

suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 1764.02 and OMB Control No. 2060-0348 in any correspondence.

Ms. Sandy Farmer, U.S. Environmental Protection Agency, Office of Environmental Information, Collection Strategies Division (2822), 1200 Pennsylvania, NW, Washington, DC 20460;
and

Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for EPA, 725 17th Street, NW, Washington, DC 20503.

Dated: January 20, 2000.

Oscar Morales,

Director, Collection Strategies Division.

[FR Doc. 00-1964 Filed 1-26-00; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6530-1]

Acid Rain Program; Notice of the Filing of Petitions for Administrative Review and Notice of Final Action

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of the filing of petitions for administrative review and notice of final action.

SUMMARY: The purpose of this document is to announce the filing, with EPA's Environmental Appeals Board (EAB), of two petitions for review by UtiliCorp United, Inc. (UCU) of two decisions issued by EPA's Office of Air and Radiation, Acid Rain Division, and to announce the final agency action regarding one of these decisions. These decisions and petitions for review concern a request submitted by UCU for approval of a method for apportionment of the nitrogen oxide (NO_x) emissions from a common stack at UCU's Sibley, Missouri facility.

DATES: The EAB issued its Order Consolidating Petitions For Review, Denying Request For Interim Relief, And Denying Review Of Petition No. 99-3 on December 29, 1999.

FOR FURTHER INFORMATION CONTACT: Dwight C. Alpern, Attorney-Advisor, Clean Air Markets Division (formerly called "Acid Rain Division") (6204J), U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460 at (202) 564-9151.

SUPPLEMENTARY INFORMATION: On November 16, 1999, UCU filed, with the EAB, a petition for review (CAA Appeal No. 99-2) of a decision by EPA's Office of Air and Radiation, Acid Rain Division, dated October 15, 1999, disapproving UCU's petition for approval of a method for apportionment of (NO_x emissions from a common stack at UCU's facility located at Sibley, Missouri. The appeal raises issues regarding the requirement of 40 CFR 75.17(a)(2)(iii). On December 17, 1999, UCU filed, with the EAB, another petition for review (CAA Appeal No. 99-3) of a second decision issued by EPA's Office of Air and Radiation, Acid Rain Division, dated November 19, 1999, denying UCU's November 10, 1999 request for a stay of 40 CFR 75.17(a)(3)(iii) with respect to Unit 3 at UCU's Sibley, Missouri, facility. Both of these appeals were filed under 40 CFR part 78 of the Acid Rain regulations, and both petitions for review requested evidentiary hearings. On December 29, 1999, the EAB issued an order consolidating the two petitions for review, denying UCU's request for interim relief in CAA Appeal No. 99-2, and denying review of CAA Appeal No. 99-3. Motions for leave to intervene in the remaining administrative proceeding regarding CAA Appeal No. 99-2 under 40 CFR 78.11 must be filed by February 11, 2000 with the EAB.

Pursuant to 40 CFR 78.1(a)(2), for purposes of judicial review, final agency action occurs when a decision appealable under part 78 is issued and the procedure for appealing the decision are exhausted. This notice, being published today in the **Federal Register**, constitutes notice of the final agency action denying UCU's request for interim relief and review of CAA Appeal No. 99-3. If available, judicial review of this decision under section 307(b)(1) of the Clean Air Act (Act) may be brought only by the filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days from the date on which today's notice is published in the **Federal Register**. Under section 307(b)(2) of the Act, this decision shall not be subject to later judicial review in any civil or criminal proceeding for enforcement.

Dated: January 20, 2000.

Brian J. McLean,

Director, Clean Air Markets Division.

[FR Doc. 00-1961 Filed 1-26-00 8:45 am]

BILLING CODE 6560-50-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-6529-9]

Meeting of the Ozone Transport Commission for the Northeast United States

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of meeting; change of previously announced meeting times.

SUMMARY: The United States Environmental Protection Agency is announcing a change in the starting and ending times for the 2000 Winter Meeting of the Ozone Transport Commission. This meeting is for the Ozone Transport Commission to deal with appropriate matters within the Ozone Transport Region in the Northeast and Mid-Atlantic States, as provided for under the Clean Air Act Amendments of 1990. This meeting is not subject to the provisions of the Federal Advisory Committee Act, Public Law 92-463, as amended.

DATES: The meeting will be held on January 27, 2000 from 8:30 a.m. to noon. The times are a revision to those announced previously.

ADDRESSES: The meeting will be held at the Hilton Washington & Towers, 1919 Connecticut Avenue NW, Washington, DC; (202) 483-3000.

FOR FURTHER INFORMATION CONTACT: Judith M. Katz, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103; (215) 814-2900.

FOR DOCUMENTS AND PRESS INQUIRIES CONTACT: Bruce S. Carhart, Ozone Transport Commission, 444 North Capitol Street N.W., Suite 638, Washington, DC 20001; (202) 508-3840; e-mail: ozone@sso.org; website: <http://www.sso.org/otc>.

SUPPLEMENTARY INFORMATION: The Clean Air Act Amendments of 1990 contain at section 184 provisions for the "Control of Interstate Ozone Air Pollution." Section 184(a) establishes an "Ozone Transport Region" (OTR) comprised of the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, parts of Virginia and the District of Columbia.

The Assistant Administrator for Air and Radiation of the Environmental Protection Agency convened the first meeting of the commission in New York City on May 7, 1991. The purpose of the Ozone Transport Commission is to deal with ground level ozone formation, transport, and control within the OTR.

The purpose of this notice is to announce again that this Commission will meet on January 27, 2000. The meeting will be held at the address noted earlier in this notice.

Section 176A(b)(2) of the Clean Air Act Amendments of 1990 specifies that the meetings of the Ozone Transport Commission are not subject to the provisions of the Federal Advisory Committee Act. This meeting will be open to the public as space permits.

Type of Meeting: Open.

Agenda: Copies of the final agenda are available from Lisa Sims of the OTC office (202) 508-3840 (by e-mail: ozone@sso.org or via our website at <http://www.sso.org/otc>). The purpose of this meeting is to review air quality needs within the Northeast and Mid-Atlantic States, including reduction of motor vehicle and stationary source air pollution. The OTC is also expected to address issues related to the transport of ozone into its region, including actions by EPA under sections 110 and 126 of the Clean Air Act, to evaluate the potential for additional emission reductions through new motor vehicle emission standards, and to discuss market-based programs to reduce pollutants that cause ozone.

Dated: January 20, 2000.

Stanley L. Laskowski,

Acting Regional Administrator, Region III.

[FR Doc. 00-1960 Filed 1-26-00; 8:45 am]

BILLING CODE 6560-50-U

FEDERAL COMMUNICATIONS COMMISSION

[CS Docket No. 99-230, FCC 99-418]

Annual Assessment of the Status of Competition in Markets for the Delivery of Video Programming

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document is in compliance with the Communications Act of 1934, as amended, which requires the Commission to report annually to Congress on the status of competition in markets for the delivery of video programming. On December 30, 1999, the Commission adopted its sixth annual report ("1999 Report"). The 1999 Report contains data and information that summarize the status of competition in markets for the delivery of video programming and updates the Commission's prior reports.

FOR FURTHER INFORMATION CONTACT: Marcia Glauberman or Nancy

Stevenson, Cable Services Bureau, (202) 418-7200, TTY (202) 418-7172.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's 1999 Report in CS Docket No. 99-230, FCC 99-418, adopted December 30, 1999, and released January 14, 2000. The complete text of the 1999 Report is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, S.W., Washington, D.C., 20554, and may also be purchased from the Commission's copy contractor, International Transcription Service ("ITS, Inc."), (202) 857-3800, 1231 20th Street, N.W., Washington, D.C. 20036. In addition, the complete text of the 1999 Report is available on the Internet at <http://www.fcc.gov/csb/csrptpg.html>.

Synopsis of the 1999 Report

1. The Commission's 1999 Report to Congress provides information about the cable television industry and other multichannel video programming distributors ("MVPDs"), including direct broadcast satellite ("DBS") service, home satellite dishes ("HSDs"), wireless cable systems using frequencies in the multichannel multipoint distribution service ("MMDS") and instructional television fixed service ("ITFS"), private cable or satellite master antenna television (SMATV) systems, as well as broadcast television service. The Commission also considers several other existing and potential distributors of and distribution technologies for video programming, including the Internet, home video sales and rentals, local exchange telephone carriers ("LECs"), and electric and gas utilities.

2. The Commission further examines the market structure and issues affecting competition, including horizontal concentration, vertical integration, and technical advances. The 1999 Report addresses competitors serving multiple dwelling unit buildings (MDUs) and evidence of competitive responses by industry players that face competition from other MVPDs. The 1999 Report is based on publicly available data, filings in various Commission rulemaking proceedings, and information submitted by commenters in response to a *Notice of Inquiry* (64 FR 36013) in this docket.

3. In the 1999 Report, the Commission concludes that competitive alternatives and consumer choices continue to develop. Cable television still is the dominant technology for the delivery of video programming to consumers in the MVPD marketplace, although its share continues to decline. As of June 1999, 82% of all MVPD subscribers received their video programming from a local

franchised cable operator, compared to 85% a year earlier. There has been an increase in the total number of subscribers to noncable MVPDs, most of which is attributable to the continued growth of DBS. However, there have been declines in the number of subscribers and market shares of MVPDs using other distribution technologies. Significant competition from local telephone companies has not generally developed even though the Telecommunications Act of 1996 ("1996 Act") removed some barriers to LEC entry into the video marketplace.

4. Key Findings:

- **Industry Growth:** A total of 80.9 million households subscribed to multichannel video programming services as of June 1999, up 5.5% over the 76.6 million households subscribing to MVPDs in June 1998. This subscriber growth accompanied a 3.2 percentage point increase in multichannel video programming distributors' penetration of television households to 81.4% as of June 1999. The number of cable subscribers continued to grow, reaching 66.7 million as of June 1999, up almost 2% over the 65.4 million cable subscribers in June 1998. The total number of noncable MVPD households grew from 11.2 million as of June 1998 to 14.2 million homes as of June 1999, an increase of 26%. Noncable's share of total MVPD subscribers continued to grow, constituting 18% of all multichannel video subscribers as of June 1999, up from the 15% reported last year. The greatest growth of noncable MVPD subscribers was to DBS service. Between June 1998 to June 1999, the number of DBS subscribers grew from 7.2 million households to 10.1 million households. DBS subscribers now represent 12.5% of all MVPD subscribers, up from 9.4% a year earlier.

- **Convergence of Cable and Other Services:** The 1996 Act removed barriers to LEC entry into the video marketplace in order to facilitate competition between incumbent cable operators and telephone companies. It was expected that local exchange telephone carriers would begin to compete in video delivery markets, and cable operators would begin to provide local telephone exchange service. Since the 1998 Report, there has been an increase in the amount of video programming provided to consumers by telephone companies, although the expected technological convergence that would permit use of telephone facilities for video service has not yet occurred. In addition, only a limited number of cable operators have begun to offer telephone service, and such service uses traditional telephone