

NE. The FAA has developed NDB RWY 12 and NDB RWY 30 SIAPs to serve Alliance Municipal Airport, Alliance, NE. The intended effect of this amendment at Alliance Municipal Airport, NE, will provide segregation of aircraft operating under Instrument Flight rules (IFR) from aircraft operating in visual weather conditions. The areas will be depicted on appropriate aeronautical charts thereby enabling pilots to circumnavigate the areas or otherwise comply with IFR procedures. Class E airspace designated as a surface area for an airport are published in paragraph 6002, and Class E airspace areas extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

*Paragraph 6002 Class E airspace designated as a surface area for an airport.*

\* \* \* \* \*

#### ACE NE E2 Alliance, NE

Alliance Municipal Airport, NE  
(Lat. 42°03'12"N., long. 102°48'14"W.)  
Alliance VOR/DME  
(Lat. 42°03'20"N., long. 102°48'16"W.)  
Alliance  
(Lat. 42°02'35"N., long. 102°47'58"W.)

Within a 4.3-mile radius of Alliance Municipal Airport and within 2.5 miles each side of the 124° bearing from the Alliance NDB extending from the 4.3-mile radius to 7 miles southeast of the NDB and within 2.6 miles each side of the 145° radial of the Alliance VOR/DME extending from the 4.3-mile radius to 8.7 miles southeast of the VOR/DME and within 2.6 miles each side of the 302° radial of the Alliance VOR/DME extending from the 4.3-mile radius to 5.7 miles northwest of the VOR/DME and within 2.5 miles each side of the 318° bearing from the Alliance NDB extending from the 4.3-mile radius to 7 miles northwest of the NDB. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### ACE NE E5 Alliance, NE

Alliance Municipal Airport, NE  
(Lat. 42°03'12"N., long. 102°48'14"W.)  
Alliance VOR/DME  
(Lat. 42°03'20"N., long. 102°48'16"W.)  
Alliance NDB  
(Lat. 42°02'35"N., long. 102°47'48"W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of the Alliance Municipal Airport and within 2.5 miles each side of the 124° bearing from the Alliance NDB extending from the 6.8-mile radius to 7 miles southeast of the NDB and within 3 miles each side of the 145° radial of the Alliance VOR/DME extending from the 6.8-mile radius to 10.5 miles southeast of the VOR/DME

and within 2.5 miles each side of the 318° bearing from the Alliance NDB extending from the 6.8-mile radius to 7 miles northwest of the NDB and within 3 miles each side of the 302° radial of the Alliance VOR/DME extending from the 6.8-mile radius to 8.7 miles northwest of the VOR/DME.

\* \* \* \* \*

Issued in Kansas City, MO, on November 19, 1998.

**Christopher R. Blum,**

Acting Manager, Air Traffic Division, Central Region.

[FR Doc. 98–34775 Filed 12–31–98; 8:45 am]

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## FEDERAL TRADE COMMISSION

### 16 CFR Part 308

#### Pay-Per-Call Rule

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice of extension of comment period; change in date for public workshop; and availability of additional material.

**SUMMARY:** The Federal Trade Commission ("the Commission" or "FTC") has extended the date by which comments must be submitted concerning the review of its Trade Regulation Rule Pursuant to the Telephone Disclosure and Dispute Resolution Act of 1992 ("Pay-Per-Call Rule"). This document informs prospective commenters of the change and sets a new date of March 10, 1999 for the end of the comment period, and new dates of May 20 and 21, 1999 for the public workshop. This document also informs interested parties of typesetting errors in the Commission's Notice of Proposed Rulemaking ("NPRM") on the Pay-Per-Call Rule. Finally, this document informs interested parties that, for the convenience of the commenters, certain materials that were cited in the NPRM will now be made available for public inspection at the address listed below.

**DATES:** Written comments will be received until the close of business on March 10, 1999. Notification of interest in participating in the public workshop must be submitted separately on or before March 10, 1999. The public workshop will be held at the Federal Trade Commission on May 20 and 21, 1999, from 9:00 a.m. until 5:00 p.m. each day.

**ADDRESSES:** Six paper copies of each written comment should be submitted to the Office of the Secretary, Room 159, Federal Trade Commission, 600 Pennsylvania Ave., NW, Washington,

DC 20580. If possible, comments should also be submitted in electronic form, pursuant to the instructions contained in the NPRM. Comments should be identified as "Pay-Per-Call Rule Review—Comment. FTC File No. R6111016." Notifications of interest in participating in the public workshop should be addressed to Carole Danielson, Division of Marketing Practices, Federal Trade Commission, 600 Pennsylvania Ave., NW, Washington, DC 20580. Materials cited in the NPRM are available for public inspection at the FTC's Public Reference Section, Room 130, Federal Trade Commission, 600 Pennsylvania Ave., NW., Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** Adam G. Cohen, (202) 326-3411, Marianne K. Schwanke, (202) 326-3165, or Carole I. Danielson, (202) 326-3115, Division of Marketing Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC.

**SUPPLEMENTARY INFORMATION:** On October 30, 1998, at 63 FR 58524, the Commission published a request for comment on its Notice of Proposed Rulemaking ("NPRM") regarding proposed amendments to its Pay-Per-Call Rule. The Pay-Per-Call Rule governs the advertising and operation of pay-per-call services, and establishes billing dispute procedures for those services as well as for other telephone-billed purchases. The comment period is currently scheduled to close on January 8, 1999, and the public workshop is scheduled for February 25 and 26, 1999.

On December 14, 1998, a diverse group representing a broad cross-section of interests<sup>1</sup> filed a Joint Request for Extension of Comment Deadline, in which they requested an extension of the comment period by thirty (30) days to February 8, 1999. The parties indicated that additional time was required to prepare thorough, thoughtful responses to the comprehensive and complex set of proposals contained in the NPRM. Subsequently, the Commission received two additional requests for extension; the first also seeking an additional 30 days,<sup>2</sup> and the second seeking a 60-day extension of the comment period.<sup>3</sup>

<sup>1</sup> The Joint Request signatories include: the American Association of Retired Persons, the Billing Reform Task Force, the Coalition to Ensure Responsible Billing, AT&T Corp., the Promotion Marketing Association, and the Teleservices Industry Association.

<sup>2</sup> On December 15, 1998, a request for a 30-day extension was received from the law firm of Kelley Drye & Warren, LLP, on behalf of Cable & Wireless (West Indies) Ltd.

<sup>3</sup> The Electronic Commerce Association submitted a request on behalf of its members, on

The Commission is mindful of the need to resolve this matter expeditiously. However, the Commission is also aware that the issues raised by the NPRM are complex and it welcomes as much substantive input as possible to facilitate its decision-making process. Accordingly, in order to provide sufficient time for these and other interested parties to prepare useful comments, the Commission has decided to extend the deadline for comments by sixty (60) days, until March 10, 1999. The Commission has likewise rescheduled the public workshop for May 20 and 21, 1999.

It should be noted that the NPRM as published in the Federal Register on October 30, 1998, omitted italicization that the Commission had included in many places throughout the text for emphasis or organizational clarity. The italics were erroneously removed in the printing process. An accurate and properly italicized version of the Commission's NPRM is available in the Commission's Public Reference room and on the Commission's Web page, at [www.ftc.gov](http://www.ftc.gov). Commenters wishing to cite to the NPRM, however, should cite to the **Federal Register** version of the document.

Finally, for the convenience of interested parties, certain materials cited in the NPRM will be made available for public inspection at the FTC's Public Reference Section, Room 130, Federal Trade Commission, 600 Pennsylvania Ave., NW, Washington, DC 20580. These materials include, but are not limited to, pleadings and other filings from Commission and state enforcement actions, as well as newspaper and magazine articles. In addition, the Commission may make available other materials that may be useful to commenters, such as consumer complaints. The Commission may continue to update these materials periodically, as appropriate.

#### List of Subjects in 16 CFR Part 308

Advertising, 900 telephone numbers, Pay-per-call services, Telephone, Telephone-billed purchases, Toll-free numbers, Trade practices.

**Authority:** Pub. L. 102-556, 106 Stat. 4181 (15 U.S.C. 5701, *et seq.*); Sec. 701, Pub. L. 104-104, 110 Stat. 56 (1996).

By the direction of the Commission.

**Donald S. Clark,**  
*Secretary.*

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December 16, 1998, requesting a 60-day extension of the comment period.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Part 876

[Docket No. 98N-1111]

#### External Penile Rigidity Devices; Proposed Classification for the External Penile Rigidity Devices

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Proposed rule.

**SUMMARY:** The Food and Drug Administration (FDA) is proposing to classify the generic type of external penile rigidity device including constriction rings, vacuum pumps, and penile splints for the management of erectile dysfunction. These devices fit on, over, or around the penis to support, promote, or maintain sufficient penile rigidity for sexual intercourse. Under the proposal, the external penile rigidity devices would be classified into class II (special controls). The agency is issuing in this document the recommendations of the Gastroenterology-Urology Advisory Panel regarding the classification of these devices. After considering public comments on the proposed classification, FDA will publish a final regulation classifying this device. This action is being taken to establish sufficient regulatory controls that will provide reasonable assurance of the safety and effectiveness of this device.

**DATES:** Written comments by April 5, 1999. See section V of this document for the proposed effective date of a final rule based on this document.

**ADDRESSES:** Submit written comments to the Documents Management Branch (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Donald St. Pierre, Center for Devices and Radiological Health (HFZ-470), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301-594-2194.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 301 *et seq.*), as amended by the Medical Device Amendments of 1976 (the 1976 amendments) (Pub. L. 94-295) and the Safe Medical Devices Act of 1990 (the SMDA) (Pub. L. 101-629), established a comprehensive system for the regulation of medical devices intended for human