

Dated: June 30, 1998.

Nancy-Ann Min DeParle,
Administrator, Health Care Financing
Administration.

Dated: July 9, 1998.

Donna E. Shalala,
Secretary.

[FR Doc. 98-18746 Filed 7-10-98; 8:45 am]

BILLING CODE 4120-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0 and 63

[FCC 98-127]

Notification of Common Carriers of Service Disruptions

AGENCY: Federal Communications
Commission.

ACTION: Final rule.

SUMMARY: This *Order* amends the Commission's rules that require carriers to send final reports of certain telephone network service outages to the Chief of the Common Carrier Bureau. This order amends the rules so that carriers required to provide the Commission with final reports of those outages will be directed to send them to the Chief of the Office of Engineering and Technology instead of the Chief of the Common Carrier Bureau.

EFFECTIVE DATE: July 13, 1998.

FOR FURTHER INFORMATION CONTACT:
Robert Kimball, Office of Engineering
and Technology, (202) 418-2339.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, FCC 98-127, adopted June 19, 1998, and released June 25, 1998. 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, N.W., Washington, D.C., and also may be purchased from the Commission's duplication contractor, International Transcription Service, (202) 857-3800, 1231 20th Street, N.W. Washington, D.C. 20036.

Summary of Order

The Commission's rules require wireline common carriers to send final reports of certain telephone network service outages to the Chief of the Common Carrier Bureau. The Order summarized here amends the rule so that carriers required to provide the Commission with final reports of those outages will be directed to send them to the Chief of the Office of Engineering and Technology instead.

Since February 18, 1996, the Office of Engineering and Technology has coordinated the meetings and other activities of the Network Reliability Council, now called the Network Reliability and Interoperability Council. Previously this coordinating function was carried out by the Common Carrier Bureau. The receipt and tabulation of outage reports, however, continues to be carried out by the staff of the Common Carrier Bureau. Since these outage reports are relied upon by the Council in the conduct of its research and since tabulation and any analysis that may be required is best conducted by those most familiar with the best practice recommendations of the Council, the Council coordination function and the receipt and tabulation function should be consolidated in the same office.

Regulatory Flexibility Analysis

The Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, does not apply to this proceeding because the Commission is adopting this rule without notice and comment. See 5 U.S.C. 603(a) and 604(a). Notice and comment are not required because the Commission is modifying a "rule of agency organization, procedure, or practice." See 5 U.S.C. 553(b)(A). Moreover, the Commission has found that notice and comment are unnecessary here. See 5 U.S.C. 553(b)(B).

List of Subjects

47 CFR Part 0

Organization and functions
(government agencies).

47 CFR Part 63

Communications common carriers,
Reporting and recordkeeping
requirements.

Federal Communications Commission.

Magalie Roman Salas,
Secretary.

Rule Changes

For the reasons discussed in the preamble, Parts 0 and 63 of Title 47 of the Code of Federal Regulations are amended as follows:

PART 0—COMMISSION ORGANIZATION

1. The authority citation for part 0 continues to read as follows:

Authority: Secs. 5, 48 Stat. 1068, as amended; 47 U.S.C. 155.

2. Section 0.31 is amended by revising paragraph (j) to read as follows:

§ 0.31 Functions of the Office.

* * * * *

(j) To perform all engineering and management functions of the Commission with respect to formulating rules and regulations, technical standards, and general policies for parts 15, 18 and section 63.100 of this chapter, and for type approval and acceptance, and certification of radio equipment for compliance with the Rules.

* * * * *

PART 63—EXTENSION OF LINES AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS

3. The authority citation for part 63 continues to read as follows:

Authority: 47 U.S.C. 151, 154(i), 154(j), 201-205, 218, 403 and 533, unless otherwise noted.

4. Section 63.100, paragraphs (b), (c), (d), and (h) are amended by revising the last sentence of each paragraph and paragraph (e) introductory text, is amended by revising the ninth sentence to read as follows:

§ 63.100 Notification of service outage.

* * * * *

(b) * * * Not later than thirty days after the outage, the carrier shall file with the Chief, Office of Engineering and Technology, a Final Service Disruption Report providing all available information on the service outage, including any information not contained in its Initial Service Disruption Report and detailing specifically the root cause of the outage and listing and evaluating the effectiveness and application in the immediate case of any best practices or industry standards identified by the Network Reliability Council to eliminate or ameliorate outages of the reported type.

(c) * * * Not later than thirty days after the outage, the carrier shall file with the Chief, Office of Engineering and Technology, a Final Service Disruption Report providing all available information on the service outage, including any information not contained in its Initial Service Disruption Report and detailing specifically the root cause of the outage and listing and evaluating the effectiveness and application in the immediate case of any best practices or industry standards identified by the Network Reliability Council to eliminate

or ameliorate outages of the reported type.

(d) * * * Not later than thirty days after the outage, the carrier shall file with the Chief, Office of Engineering and Technology, a Final Service Disruption Report providing all available information on the service outage, including any information not contained in its Initial Service Disruption Report and detailing specifically the root cause of the outage and listing and evaluating the effectiveness and application in the immediate case of any best practices or industry standards identified by the Network Reliability Council to eliminate or ameliorate outages of the reported type.

(e) * * * Not later than thirty days after the outage, the carrier shall file with the Chief, Office of Engineering and Technology, a Final Service Disruption Report providing all available information on the service outage, including any information not contained in its Initial Service Disruption Report and detailing specifically the root cause of the outage and listing and evaluating the effectiveness and application in the immediate case of any best practices or industry standards identified by the Network Reliability Council to eliminate or ameliorate outages of the reported type.

* * * * *

(h) * * * Not later than thirty days after the outage, the carrier shall file with the Chief, Office of Engineering and Technology, a Final Service Disruption Report providing all available information on the service outage, including any information not contained in its Initial Service Disruption Report and detailing specifically the root cause of the outage and listing and evaluating the effectiveness and application in the immediate case of any best practices or industry standards identified by the Network Reliability Council to eliminate or ameliorate outages of the reported type.

* * * * *

[FR Doc. 98-18562 Filed 7-10-98; 8:45 am]

BILLING CODE 6712-01-P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR PARTS 191, 192, 193, 194, 195

[Docket PS-153; Amdt. 191-14; 192-85; 193-16; 194-3; 195-63.]

RIN 2137-AC98

Metric Equivalents

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Final rule.

SUMMARY: This final rule amends the pipeline safety regulations to provide metric equivalents. The metric equivalents are being provided for informational purposes only. Operators would continue to use the English measures for purposes of compliance and enforcement. No changeover to the metric system of measurement is being contemplated at this time. This may be reconsidered in the future.

DATES: Effective July 13, 1998.

FOR FURTHER INFORMATION CONTACT: Marvin Fell, (202) 366-6205, or by e-mail at marvin.fell@rspa.dot.gov regarding the subject matter of this final rule or regarding copies of this final rule and other material in the docket.

SUPPLEMENTARY INFORMATION:

I. Background

Executive Order 12770, titled "Metric Usage in the Federal Government" (July 25, 1991), requires Federal agencies to use metric measures in their business-related activities as a means to implement the metric system of measures as the preferred system of weights and measures for the United States.¹ In order to explore its responsibilities under this Executive Order, RSPA published an Advance Notice of Proposed Rulemaking (ANPRM) on October 23, 1996 (61 FR 55069). RSPA also held a public meeting on January 10, 1997 in Dallas, Texas. On March 11, 1997, RSPA published an additional notice seeking further comment on the metrication issue, particularly on the publication of metric equivalents for all numerical measures in the pipeline safety regulations. After considering the public comments to the notice and the

opinions expressed at the public meeting, RSPA published a Notice of Proposed Rulemaking (NPRM) on December 29, 1997 (62 FR 67602-67607).

In its October 23, 1996, Notice of Public Meeting, RSPA requested comments on seven questions. These questions concerned the best method for providing metric conversion and the cost impact of conversion on the pipeline industry, including the impact on small entities. The majority of respondents were pipeline operators who opposed metric-only regulations. As an alternative, they favored providing metric equivalents. They cited the increased costs that could result from metric conversion with no increase in safety. Some operators contended that metric-only regulations might adversely impact small entities by imposing training and administrative costs that would not contribute to pipeline safety. A few commenters were in favor of metric only regulations.

RSPA received 13 comments to its NPRM, including two from individuals involved in metrication issues, three trade associations representing propane transporters and natural gas distribution and transmission operators, and eight hazardous liquid and gas pipeline operators. There was near unanimous agreement with RSPA's proposal to provide metric equivalents while maintaining English as the measure to be used for compliance. Several operators stated that requiring a metric only rulemaking would significantly add to compliance costs without adding any safety benefits. However, two commenters suggested that operators be able to choose whether to comply with metric or English measures. RSPA believes that these two commenters have a good point. RSPA would like to hear from any operator who would like to comply in metric rather than English. RSPA believes that this should add little to the government compliance costs.

The NPRM proposed displaying the metric measurement first, followed by the English equivalent in parentheses.

The comment cited most frequently by commenters is that since English will remain the measure for compliance purposes it would be appropriate to present the English measure first with the metric in parentheses. RSPA concurs with this comment. Therefore, RSPA will present all English measures with metric measures following in parentheses.

Several commenters noted that RSPA in its NPRM was not consistent in its use of significant figures and that RSPA use the American Society for Testing and Material (ASTM) Standard for

¹ Section 2(a) of Executive Order 12770 states that "[t]he head of each executive department and agency shall use * * * the metric system of measurement in Federal Government procurements, grants and other business-related activities. Other business-related activities include all use of measurement units in agency programs and functions related to trade, industry, and commerce."