

governed by the provisions of § 101–26.308.

Dated: December 27, 1995.

Thurman M. Davis, Sr.,

*Acting Administrator of General Services.*

[FR Doc. 96–8256 Filed 4–3–96; 8:45 am]

BILLING CODE 6820–24–M

## FEDERAL MARITIME COMMISSION

### 46 CFR Part 514

[Docket No. 95–08]

#### Service Contract Filing Requirements; Miscellaneous Revisions

AGENCY: Federal Maritime Commission.

ACTION: Final rule; correction.

**SUMMARY:** The Federal Maritime Commission is correcting errors in the Exhibit II to Part 514 served with the Final Rule in this proceeding.

**EFFECTIVE DATE:** April 4, 1996.

#### FOR FURTHER INFORMATION CONTACT:

Bryant L. VanBrakle, Director, Bureau of Tariffs, Certification and Licensing, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573, (202) 523–5796.

**SUPPLEMENTARY INFORMATION:** On February 6, 1996 the Federal Maritime Commission (“Commission”) served its Final Rule in this proceeding, which was published in the February 12, 1996 Federal Register.<sup>1</sup> Appended to the Final Rule was an Exhibit II to 46 CFR Part 514 (“Exhibit”), which sets forth an example of the abbreviated format service contract provided for by the Final Rule.

There were errors in the Exhibit included with the Final Rule. A corrected copy reflecting the version published with the Proposed Rule and intended to be adopted by the Commission in this proceeding<sup>2</sup> is attached to this errata notice.

Joseph C. Polking,  
*Secretary.*

Accordingly, the publication on February 12, 1996 of the final rule is corrected as follows:

On page 5311, Exhibit II to part 514 is corrected to read as follows:

Exhibit II to Part 514

#### *Sample Abbreviated Format Service Contract*

Service Contract No.: SC 1–95

FMC File No.: 50,000

Essentials Terms No.: ET 1–95

Amendment No.: \_\_\_\_\_

Service Contract Essential Terms Publication No.: 003

Tariff(s) of General Applicability No.: 001, 002

Carrier/Conference Name: Efficient Liner Transportation, Inc.

Carrier/Conference Address: 1227 Seaway Drive, Washington, DC 20573

and

Shipper Name: ABC Electronics Company  
Shipper Address: 7221 Happiness Lane, New York, NY 10001

This is a service contract pursuant to the Shipping Act of 1984 (46 U.S.C. app. 1701 *et seq.*) and FMC rules at 46 CFR Part 514, between “CARRIER/CONFERENCE” and “SHIPPER” parties named herein. The contract parties certify that the terms set forth herein and the essential terms as published in Carrier/Conference Service Contract Essential Terms Tariff No. 003, ET No. 1–95, in the Federal Maritime Commission’s Automated Tariff Filing and Information System, constitute the true and complete copy of all aspects of this contract and are hereby incorporated by reference.

Further, shipper party named herein certifies its status and that of any affiliate(s)/ subsidiary(ies) named herein as (check appropriate box(es):

NVOCC \_\_\_\_\_  
Shippers’ Association \_\_\_\_\_  
Owner of Cargo \_\_\_\_\_  
Other (Please specify) \_\_\_\_\_

Records maintained to support shipments under this service contract are: bills of lading, shipping manifests, and other related written correspondence between contract parties.

Contact person for records in the event of a request by the Federal Maritime Commission: Efficient Liner Transportation, Inc., Traffic Manager, 1227 Seaway Drive, Washington, DC 20573, (202) 523–5856.

(Carrier/Conference Signature)

Date

Efficient Liner Transportation, Inc.

(Shipper Signature)

Date

ABC Electronics Company

Affiliate of shipper: Quality Compact Discs, Inc.

Affiliate’s address: 7221–A Happiness Lane, New York, NY 10001

[FR Doc. 96–8201 Filed 4–3–96; 8:45 am]

BILLING CODE 6730–01–M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 64

[CC Docket No. 94–158; FCC 96–75]

#### Operator Service Providers and Call Aggregators

AGENCY: Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission adopted a combined Report and Order and Further Notice of Proposed Rule Making which amends the Commission’s rules and policies governing operator service providers (OSPs)<sup>1</sup> and call aggregators.<sup>2</sup> The Report and Order amends the Commission’s rules to require branding<sup>3</sup> to the parties on both ends of a collect call. The Report and Order also amends the Commission’s rules to establish minimum standards for aggregators to follow in routing and handling emergency telephone calls. In addition, the Commission has determined that it should not expand the definition of “aggregator” to apply to inmate-only phones at correctional institutions. The Commission also made two minor administrative amendments the rules to revise the title of Subpart G to include “Telephone Operator Services” and to amend the rule that lists the Commission’s address to be posted at aggregator locations. These decisions are intended to increase protection to consumers and provide them with information necessary in making informed choices regarding operator service calls.

**EFFECTIVE DATE:** September 2, 1996.

#### FOR FURTHER INFORMATION CONTACT:

Cathy Seidel, Enforcement Division, Common Carrier Bureau, (202) 418–0960.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission’s Report and Order in CC Docket No. 94–158 [FCC 96–75], adopted February 28, 1996 and released March 5, 1996. The full text of the Report and Order is available for inspection and copying during normal business hours in the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. The complete text of this decision may also be purchased from the Commission’s duplicating contractor, International Transcription Services, 2100 M Street, N.W., Suite 140, Washington, D.C. 20037 (202) 857–3800.

#### Paperwork Reduction Act

Public burden for collections of information is estimated to average 2

<sup>1</sup> “Provider of operator services means any common carrier that provides operator services or any other person determined by the Commission to be providing operator services.” 47 CFR § 64.708(i).

<sup>2</sup> An “aggregator” is “any person that, in the ordinary course of its operations, makes telephones available to the public or to transient users of its premises, for interstate telephone calls using a provider of operator services.” *Id.* § 64.708(b).

<sup>3</sup> “Call branding” is the process by which an OSP audibly and distinctly identifies itself to the consumer who uses its operator services. See 47 U.S.C. 226(b)(1)(A); 47 CFR § 64.703(a)(1).

<sup>1</sup> 61 FR 5308.

<sup>2</sup> 60 FR 27248 (May 23, 1995).

seconds per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collections of information. Send comments regarding this burden estimate or any other aspect of the collections of information including suggestions for reducing the burden to the Federal Communications Commission, Records Management Branch, Paperwork Reduction Project (3060-0666), Washington, D.C. 20554.

## Summary of Report and Order

### I. Background

1. On February 28, 1996, the Commission adopted a combined Report and Order and Further Notice of Proposed Rule Making in Docket 94-158 (released March 5, 1996, FCC 96-75). The Report and Order amends the rules to require branding to the parties on both ends of a collect call. Prior rules required only branding to the party initiating an operator service call. In addition, as required by the Telecommunications Authorization Act of 1992 (TAA),<sup>4</sup> the order amends Commission rules to establish minimum standards for the routing and handling of emergency telephone calls by aggregators. The Commission also concluded that it should not expand the definition of aggregator to apply to correctional institutions and should make no changes in the treatment of entities that provide interstate telecommunications services to prisons and other correctional facilities. Finally, the Commission determined that it is in the public interest to make two minor administrative amendments to Part 64, one to expand the title of Subpart G and the other to change a portion of the Commission's address which is listed in Section 64.703(b)(3).

### II. Discussion

#### A. Section 64.708—Definition of "Consumer" When Branding Collect Calls

2. *Background and Proposal.* Section 226(b)(1)(A) of the Act and section 64.703(a)(1) of the Commission's rules require an OSP to identify itself, audibly and distinctly, to the consumer at the beginning of each telephone call and before the consumer incurs any charge for the call.<sup>5</sup> This identification is known as "call branding." Section 226(a)(4) of the Act and section 64.708(d) of the Commission's rules define a "consumer" as "a person

initiating any interstate telephone call using operator services."<sup>6</sup> The question of which party to a collect call should be treated as the "consumer," and is therefore entitled to branding, was not specifically addressed in section 226 and the implementing regulations.

3. After thoroughly considering the comments concerning its proposal to expand the definition of a "consumer" in the collect calling context to include both the calling party and the called party, the Commission decided to adopt its proposed amendment. The Commission recognized that collect calls involve two parties making choices: the calling party chooses to place a collect call from the particular telephone to the called party, while the called party decides whether to accept the call and thereby incur the charges. Both of these parties make decisions that require informed choices, and each may need protection from unfair and deceptive OSP practices that may have an impact on calling costs and call acceptance.<sup>7</sup>

4. Accordingly, the Commission modified section 64.708(d) of the Commission's rules concerning the definition of "consumer" to add that "[i]n collect calling arrangements handled by a provider of operator services, both the party on the originating end of the call and the party on the terminating end of the call are consumers under this definition."

#### B. Section 64.706—Routing and Handling of Emergency Telephone Calls

5. The Commission also modified section 64.706 of the Commission's rules concerning the minimum standards for the routing and handling of emergency telephone calls. As revised, this section requires aggregators, as well as providers of operator services, to ensure immediate connection of the emergency call to the appropriate service for the reported location of the emergency, if known, and, if not known, for the originating location of the call. As the Commission determined in CC Docket No. 90-313, it found here that it is not necessary to prescribe more specific rules delineating the responsibilities of OSPs and aggregators, and states are free to adopt more stringent requirements. The Commission saw no need at this time to

impose more complex requirements on aggregators handling emergency calls than are currently established for operator services providers. The Commission noted, however, that responsibility for calls under this regulation ultimately remains with the party or parties who actually handle and route the calls rather than the parties who merely contract out the operation of its telephones.

#### C. Treatment of Inmate-Only Telephones in Correctional Institutions

6. The Commission considered the comments concerning modification of its regulatory treatment of inmate-only telephones in correctional institutions and concluded that changes now would be premature. The Commission stated that in view of the "exceptional" circumstances presented by the correctional environment, which have not changed since its *Report and Order* in CC Docket No. 90-313, 56 FR 18519 (April 23, 1991), it was not convinced that it should now require these services to operate like ones that serve the general public. The Commission expressed concern, however, about the apparently high rates that some providers charge, which are ultimately borne by members of the general public.<sup>8</sup> It concluded, however, that action to modify Commission rules so as to treat inmate-only phones in correctional institutions as aggregator locations was not supported by the record in this proceeding.

#### D. Administrative Amendments: Title of Subpart G, Part 64; Section 64.703(b)(3)—Commission Address

7. No comments were filed concerning the Commission's proposal to expand the Title of Subpart G, Part 64 to include "Telephone Operator Services." The Commission, therefore, found that this amendment is in the public interest as a more complete description of the subject matter encompassed by Subpart G, Part 64 and adopted the proposal.

8. The Commission also concluded that amendment of section 64.703(b)(3) to change a portion of the Commission's address to be posted at aggregator locations from "room 6202" to "Mail Stop 1600A2" is in the public interest. This change is made necessary by the change of the official Enforcement Division address and will allow more efficient mail routing. Aggregators should make this address change on the posted signage when they next update

<sup>6</sup> 47 U.S.C. 226(a)(4); 47 CFR § 64.708(d).

<sup>7</sup> Section 226 directed the Commission to conduct a rule making proceeding to prescribe regulations to ensure that consumers are protected from unfair and deceptive practices relating to their use of operator services and to ensure that consumers have the opportunity to make informed choices when placing operator service calls. 47 U.S.C. 226(d)(1)(A), (B).

<sup>4</sup> Pub. L. No. 102-538, 106 Stat. 3533 (1992).

<sup>5</sup> 47 U.S.C. 226(b)(1)(A); 47 CFR § 64.703(a)(1).

<sup>8</sup> Calls from correctional institutions are usually made on a collect basis to family members or other members of the general public.

that signage for other purposes, such as for the change of a presubscribed OSP. This change is proper without prior public notice under 47 CFR section 1.412 and 5 U.S.C. 553(b).

### III. Ordering Clauses

9. Accordingly, *it is ordered*, pursuant to sections 1, 4(i), 4(j). 201–205, 218, and 226 of the Communications Act, 47 U.S.C. 151, 154(i), 154(j), 201–205, 218, 226, that Part 64 of the Commission's Rules, 47 CFR Part 64, are amended as set forth below.

10. It is further ordered that this Report and Order will be effective sixty (60) days after publication of a summary thereof in the Federal Register.

#### List of Subjects in 47 CFR Part 64

Communication common carriers, Reporting and recordkeeping requirements, Telephone.

Federal Communications Commission.

William F. Caton,

*Acting Secretary.*

Rules Changes

### PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

Part 64 of Title 47 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 64 continues to read as follows:

Authority: Sec. 4, 48 Stat. 1066, as amended, 47 U.S.C. 154, unless otherwise noted. Interpret or apply secs. 201–4, 218, 225, 226, 227, 48 Stat. 1070, as amended, 1077; 47 U.S.C. 201, 218, 225, 226, 227, unless otherwise noted.

2. The title of Subpart G, Part 64 is revised to read as follows:

#### Subpart G—Furnishing of Enhanced Services and Customer-Premises Equipment by Communications Common Carriers; Telephone Operator Services

3. Section 64.703(b)(3) is revised to read as follows:

#### § 64.703 Consumer information.

\* \* \* \* \*

(b) \* \* \*

(3) The name and address of the Enforcement Division of the Common Carrier Bureau of the Commission (FCC, Enforcement Division, CCB, Mail Stop 1600A2, Washington, DC 20554), to which the consumer may direct complaints regarding operator services.

\* \* \* \* \*

4. Section 64.706 is revised to read as follows:

#### § 64.706 Minimum standards for the routing and handling of emergency telephone calls.

Upon receipt of any emergency telephone call, providers of operator services and aggregators shall ensure immediate connection of the call to the appropriate emergency service of the reported location of the emergency, if known, and, if not known, of the originating location of the call.

5. Section 64.708 is amended by revising paragraph (d) to read as follows:

#### § 64.708 Definitions.

\* \* \* \* \*

(d) *Consumer* means a person initiating any interstate telephone call using operator services. In collect calling arrangements handled by a provider of operator services, both the party on the originating end of the call and the party on the terminating end of the call are consumers under this definition.

\* \* \* \* \*

[FR Doc. 96–8200 Filed 4–3–96; 8:45 am]

BILLING CODE 6712–01–P

#### 47 CFR Part 73

[MM Docket No. 93–17; RM–8170]

#### Radio Broadcasting Services; Rosendale, NY

AGENCY: Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document denies a Petition for Reconsideration filed by State University of New York, licensee of noncommercial educational Station WFNP, Channel \*204A, Rosendale, New York, directed to the *Report and Order* in this proceeding which denied its proposal to modify the Station license to specify operation on Channel 273A. See 60 FR 54954, October 27, 1995. This document also dismisses a related Emergency Request for Stay of FM Application Window. With this action, the proceeding is terminated.

**EFFECTIVE DATE:** April 4, 1996.

**FOR FURTHER INFORMATION CONTACT:** Robert Hayne, Mass Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Memorandum Opinion and Order* in MM Docket No. 93–17, adopted March 14, 1996, and released March 28, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC 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 contractor, International Transcription Service, Inc., (202) 857–3800, 1919 M Street, NW., Room 246, or 2100 M Street, NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Douglas W. Webbink,

*Chief, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 96–8198 Filed 4–3–96; 8:45 am]

BILLING CODE 6712–01–F