

and the small town Mayors' fact finding mission. Part of the meeting will also be devoted to consideration of the proposed mission statement. The group will also hear from the technical assistance working group. Responsibility for the Small Community Advisory Subcommittee of the Local Government Advisory Committee rests with the Office of Administrator, Office of Congressional and Intergovernmental Relations (OCIR) under the leadership of Joseph R. Crapa, Associate Administrator for Congressional and Intergovernmental Relations and Linda B. Rimer, Deputy Associate Administrator for State and Local Relations. OCIR serves as the Agency's principal liaison with State and local government officials and the organizations which represent them.

This is an open meeting and all interested persons are invited to attend. Meeting minutes will be available after the meeting and can be obtained by written request from the DFO. Members of the public are requested to call the DFO at the number listed below if planning to attend so that arrangements can be made to comfortably accommodate attendees as much as possible. However, seating will be on a first come, first serve basis.

This meeting will be conducted by tele conference from room 17 of the Washington Information Center. There are a limited number of call-in lines available for the public comment. Those individuals wishing to make a statement before the subcommittee are encouraged to attend the meeting in person or to submit a written statement rather than calling-in, however, telephone lines will be made available on a first-come, first serve basis. From 5:25-5:30 p.m. on October 21, the Committee will hear comments from the public. Each individual or organization wishing to address the Committee will be allowed one minute. Please contact the Designated Federal Officer (DFO) at the number listed below to schedule agenda time. Time will be allotted on a first come, first serve basis.

DATES: The meeting will begin at 4:00 p.m. on Wednesday, October 21 and conclude at 5:30 p.m.

ADDRESSES: The meeting will be held at the US EPA, Washington Information Center, room 17, located at 401 M Street, S.W. Washington, DC, 20460.

Requests for Minutes and other information can be obtained by writing to 401 M Street, S.W. (1502), Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: The DFO for this subcommittee is Steven Wilson. He is the point of contact for

information concerning any Committee matters and can be reached by calling (202) 260-2294.

Dated: October 2, 1998.

Steven Wilson,

Designated Federal Officer, Small Community Advisory Subcommittee of the Local Government Advisory Committee.

[FR Doc. 98-27028 Filed 10-7-98; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

[DA-98-1984]

Extended Frequency Capability for Aeronautical Transceivers

AGENCY: Federal Communications Commission.

ACTION: Notice; seeking comment.

SUMMARY: Commission staff seeks comment on a request for waiver to permit type-acceptance of aeronautical transceivers with transmit capability above the aeronautical radio band.

DATES: Comments are due on or before October 15, 1998; reply comments are due on or before October 26, 1998.

ADDRESSES: Parties should file the original comments and reply comments with Magalie Roman Salas Secretary, Federal Communications Commission, 1919 M Street, NW, Room 222, Washington, D.C. 20554. Copies of each filing must be sent to International Transcription Services, Inc. (ITS), 1231 20th Street, NW, Washington, D.C. 20036; Michael J. Wilhelm, Attorney-Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, 2025 M Street, NW, Room 837, Washington, D.C. 20554 (or via e-mail to mwilhelm@fcc.gov); and to Rockwell-Collins, Inc., 1300 Wilson Boulevard, Suite 200, Arlington, Virginia, 22209. The full text of the waiver requests, comments and reply comments will be available for public inspection and duplication during regular business hours in the Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau, Federal Communications Commission, 2025 M Street, NW, Room 8010, Washington, DC 20554. Copies may also be obtained from ITS, 1231 20th Street, NW, Washington, D.C. 20036, (202) 857-3800.

FOR FURTHER INFORMATION CONTACT: Michael J. Wilhelm, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless

Telecommunications Bureau at (202) 418-0860 or by e-mail to mwilhelm@fcc.gov.

SUPPLEMENTARY INFORMATION: This public notice was released September 29, 1998.

We have before us a request for waiver of § 87.173 of the Commission's Rules¹ tendered by Rockwell-Collins, Inc. (Rockwell) on July 8, 1998 (Rockwell Waiver Request). Rockwell seeks to amend the type acceptance authorizations for two of its VHF aviation transceivers by extending the upper limit of the transceivers' transmit range to 152 MHz. This frequency falls above the 136.975 MHz upper limit of the VHF aviation band as specified in the Commission's Rules,² thus necessitating a waiver if the type

¹ Rockwell has also requested waiver of § 2.106 of the Commission's Rules.

² The frequencies from 108 MHz to 117.95 are used for land-based navigation aids and aircraft may not transmit on these frequencies. Thus, the Commission's rules provide for aviation transceiver transmit capability only over the range 118 MHz to 136.975 (nominally, 137) MHz. See §§ 87.173 (b), 87.475 (b) (4), (5) of the Commission's Rules. The United States assignments correspond to those recognized internationally by the International Civil Aviation Organization (ICAO) See International Standards and Recommended Practices, Aeronautical Telecommunications, Annex 10 to the Convention on International Civil Aviation, Table 4-1, International Civil Aviation Organization, Montreal, 1997. When the ICAO adopts an International Standard and Recommended Practice it is binding on the contracting countries. See Amendment of Part 87 of the Commission's Rules to Establish Technical Standards and Licensing Procedures for Aircraft Earth Stations, Report and Order, PR Docket No. 90-315, 7 FCC Rcd 5895, 5896 n.12 (1992). In the United States, aviation channels are spaced 25 kHz apart. See §§ 87.173(b), 87.137(a) of the Commission's Rules. However, many European countries are implementing a channel plan employing 8.33 kHz channel spacing in order to derive more channels for air traffic control use. See Plan for the 8.33 kHz Channel Spacing Implementation in Europe, Edition 2.0, European Civil Aviation Conference, Dec. 2, 1996, at 2. Rockwell has received a waiver of the rules to permit type acceptance of certain models of its aviation transceivers which employ 8.33 kHz channel spacing for use in Europe. See Rockwell Collins, Inc. Request for Waiver of § 87.173 of the Commission's Rules Governing Assignable Carrier Frequencies in the Aviation Services, DA 98-2753, Order, 13 FCC Rcd 2954 (1998). Rockwell received type acceptance for its models: VHF-700B (type acceptance no. AJKPN822-1044); 618M-5 (type acceptance no. AJK8221046); VHF 900B (type acceptance no. AJKPN822-1047) and VHF-21C, -22C, -422C (type acceptance no. AJL8221116). The instant waiver request seeks to "reincorporate" the extended frequency range in Model 618M-5 and in Model VHF-21D, -22D and 422D. The VHF -21D -22D -422D models would differ from the VHF-21C, -22C, -422C models only with respect to the extended frequency range sought for the "D" versions. See Rockwell Waiver Request at 1, n.2. Other manufacturers have received similar waivers or have requests for waiver pending. See, e.g., Honeywell, Inc. Commercial Flight Systems Group, Request for Waiver of § 87.173(b) of the Commission's Rules Governing Assignable Carrier Frequencies in the Aviation Services, DA 98-1176, Order (rel. June 17, 1998).

Frequency band	United States allocations
137–138 MHz	Space operation (space to earth); meteorological satellite (space to earth); space research (space to earth) mobile satellite (space to earth).
138–144 MHz	Government fixed and mobile. ⁴
144–148 MHz	Amateur, Amateur satellite.
148–149.9 MHz	Mobile Satellite (earth to space) [Government fixed, mobile and mobile satellite (earth to space)]
149.9–150.05 MHz	Radionavigation satellite; Land Mobile Satellite (earth to space).
150.05–150.8 MHz	Government fixed and mobile. ⁵
150.8–152 MHz	Fixed and land mobile.

acceptance authorizations are to be amended as Rockwell requests. The Rockwell extended frequency transceivers, if type accepted, would be capable of transmitting in the VHF aviation band and in the following bands which fall immediately above the aviation band.³

Thus, over ⁴ the frequency ⁵ range 137–152 MHz, the only authorized domestic aeronautical mobile allocations are the three Civil Air Patrol frequencies listed in note 4 *supra*. However, Rockwell submits that there are significant numbers of aeronautical mobile operations conducted on military air traffic control facilities in the 138–144 MHz, 148–149.9 MHz and 150.05–150.8 MHz bands *supra* which are allocated to government fixed and mobile use. Rockwell also contends that certain civil aircraft have occasion to use such frequencies.⁶ As an example of aeronautical use of the three government bands *supra*, Rockwell lists a sampling of military frequencies currently in use at specific locations in the United States and abroad. With a single exception, the frequencies listed

by Rockwell fall in the 138–144 MHz, 148–149.9 MHz and 150.05–150.8 MHz government bands.⁷

Rockwell supports its waiver request with letters from various military and civilian entities whose aircraft have a need to communicate both with civil aviation facilities in the 108–137 MHz aviation band and with military air traffic control facilities operating on frequencies in the 138–144 MHz, 148–149.9 MHz and 150.05–150.8 MHz bands. However, although Rockwell seeks type acceptance of transceivers which can transmit throughout their entire proposed 118 MHz–152 MHz extended frequency range, it has not demonstrated a need for these transceivers to have transmit capability on frequencies not used for aeronautical communications, namely: (a) the 137–138 MHz band, allocated to satellite communications and space research; (b) the 144–148 MHz amateur band, (c) the 149.9–150.05 MHz band allocated to satellite radionavigation and land mobile satellite communications; and (d) the 150.8–152 MHz band allocated for fixed and land mobile use. The Commission therefore seeks comment from users of these bands and other interested parties concerning whether Rockwell's extended frequency range transceivers, with transmission capability in bands (a)–(d) *supra*, would pose the threat of harmful interference to space research, satellite

communications, radionavigation and amateur radio operations.

Interested parties may file comments on Rockwell's waiver request on or before October 15, 1998. Parties interested in filing reply comments must do so on or before October 26, 1998. All comments and reply comments should reference Rockwell's waiver request, with the designated DA number, and should be filed with the Office of the Secretary, Federal Communications Commission, 1919 M Street, NW, Room 222, Washington, DC 20554. A copy of each filing should be sent to: International Transcription Services (ITS), the Commission's duplication contractor, 1231 20th Street, NW, Washington, DC 20036; Michael J. Wilhelm, Federal Communications Commission, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, 2025 M Street, NW, Room 8010, Washington, DC 20554, or by e-mail to mwillhelm@fcc.gov; and Rockwell-Collins, Inc., 1300 Wilson Boulevard, Arlington, VA 22209.

The full text of the Rockwell Waiver Request and related comments and reply comments will be available for inspection and duplication during regular business hours in the Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau, Federal Communications Commission, 2025 M Street, NW, Room 8010, Washington, DC 20554. Copies also may be obtained from ITS, (202) 857–3800.

Because disposition of the Rockwell waiver request may affect other parties, e.g. users of the non-aeronautical frequencies *supra* and other manufacturers of aircraft radio equipment, we find that it would be in the public interest to treat this matter as a "permit but disclose" proceeding in accordance with the Commission's *ex parte* rules. See § 1.1206 of the Commission's rules. Therefore, any *ex parte* communications that are made with respect to the issues herein will be permissible, but must be disclosed in accordance with § 1.1206(b) of the

³ See § 2.106 of the Commission's Rules.

⁴ The frequencies 143.75 MHz, 143.90 MHz and 148.15 MHz may be authorized to Civil Air Patrol land and mobile stations. See § 2.106 n. US10 of the Commission's Rules. In the band 138–144 MHz, fixed and mobile services are limited primarily to operations by the military services. See *id.* at n. G30. The international table of frequency allocations lists aeronautical mobile operations as a permissible use in the frequency band 138–144 MHz in International Telecommunications Union (ITU) Region 1. ITU Region 1 encompasses, generally, Europe, Asia and Africa. See § 2.104 of the Commission's Rules.

⁵ In the band 150.05–150.8 MHz, fixed and mobile services are limited primarily to operations by the military services. See § 2.106 n. G30 of the Commission's Rules.

⁶ Rockwell describes the extended frequency range transceivers as necessary for aircraft that "fly in both civil and military airspace and under both civil and military jurisdictions." It describes these aircraft as "dual use," including military aircraft used to transport heads of state or other "very important persons" and aircraft in the Civil Reserve Air Fleet that, in emergency conditions, serve a military transport role. See Rockwell Waiver Request at 2, 5 *citing* USAF Fact Sheet, Civil Reserve Air Fleet, <http://www.af.mil/news/factsheets/Civil_Reserve_Air_Fleet.html>, August, 1997.

⁷ Rockwell lists one frequency outside the three government bands *supra*, namely 137.02 MHz in use as an approach control and departure control frequency at a United States Air Force base in Lakenheath, England. See Rockwell Waiver Request, Exhibit B, Royal Air Force En Route Supplement, British Isles and North Atlantic, pg. 78. That frequency, if actually in use, falls in a band reserved domestically for satellite communications and which is designated, internationally, for satellite and mobile use with a specific restriction against aeronautical mobile use. See § 2.106 of the Commission's Rules. In any comments that Rockwell or others may submit in response to this Public Notice, it would be useful to have information on whether the use of 137.02 MHz *supra* for aeronautical mobile purposes is an anomaly or whether there are other instances of aeronautical mobile use of frequencies in the band 137 MHz to 138 MHz.

Commission's rules. Parties making oral presentations are reminded that a memorandum summarizing the substance of the presentation must be filed, in duplicate, with the Commission's Secretary no later than one business day after the presentation. *Id.*

For further information, contact Michael J. Wilhelm of the Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, at (202) 418-0680 or via e-mail to mwilhelm@fcc.gov.

D'wana R. Terry,

Chief, Public Safety and Private Wireless Division.

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BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[DA-98-1985]

Marine Frequencies for Land-Based Services.

AGENCY: Federal Communications Commission.

ACTION: Notice; seeking comment.

SUMMARY: Commission staff seeks comment on a request for waiver to permit land-based use of frequencies normally reserved for marine use.

DATES: Comments are due on or before October 14, 1998; reply comments are due on or before October 26, 1998.

ADDRESSES: Parties should file the original comments and reply comments with Magalie Roman Salas, Secretary, Federal Communications Commission, 1919 M Street, NW, Room 222, Washington, D.C. 20554. Copies of each filing must be sent to International Transcription Services, Inc. (ITS), 1231 20th Street, NW, Washington, D.C. 20036; Michael J. Wilhelm, Attorney-Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, 2025 M Street, NW, Room 8337, Washington, D.C. 20554 (or via e-mail to mwilhelm@fcc.gov); Henry Goldberg, Esq., Goldberg, Godles, Wiener and Wright, 1229 19th Street, NW, Washington, DC 20036; Mr. Peter Kierans, Vice President, Globe Wireless, 550 Pilgrim Drive, Foster City, CA 94404; Dalton C. Fauver, Asst. to the President, Mobile Marine Radio, Inc., 7700 Rinla Avenue, Mobile, AL 36619-1199. The full text of the waiver requests, comments and reply comments will be available for public

inspection and duplication during regular business hours in the Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau, Federal Communications Commission, 2025 M Street, NW, Room 8010, Washington, DC 20554. Copies may also be obtained from ITS, 1231 20th Street, NW, Washington, D.C. 20036, (202) 857-3800.

FOR FURTHER INFORMATION CONTACT:

Michael J. Wilhelm, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau at (202) 418-0860 or by e-mail to mwilhelm@fcc.gov.

SUPPLEMENTARY INFORMATION: This public notice was released September 29, 1998.

On January 6, 1998, Technology for Communications International (TCI) filed a request for waiver of Sections §§ 80.207¹ and 80.453² of the Commission's Rules to enable it to use maritime frequencies for both maritime communications service and service to fixed and mobile transceivers on land, on a secondary, non-interference basis, using 2K8D1D and 2K8F1D emission. The secondary service would be devoted to a tracking and messaging system for the commercial trucking industry. TCI estimates that 300,000 vehicles would use its proposed service and that 70 High Frequency (HF) channels, each with a 3 kHz bandwidth, would be required to serve those vehicles. The frequencies that TCI has requested are those available to maritime coast stations for facsimile transmission pursuant to § 80.363(a)(2) of the Commission's Rules. According to TCI, the frequencies it has selected are not presently licensed to any U.S. maritime provider.

TCI requests a waiver of § 80.207 of the Commission's Rules so that its proposed system may use 2K8D1D and 2K8F1D emission with "modern waveforms" which, TCI asserts, would not cause objectionable interference to other users of the HF radiotelegraphy-facsimile bands. TCI proposes that each land station associated with the TCI system be provided with a TCI-issued letter acknowledging that the land station may operate under the authority of TCI's coast station license. The land station identifier would consist of the TCI coast station's call sign followed by a unique numeric or alphabetic identifier. The vehicular transceivers

would be limited to an effective radiated power of 2 kilowatts, although 100 watts would typically be used, and the transceivers' antenna height above ground would be limited to 6.1 meters. The vehicular transceivers would communicate only with the TCI public coast station and would cease operation upon TCI's being given written notice from the Commission that interference was being caused to marine communications. TCI represents that it will afford priority to marine-originating communications through "an appropriate electrical or mechanical means."

The vehicular transceivers proposed by TCI would be tuned remotely, on command from TCI's proposed Promontory, Utah coast station, thereby to select an optimum frequency under varying propagation conditions. The TCI waiver request was accompanied by an application for the proposed Promontory, Utah, public coast station. Mobile Marine Radio (MMR) filed a Petition to Dismiss or Deny the TCI application alleging that the TCI system would cause interference to MMR's operations. Globe Wireless (Globe) filed letter comments contending that TCI's system should employ Part 90 land mobile frequencies and pointed out conflicts with some of the maritime frequencies selected by TCI. However, Globe supports secondary land mobile use of marine frequencies so long as that use is limited to incumbent public coast station licensees. TCI filed an opposition to the MMR petition and a response to the Globe letter comments.

Interested parties may file comments on TCI's waiver requests on or before October 15, 1998. Parties wishing to file reply comments must do so before October 26, 1998. All filings must reference TCI's requests for waiver, must bear the DA number contained in the caption of this Public Notice and must be filed with the Office of the Secretary, Federal Communications Commission, 1919 M Street, NW, Room 222, Washington, D.C. 20554. Copies of each filing must be sent to the following:

International Transcription Services, Inc., (ITS), 1231 20th Street, NW, Washington, D.C. 20036
Henry Goldberg, Esq., Goldberg, Godles, Wiener and Wright, 1229 19th Street, NW, Washington, DC 20036
Dalton C. Fauver, Asst. to the President, Mobile Marine Radio, Inc., 7700 Rinla Avenue, Mobile, AL 36619-1199
Michael J. Wilhelm, Attorney-Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, Public

¹ § 80.207 deals with classes of emission for maritime ship and coast stations.

² § 80.453 deals with the scope of communications of maritime coast and ship stations.