

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-221), we offer to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process. Small entities may contact the person listed under **FOR FURTHER INFORMATION CONTACT** for assistance in understanding and participating in this rulemaking. We also have a point of contact for commenting on actions by employees of the Coast Guard. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

Collection of Information

This rule calls for no new collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

We have analyzed this rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that order.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of E.O. 12988, Civil Justice Reform, to minimize

litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or safety that may disproportionately affect children.

Environment

The Coast Guard has considered the environmental impact of this action and has determined under figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, that this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. From November 2, 2000 to January 25, 2001, § 117.261(qq) is suspended and a new paragraph (uu) is added to read as follows:

§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.

* * * * *

(uu) *Jewfish Creek, mile 1134, Key Largo.* The draw may operate on single leaf with one-hour advance notice from November 2, 2000 until January 25, 2001 unless twelve hours advance notice for a double leaf opening is provided to the bridge tender.

Dated: October 27, 2000.

G.W. Sutton,

Captain, U.S. Coast Guard, Commander, Seventh Coast Guard District Acting.
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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-00-237]

Drawbridge Operation Regulations: Kennebec River, ME

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the drawbridge operation regulations for the Carlton Bridge, mile 14.0, across the Kennebec River between Bath and Woolwich, Maine. This deviation from the regulations allows the bridge owner to require at least a one-hour advance notice for bridge openings from 7:30 a.m. to 4:30 p.m., Monday through Friday, October 11, 2000 through November 15, 2000. This action is necessary to facilitate the safety of construction workers performing rehabilitation construction at the bridge.

DATES: This deviation is effective from October 11, 2000, through November 15, 2000.

FOR FURTHER INFORMATION CONTACT: John McDonald, Project Officer, First Coast Guard District, at (617) 223-8364.

SUPPLEMENTARY INFORMATION: The Carlton Bridge, at mile 14.0, across the Kennebec River has a vertical clearance in the closed position of 10 feet at mean high water and 16 feet at mean low water. The existing drawbridge operating regulations are listed at 33 CFR 117.525.

The bridge owner, Maine Department of Transportation (MDOT), requested a temporary deviation from the drawbridge operating regulations to facilitate the safety of construction workers performing rehabilitation repairs at the bridge. Sufficient time is needed to activate the operating machinery, and clear the bridge of construction workers and construction equipment.

This deviation to the operating regulations allows the owner of the Carlton Bridge to require at least a one-hour advance notice for bridge openings, from 7:30 a.m. to 4:30 p.m., Monday through Friday, October 11, 2000, through November 15, 2000.

The bridge owner did not provide the required thirty-day notice to the Coast Guard for this deviation; however, this deviation was approved because the repairs are necessary in order to keep the bridge operating and prevent an

unscheduled closure due to component failure.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to normal operation as soon as possible. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: October 23, 2000.

Gerald M. Davis,

*Captain, U.S. Coast Guard, Acting
Commander, First Coast Guard District.*

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0, 1, and 64

[CC Docket No. 94-129; FCC 00-135]

Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996; Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers

AGENCY: Federal Communications
Commission.

ACTION: Final rule; announcement of
effective date.

SUMMARY: This document announces the effective date of the amendments to certain liability rules in our slamming proceeding. We believe these modifications will strengthen the deterrent effect of our slamming liability rules, while addressing concerns raised with respect to the previous administrative procedures. The First Order on Reconsideration was

published in the **Federal Register** on August 3, 2000. Some of the rules contained information collection requirements.

DATES: Sections 1.719(a) through (d), 64.1110(a) and (b), 64.1140(a) and (b), 64.1150(a) through (d), 64.1160(b) through (f), and 64.1170(b) through (f) published at 65 FR 47678 (August 3, 2000), were approved by the Office of Management and Budget (OMB) on October 3, 2000 and will become effective on November 28, 2000.

FOR FURTHER INFORMATION CONTACT:

Michele Walters or Dana Walton-Bradford, Accounting Policy Division, Common Carrier Bureau, (202) 418-7400, TTY: (202) 418-0484.

SUPPLEMENTARY INFORMATION: On May 3, 2000, the Commission released a First Order on Reconsideration (Order), 65 FR 47678 (August 3, 2000), that adopted revised slamming liability rules, granting in part petitions for reconsideration of our *Section 258 Order*, 64 FR 7763 (February 16, 1999). Specifically, the revised rules provide that slamming disputes between consumers and unauthorized carriers may be brought before appropriate state commissions or this Commission, in cases where the state has not opted to administer our rules, rather than before authorized carriers. The Commission also modified the liability rules that apply when a consumer has paid charges to a slamming carrier. In such instances, our new rules require slamming carriers to pay 150% of the collected charges to the authorized carrier, which, in turn, will pay the consumer 50% of his or her original payment. Finally, the Commission sets forth certain notification requirements

to facilitate carriers' compliance with the liability rules. The Commission believes these modifications will strengthen the deterrent effect of the slamming liability rules, while addressing concerns raised with respect to the previous administrative procedures. A summary of the Order was published in the **Federal Register**. See 65 FR 47678 (August 3, 2000). Some of the rules contained information collection requirements that required OMB approval. On October 3, 2000, OMB approved the information collections. See OMB No. 3060-0787. The rule amendments adopted by the Commission in the Order will take effect on November 28, 2000. This publication satisfies the statement in the Order that the Commission would publish a document in the **Federal Register** announcing the effective date of the rules.

List of Subjects

47 CFR Part 0

Classified information, Freedom of information, Reporting and recordkeeping.

47 CFR Part 1

Administrative practice and procedure, Communications common carriers, Telecommunications.

47 CFR Part 64

Communications common carriers, Reporting and recordkeeping requirements, Telephone.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

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