

We will instruct Customs to continue to collect cash deposits for non-reviewed companies at the most recent company-specific or country-wide rate applicable to the company. Accordingly, the cash deposit rates that will be applied to non-reviewed companies covered by this order are those established in the most recently completed administrative proceeding conducted under the URAA. If such a review has not been conducted, the rate established in the most recently completed administrative proceeding pursuant to the statutory provisions that were in effect prior to the URAA amendments is applicable. These rates shall apply to all non-reviewed companies until a review of a company assigned these rates is requested. In addition, for the period January 1, 1999, through December 31, 1999, the assessment rates applicable to all non-reviewed companies covered by this order are the cash deposit rates in effect at the time of entry.

#### Public Comment

Pursuant to 19 CFR 351.224(b), the Department will disclose to parties to the proceeding any calculations performed in connection with these preliminary results within five days after the date of the public announcement of this notice. Pursuant to 19 CFR 351.309, interested parties may submit written comments in response to these preliminary results. Unless otherwise indicated by the Department, case briefs must be submitted within 30 days after the date of publication of this notice, and rebuttal briefs, limited to arguments raised in case briefs, must be submitted no later than five days after the time limit for filing case briefs, unless otherwise specified by the Department. Parties who submit argument in this proceeding are requested to provide the Department copies of the public version on disk. Case and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.303(f). Also, pursuant to 19 CFR 351.310, within 30 days of the date of publication of this notice, interested parties may request a public hearing on arguments to be raised in the case and rebuttal briefs. Unless the Secretary specifies otherwise, the hearing, if requested, will be held two days after the date for submission of rebuttal briefs, that is, thirty-seven days after the date of publication of these preliminary results.

Representatives of parties to the proceeding may request disclosure of proprietary information under administrative protective order no later than 10 days after the representative's

client or employer becomes a party to the proceeding, but in no event later than the date the case briefs, under 19 CFR 351.309(c)(ii), are due. The Department will publish the final results of these administrative reviews, including the results of its analysis of issues raised in any case, or rebuttal brief or at a hearing.

This administrative review is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act (19 USC 1675(a)(1) and 19 USC 1677f(i)(1)). Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: April 2, 2001.

**Bernard T. Carreau,**

*Deputy Assistant Secretary, Import Administration.*

[FR Doc. 01-8659 Filed 4-6-01; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 040201B]

#### Endangered Species; Permits

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** NMFS has issued permits 1237 and 1273.

**SUMMARY:** Notice is hereby given of the following actions regarding permits for takes of endangered and threatened species for the purposes of scientific research and/or enhancement under the Endangered Species Act (ESA): NMFS has issued a permit to the Walla Walla District of the U.S. Army Corps of Engineers at Walla Walla, WA (Corps), and NMFS has issued permit #1273 to Mr. Chris Ivers of the North Carolina Aquarium Division (NCAD) (1273).

**ADDRESSES:** The Permits and related documents are available for review in the indicated office, by appointment:

For permit 1273: Endangered Species Division, F/PR3, 1315 East West Highway, Silver Spring, MD 20910 (phone: 301-713-1401, fax: 301-713-0376).

For permits 1237: Protected Resources Division, F/NW03, 525 NE Oregon Street, Suite 500, Portland, OR 97232-2737 (phone: 503-230-5400, fax: 503-230-5435).

Documents may also be reviewed by appointment in the Office of Protected Resources, F/PR3, NMFS, 1315 East-

West Highway, Silver Spring, MD 20910-3226 (phone: 301-713-1401).

**FOR FURTHER INFORMATION CONTACT:** For permit 1273: Terri Jordan, Silver Spring, MD (phone: 301-713-1401, fax: 301-713-0376, e-mail: Terri.Jordan@noaa.gov)

For permit 1237: Robert Koch, Portland, OR (ph: 503-230-5424, fax: 503-230-5435, e-mail: Robert.Koch@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Authority

Issuance of permits and permit modifications, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (ESA), is based on a finding that such permits/modifications: (1) are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Scientific research and/or enhancement permits are issued under Section 10(a)(1)(A) of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 222-226).

Those individuals requesting a hearing on an application listed in this notice should set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions contained in the permit action summaries are those of the applicant and do not necessarily reflect the views of NMFS.

#### Species Covered in This Notice

The following species and evolutionarily significant units (ESU's) are covered in this notice:

##### Fish

Sockeye salmon (*Oncorhynchus nerka*): endangered Snake River (SnR).

Chinook salmon (*O. tshawytscha*): threatened, naturally produced and artificially propagated, SnR spring/summer; threatened SnR fall.

Steelhead (*O. mykiss*): threatened SnR.

Endangered Shortnose Sturgeon (*Acipenser brevirostrum*)

**Permits and Modified Permits Issued***Permit 1237*

Notice was published on February 16, 2000 (65 FR 7855) that the Corps applied for an enhancement permit (1237). Permit 1237 was issued to the Corps on March 22, 2001. Permit 1237 authorizes the Corps annual takes of ESA-listed juvenile salmon and steelhead associated with transporting juvenile anadromous fish around the dams and past the reservoirs on the mainstem lower Snake and Columbia Rivers in the Pacific Northwest. The purpose of the Corps' Juvenile Fish Transportation Program is to increase juvenile fish survival over the alternative of in-river passage, given current in-river migratory conditions. The collection and transportation of juvenile salmonids is projected to occur approximately March 25 through October 31 each year at Lower Granite, Little Goose, and Lower Monumental Dams on the lower Snake River, and approximately early to mid-June through December 15 each year at McNary Dam on the lower Columbia River. The Corps will load the juvenile fish into aerated trucks and barges for transportation to below Bonneville Dam on the Columbia River. Further handling of the fish does not occur, except for loading via raceways or when the fish are handled for monitoring purposes by Corps personnel or for scientific research purposes by individuals holding separate take authorizations. Annual takes of ESA-listed adult fish associated with handling fallbacks at the juvenile fish transportation facilities are also authorized. Permit 1237 expires on December 31, 2005.

*Permit 1273*

Notice was published on December 7, 2000 (65 FR 76612) that Mr. Chris Ivers, of NCAD applied for an enhancement permit (1273). NCAD proposes to continue to maintain 17 endangered shortnose sturgeon for the purposes of public education through species enhancement as identified in the Final Recovery Plan for Shortnose Sturgeon. Permit 1273 was issued on March 24, 2001, authorizing take of listed species. Permit 1273 expires March 1, 2006.

Dated: April 3, 2001.

**Phil Williams,**

*Acting Chief, Endangered Species Division,  
Office of Protected Resources, National  
Marine Fisheries Service.*

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**DEPARTMENT OF COMMERCE****National Telecommunications and Information Administration**

**[Docket No. 010327080-1080-01]**

**RIN 0660-XX12**

**Request for Comment on Energy, Water and Railroad Service Providers' Spectrum Use Study**

**AGENCY:** National Telecommunications and Information Administration, Commerce.

**ACTION:** Notice, request for comments.

**SUMMARY:** Public Law 106-553, making appropriated funds available to the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for fiscal year 2001, contained a provision directing the National Telecommunications and Information Administration (NTIA) to submit to Congress a study of the current and future use of spectrum by providers of energy, water and railroad services to protect and maintain the nation's critical infrastructure.<sup>1</sup> Therefore, NTIA is conducting an investigation of current and future use of radio frequency spectrum in the United States by providers of energy, water and railroad services, and how current and emerging technology trends affect use of the radio spectrum. By this notice and request for comments, NTIA is soliciting the views of the industry and the public on these issues.

**DATES:** Comments must be received on or before June 8, 2001.

**ADDRESSES:** The Department invites the public to submit written comments in paper or electronic form. Comments may be mailed to Jeng Mao, Public Safety Program, National Telecommunications and Information Administration, U.S. Department of Commerce, Room 4624, 14th and Constitution Avenue, NW., Washington, DC 20230. Paper submissions should include an electronic version on diskette in ASCII, WordPerfect (please specify version) or Microsoft Word (please specify version) format.

In the alternative, comments may be submitted in electronic form to the following electronic mail address: <utilities@ntia.doc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jeng Mao, (202) 501-0342, [jmao@ntia.doc.gov](mailto:jmao@ntia.doc.gov), or Marshall Ross, (202) 482-1222, [mross@ntia.doc.gov](mailto:mross@ntia.doc.gov), Public Safety Program, NTIA.

<sup>1</sup> See Federal Funding, Fiscal Year 2001, Public Law 106-553, 114 Stat. 2762, 2762A-174 (2000).

**SUPPLEMENTARY INFORMATION:****Background**

Energy, water and railroad services are primary components of the nation's critical infrastructure. Processing voice and data information via wireless radio systems is an efficient way to supervise, control and monitor these utilities on a daily basis. It is also an efficient means of communications during situations requiring emergency response. Without adequate radio spectrum, providers of energy, water and railroad services would be unable to address major service interruptions due to natural disaster, equipment malfunctions or in some cases, terrorist activities. Wireless telecommunications are frequently used by utilities to monitor power transmission lines, water pumps and also to send commands to various remote control switches. In addition, some utilities must comply with State statutes requiring them to respond to service interruptions within a specified time period. Interruption of these services could disrupt emergency response efforts and impede law enforcement activities. Furthermore, lack of interoperability can be a major hindrance to mission-critical public safety communications. Multi-jurisdictional coordination between Federal and non-federal entities during crisis situations can be severely impacted because of inadequate radio spectrum.

NTIA is the President's principal adviser on telecommunications and information policy and manages the Federal Government's use of radio spectrum.<sup>2</sup> The Federal Communications Commission (FCC), an independent agency established by the Communications Act of 1934, manages the use of radio spectrum by state and local governments and the private sector, including the energy, water and railroad industries.<sup>3</sup> Public Law 106-553, making appropriated funds available to the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for fiscal year 2001, contained a provision directing the National Telecommunications and Information Administration (NTIA) to submit to Congress a study of the current and future use of spectrum by providers of

<sup>2</sup> 47 U.S.C. 902 (2000).

<sup>3</sup> For example, see the FCC's proceeding to address the requirements of the private land mobile radio community, including the energy, water and railroad industries, for more efficient use of the radio spectrum below 800 MHz, commonly called the "Refarming Proceeding." Documents related to the Refarming Proceeding are available on the FCC's web site at <<http://www.fcc.gov/wtb/plmrs/refarmdocs.html>>.