announces our intent to amend the NSPS and EG for large MWC to provide regulatory relief from this 3-hour limitation for shutdowns due to these types of malfunction.

ADDRESSES: Dockets No. A–90–45 and A–89–08 contain the supporting information for development of NSPS and EG for large MWC and are available for public inspection and copying between 8 a.m. and 5:30 p.m., Monday through Friday, at the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, telephone (202) 260–7548, fax (202) 260–4000. These dockets are available at the above address in Room M–1500, Waterside Mall (ground floor). A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Fred Porter, Combustion Group, Emission Standards Division (MD–13), U.S. EPA, Research Triangle Park, North Carolina 27711, (919) 541–5251, electronic mail address: porter.fred@epa.gov.

SUPPLEMENTARY INFORMATION: Section 129 of the CAA requires us to develop NSPS and EG for several categories of solid waste incinerators, one of which is MWC. On December 19, 1995, we promulgated final NSPS and EG for large MWC (60 FR 65387). These NSPS and EG contain a provision requiring large MWC to comply with the standards (*i.e.,* emission limits) at all times, except during periods of startup, shutdown, and malfunction. Periods of startup, shutdown, and malfunction, however, are limited to 3 hours per occurrence. If it takes longer than 3 hours to startup or shutdown, or if a malfunction continues for longer than 3 hours, a large MWC is required to comply with the standards during that period of startup, shutdown, or malfunction which exceeds 3 hours.

Recently, it has come to our attention that there are a few types of malfunction which require shutdown, but, because of the nature of the malfunction and the ensuing safety concerns, require longer than 3 hours to shutdown the MWC. For the most part, this does not present a problem; proper operation of the emission control systems permit the MWC to maintain compliance with the emission limits, with one exception. This exception is the emission limit for carbon monoxide (CO).

Operating experience has identified three types of malfunction which require shutdown, but which require in excess of 3 hours for shutdown, during which it is not possible to comply with the emission limit for CO. The first is waterwall boiler tube failure, the second is loss of a combustion air fan, and the third is combustion grate failure.

These three types of malfunction lead to increased CO emissions. However, attempting to shutdown an MWC rapidly in these situations can present a risk of explosion which, in the extreme, could result in serious injury or even death of plant personnel. To avoid this risk, more than 3 hours is needed to safely shutdown the MWC under these situations.

The purpose of today's notice is to announce that we intend to amend the NSPS and EG for large MWC to provide regulatory relief from compliance with the CO emission limit during these types of malfunction and shutdown. While we intend to proceed quickly with adopting such amendments, we believe it is appropriate to announce our intent in advance.

Dated: December 13, 2000.

Robert Perciasepe,

Assistant Administrator for Air and Radiation.

[FR Doc. 00–32237 Filed 12–15–00; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[CC Docket No. 96–45; FCC 00–428]

Federal–State Joint Board on Universal Service

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rule.

SUMMARY: In this document, the Commission seeks comment on the narrow issue of whether to continue to apply certain sections of the Commission's rules to transfers of telephone exchanges between non-rural carriers following the phase-down of the interim hold-harmless support.

DATES: Comments are due on or before January 17, 2001, and reply comments are due on or before February 1, 2001.

ADDRESSES: All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. Parties also should send three paper copies of their filing to Sheryl Todd, Accounting Policy Division, Common Carrier Bureau, Federal Communications Commission, 445 Twelfth Street, SW., Room 5–B540, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: William Scher, Attorney, Common Carrier Bureau, Accounting Policy Division, (202) 418–7400.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Further Notice of Proposed Rulemaking in CC Docket No. 96–45 released on December 8, 2000. This is a companion to the Commission's Thirteenth Report and Order in CC Docket No. 96–45 also released December 8, 2000. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room CY–A257, 445 Twelfth Street, SW., Washington, DC 20554.

I. Introduction

1. In this Further Notice of Proposed Rulemaking (FNPRM), we seek comment on the narrow issue of whether to continue to apply § 54.305 of the Commission's rules to transfers of telephone exchanges between non-rural carriers following the phase-down of interim hold-harmless support for non-rural carriers, as provided for in the Commission's companion Thirteenth Report and Order in CC Docket No. 96–45 released on December 8, 2000. Section 54.305 requires a carrier that acquires an exchange to step into the seller's shoes for universal service support purposes. The Commission adopted the rule in 1997 as a stopgap measure to prevent carriers receiving support based on the size of their study areas and embedded costs from ''placing unreasonable reliance upon potential universal service support in deciding whether to purchase exchanges[.]'' Because all non-rural carriers will receive support based on forward-looking economic costs following the phase-down of interim hold-harmless support, we believe that the need for § 54.305 would no longer exist with regard to transfers between non-rural carriers once the phase-down is complete.

II. Further Notice of Proposed Rulemaking

2. Following the phase-down of interim hold-harmless support, all non-rural carriers will receive high-cost support based on the forward-looking economic costs of operating a given exchange. As a result, ''the level of support will not be a primary factor in a [non-rural] carrier's decision to purchase exchanges because the carrier's support will not be based on the size of the study area nor embedded costs.'' We believe this rule change is necessary regardless of the outcome of the current Federal–State Joint Board on Universal Service examination of the

Rural Task Force Recommendation on § 54.305, because application of § 54.305 to transfers between non-rural carriers may impede operation of the forward-looking mechanism by preventing calculation of the forward-looking economic costs of operating a transferred exchange on an ongoing, quarterly basis. We, therefore, seek comment on whether to amend § 54.305 of our rules so that it does not apply to transfers of exchanges between non-rural carriers following the phase-down of interim hold-harmless support.

III. Procedural Matters

a. Regulatory Flexibility Act Certifications—Final and Initial

3. The Regulatory Flexibility Act (RFA) requires an Initial Regulatory Flexibility Analysis (IRFA) of the possible significant economic impact on small entities of proposed policies and rules, and a Final Regulatory Flexibility Analysis (FRFA) whenever an agency subsequently promulgates a final rule, unless the agency certifies that the proposed or final rule will not have ''a significant economic impact on a substantial number of small entities,'' and includes the factual basis for such certification. The RFA generally defines ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act. A small business concern is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA). The SBA defines a small telecommunications entity in Standard Industrial Classification Code 4813 (Telephone Communications, Except Radiotelephone) as an entity with 1,500 or fewer employees.

4. We conclude that an IRFA is not required here. The foregoing Further Notice of Proposed Rulemaking proposes a rule change. The proposed rules affect the amount of high-cost support provided to non-rural carriers. Non-rural carriers generally do not fall within the SBA's definition of a small business concern because they are usually large corporations or affiliates of such corporations. Thus, the rules proposed here do not affect a substantial number of small entities. Therefore, we certify, pursuant to section 605(b) of the RFA, that the rule change proposed in the Further Notice of Proposed Rulemaking will not have a significant economic impact on a substantial number of small entities. The Commission will send a copy of the Further Notice of Proposed Rulemaking and of this certification to the Chief Counsel for Advocacy of the SBA. In addition, this certification will be published in the **Federal Register**. The Commission will send a copy of this Further Notice of Proposed Rulemaking, including a copy of this certification, in a report to Congress pursuant to the SBREFA.

b. Paperwork Reduction Act

5. The instant Further Notice of Proposed Rulemaking proposes no information collections.

c. Comment Filing Procedure

6. Pursuant to §§ 1.415 and 1.419 of the Commission's rules, interested parties may file comments on or before January 17, 2001, and reply comments on or before February 1, 2001. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121, May 1, 1998.

7. Comments filed through the ECFS can be sent as an electronic file via the Internet to *http://www.fcc.gov/e-file/ecfs.html*. Only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit electronic comments by Internet e-mail. To receive filing instructions for e-mail comments, commenters should send an e-mail to *ecfs@fcc.gov*, and should include the following words in the body of the message, ''get form <your e-mail address>.'' A sample form and directions will be sent in reply. In addition, parties who choose to file by paper must send diskette copies to the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20037.

IV. Ordering Clauses

21. Pursuant to the authority contained in sections 1–4, 201–205, 214, 218–220, 254, 303(r), 403, and 410 of the Communications Act of 1934, as amended, this Further Notice of Proposed Rulemaking is adopted and comments are requested as described.

22. The Commission's Consumer Information Bureau, Reference Information Center, shall send a copy of the Further Notice of Proposed Rulemaking, including the Regulatory Flexibility Act Certifications, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 54

Reporting and recordkeeping requirements, Telecommunications, Telephone.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 00–32072 Filed 12–15–00; 8:45 am]

BILLING CODE 6712–01–U

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 00–2791, MM Docket No. 00–246, RM–9859]

Digital Television Broadcast Service; Great Falls, MT

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by KRTV Communications, Inc., licensee of station KRTV(TV), NTSC Channel 3, Great Falls, Montana, requesting the substitution of DTV Channel 7 for its assigned DTV Channel 44. DTV Channel 7 can be allotted to Great Falls, Montana, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 47–32–09 N and 111–17–02 W. However, since the community of Great Falls is located within 400 kilometers of the U.S.-Canadian border, concurrence by the Canadian government must be obtained for this proposal. As requested, we propose to allot DTV Channel 7 to Great Falls with a power of 160 (kW) and a height average terrain (HAAT) of 180 meters.

DATES: Comments must be filed on or before February 5, 2001, and reply comments on or before February 20, 2001.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Room TW–A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Scott S. Patrick, Dow, Lohnes & Albertson, 1200 New Hampshire Avenue, NW., Suite 800, Washington, DC 20036–6802 (Counsel for KRTV Communications, Inc.).