureka, California. | |
| COLORADO | |
| Wellington (Town), Larimer County (FEMA Docket No. 7246) | |
| <i>Coal Creek:</i> Approximately 2,000 feet downstream of Fourth Street | *5,182 |
| Approximately 1,000 feet north of Windsor Ditch | *5,222 |
| Maps are available for inspection at the Town of Wellington Town Hall, 3735 Cleveland Avenue, Wellington, Colorado. | |

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: September 29, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CC Docket No. 96-115; FCC 98-239]

Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The order released September 24, 1998 extends the deadline by which all telecommunications carriers must implement effective electronic safeguards to protect against unauthorized access to CPNI. This deadline was established in the Commission's CPNI Report and Order in this proceeding. The Commission is currently reviewing a number of petitions for reconsideration that seek modification of the electronic safeguards requirement, and believes that postponing the deadline for implementation of these safeguards until after the Commission acts upon the reconsideration petitions is in the public interest.

EFFECTIVE DATE: November 9, 1998.

FOR FURTHER INFORMATION CONTACT: Brent Olson, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418-1580 or via the Internet at bolson@fcc.gov. Further information may also be obtained by calling the Common Carrier Bureau's TTY number: 202-418-0484. For additional information concerning the information collections contained in this Order contact Judy Boley at (202) 418-0214, or via the Internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order adopted September 23, 1998, and released September 24, 1998. The full text of this Order is available for inspection and copying during normal business hours in the FCC Reference Center, 1919 M St., N.W., Room 239, Washington, D.C. The complete text also may be obtained through the World Wide Web, at <http://www.fcc.gov/Bureaus/Common Carrier/Orders/fcc98239.wp>, or may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th St., N.W., Washington, D.C. 20036.

Regulatory Flexibility Certification

The changes adopted in this Order do not affect our certification in the CPNI Report and Order.

Synopsis of Order

1. On February 26, 1998, the Commission released an Order, 63 FR 20326, April 24, 1998 ("CPNI Report and Order") promulgating regulations to implement the statutory obligations of section 222 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, which was enacted to protect the confidentiality of customer proprietary network information (CPNI). In that

order, the Commission established January 26, 1999 as the deadline by which all telecommunications carriers must implement effective electronic safeguards to protect against unauthorized access to CPNI. For the reasons discussed below, we extend that deadline.

I. Background

2. In the CPNI Report and Order, the Commission concluded that "all telecommunications carriers must establish effective safeguards to protect against unauthorized access to CPNI by their employees or agents, or by unaffiliated third parties." Specifically, the Commission required that carriers develop and implement software systems that "flag" customer service records in connection with CPNI and that carriers maintain an electronic audit mechanism ("audit trail") that tracks access to customer accounts. The Commission also required that carriers' employees be trained as to when they can and cannot access customers' CPNI; that carriers establish a supervisory review process that ensures compliance with CPNI restrictions when conducting outbound marketing; and that each carrier submit a certification signed by a current corporate officer attesting that he/she has personal knowledge that the carrier is in compliance with our requirements on an annual basis. Because the Commission anticipated that carriers would need time to conform their data systems and operations to comply with the software flags and electronic audit mechanisms required by the Order, enforcement of these safeguards was deferred until eight months from when the rules became effective, specifically January 26, 1999.

3. Following the release of the CPNI Report and Order, several petitioners sought reconsideration of a variety of issues, including the decision to require carriers to implement the use of software flags and audit trails. We are currently reviewing these petitions. In addition, a number of carriers, representing virtually the entire industry affected by the CPNI rules, expressed concern about meeting the January deadline. GTE has also proposed some alternative methods of implementing safeguards that GTE claims will accomplish the goals of the Act without unduly burdening the industry.

II. Discussion

4. We conclude that it serves the public interest to extend the deadline by which we will begin to enforce our rules requiring software flags and electronic