

audit mechanisms so that we may consider recent proposals to tailor our requirements more narrowly and to reduce burdens on the industry while serving the purposes of the CPNI rules. As an initial matter, we note that all segments of the industry unanimously oppose these requirements as adopted. We emphasize that the circumstances presented here are both unique and compelling. We recognize that it will take time and effort to implement these requirements, and we believe that postponement of compliance until the Commission provides additional guidance may promote more efficient and effective deployment of resources spent on meeting the new CPNI requirements set forth in the statute and our implementing rules. By delaying the date of enforcement until after the Commission acts upon reconsideration petitions, parties will have the opportunity to comment on GTE's proposed alternatives or make proposals of their own.

5. We emphasize that this extension of time is only temporary and that ultimately carriers will be required to comply with whatever electronic safeguards the Commission deems appropriate in this proceeding. We recognize that software flags and electronic audit mechanisms may be more costly to implement when older systems are involved. To the extent that new systems are being deployed during the pendency of the reconsideration petitions, however, we expect that carriers will install electronic flags and audit trails at the time the system is deployed in order to avoid the increased cost of having to retrofit systems in the future to come into compliance. We also note that this extension applies only to the electronic safeguards requirement, and that compliance with the rest of the rules elaborated in the CPNI Report and Order is still required. In particular, our action in this Order does not relieve carriers of the underlying obligation to use CPNI in accordance with section 222 and the Commission's implementing rules.

III. Ordering Clauses

6. Accordingly, it is ordered, pursuant to sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), and 303(r), and § 1.429(k) of the Commission's rules, 47 CFR 1.429(k), that we will not seek enforcement actions against carriers regarding compliance with the CPNI software flagging and audit trail requirements as set forth in 47 CFR 64.2009 (a) and (c) until six months after the release date of the Commission's

order on reconsideration addressing these issues in CC Docket No. 96-115.

List of Subjects in 47 CFR Part 64

Communications common carriers, Reporting and recordkeeping requirements, Telephone.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 98-27190 Filed 10-8-98; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-106; RM-9277]

Radio Broadcasting Services; Missoula, MT

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 290A to Missoula, Montana, in response to a petition filed by Dale A. Ganske d/b/a L. Topaz Enterprises, Inc. See 63 FR 37090, July 9, 1998. The coordinates for Channel 290A at Missoula are 46-51-42 and 114-00-30. Canadian concurrence has been obtained for this allotment. With this action, this proceeding is terminated.

EFFECTIVE DATE: November 16, 1998.

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. 98-106, adopted September 23, 1998, and released October 2, 1998. 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., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

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:

47 CFR PART 73—[AMENDED]

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

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Montana, is amended by adding Channel 290A at Missoula.

Federal Communications Commission.

John A. Karousos,

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

[FR Doc. 98-27065 Filed 10-8-98; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Dockets No. 90-176, RM-7053 and RM-8040]

FM Broadcasting Services; Arnold and Columbia, California

AGENCY: Federal Communications Commission.

ACTION: Final Rule; petition for reconsideration.

SUMMARY: The Commission denied the petition for partial reconsideration, filed by Clarke Broadcasting Corporation, of the *Memorandum Opinion and Order* in MM Docket No. 90-176, 57 FR 45,577, published October 2, 1992. It also affirmed the *Memorandum Opinion and Order*, which, in reversing the *Report and Order* in this docket, 56 FR 26,367, published June 7, 1991, allotted Channel 255A to Columbia and Channel 240A to Arnold. With this action, the proceeding is terminated.

DATE: Effective October 9, 1998.

FOR FURTHER INFORMATION CONTACT: J. Bertron Withers, Jr., Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Memorandum Opinion and Order*, MM Docket No. 90-176, adopted September 30, 1998 and released October 2, 1998. The full text of this Commission decision is available for inspection and copying during normal business hours in Commission's Reference Center (Room 239), 1919 M Street, N.W., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, 2100 M Street, N.W., Suite 140, Washington, DC 20037, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Charles W. Logan,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 98-27064 Filed 10-8-98; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 971208298-8055-02; I.D. 082798B]

Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod

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

ACTION: Reallocation.

SUMMARY: NMFS is reallocating the projected unused amount of Bering Sea and Aleutian Islands management area (BSAI) Pacific cod from trawl catcher/processors and vessels using jig gear to vessels using hook-and-line or pot gear. These actions are necessary to allow the 1998 total allowable catch (TAC) of Pacific cod to be harvested.

DATES: Effective October 6, 1998.

FOR FURTHER INFORMATION CONTACT: Andrew N. Smoker, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific

Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

In accordance with § 679.20(c)(5), the Pacific cod TAC for the BSAI was established as 210,000 mt by the Final 1998 Harvest Specifications for Groundfish for the BSAI (63 FR 12689, March 16, 1998). Of this amount, 3,885 mt was allocated to vessels using jig gear, 45,649 mt to trawl catcher vessels, 45,649 mt to trawl catcher/processors, and 99,068 mt to vessels using hook-and-line or pot gear.

On September 4, 1998, NMFS published a request for public comment on a proposed reallocation of BSAI Pacific cod from trawl catcher/processors to either trawl catcher vessels and/or to vessels using hook-and-line or pot gear (63 FR 47218, September 4, 1998). Five letters of comment were received during the comment period from hook-and-line and trawl catcher/processor industry representatives. No comments were received from trawl catcher vessels expressing interest in the trawl catcher/processor projected unused amount. Trawl catcher/processor representatives expressed an interest in targeting Pacific cod in October and November after the end of the B season pollock fishery. Based on those comments and the expected bycatch of Pacific cod in the continuing pollock, yellowfin sole, and Atka mackerel fisheries, the projected unused amount was reduced from 7,000 mt to 1,500 mt.

Accordingly, the Acting Administrator, Alaska Region, NMFS (Acting Regional Administrator), has

determined that trawl catcher/processors will not be able to harvest 1,500 mt of Pacific cod allocated to those vessels under § 679.20(a)(7)(i)(A).

Therefore, in accordance with § 679.20(a)(7)(ii), NMFS apportions 1,500 mt of Pacific cod from trawl catcher/processors to vessels using hook-and-line or pot gear.

The Acting Regional Administrator also has determined that vessels using jig gear will not harvest 3,500 mt of Pacific cod by the end of the year. Therefore, in accordance with § 679.20(a)(7)(iii), NMFS is reallocating the unused amount of 3,500 mt of Pacific cod allocated to vessels using jig gear to vessels using hook-and-line or pot gear.

Classification

This action is taken under 50 CFR 679.20 and is exempt from OMB review under E.O. 12866.

The Assistant Administrator for Fisheries, NOAA, has determined, under section 553(b)(B) and (d)(3) of the Administrative Procedure Act and 50 CFR 679.20(b)(3)(iii)(A), that good cause exists for waiving the opportunity for public comment and the 30-day delayed effectiveness period for this action. Fisheries are currently taking place that will be supplemented by this apportionment. Delaying the implementation of this action would be disruptive and costly to these ongoing operations.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: October 6, 1998.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 98-27232 Filed 10-6-98; 2:36 pm]

BILLING CODE 3510-22-F