

accordance with the "Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings" issued under the Executive Order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. section 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. section 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 6, 2000. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 62

Environmental protection, Administrative practice and procedure, Air pollution control, Hospital/medical/infectious waste incineration, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: March 16, 2000.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

40 CFR part 62 of the Code of Federal Regulations is amended as follows:

PART 62—[AMENDED]

1. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C. 7401–7642.

Subpart Z—Mississippi

2. Section 62.6100 is amended by adding paragraphs (b)(3) and (c)(4) to read as follows:

§ 62.6100 Identification of plan.

* * * * *

(b) * * *

(3) Adopted State Plan for Control of Air Emissions from Existing Hospital/Medical/Infectious Waste Incinerators, submitted on May 5, 1999, by the Mississippi Department of Environmental Quality.

(c) * * *

(4) Existing hospital/medical/infectious waste incinerators.

3. Subpart Z is amended by adding a new § 62.6124 and a new undesignated center heading to read as follows:

Air Emissions from Hospital/Medical/Infectious Waste Incinerators

§ 62.6124 Identification of sources.

The plan applies to existing hospital/medical/infectious waste incinerators for which construction, reconstruction, or modification was commenced before June 20, 1996, as described in 40 CFR part 60, subpart Ce.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 24 and 64

[CC Docket No. 97–213, FCC 99–230]

Communications Assistance for Law Enforcement Act

AGENCY: Federal Communications Commission.

ACTION: Correcting amendments.

SUMMARY: On August 31, 1999, the Commission released a Third Report and Order in the matter of Communications Assistance for Law Enforcement Act. This document contains corrections to the final regulations that appeared in the **Federal Register** of September 24, 1999 (64 FR 51710).

DATES: Effective April 7, 2000.

FOR FURTHER INFORMATION CONTACT: Rodney Small, Office of Engineering and Technology, (202) 418–2452.

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of this correction relate to Communications Assistance for Law Enforcement Act under Sections

24.903(a), 24.903(b), 64.2203(a) and 64.2203(b) of the rules.

Need for Correction

As published, the final regulations contain errors, which require correction.

List of Subjects in 47 CFR Parts 24 and 64

Communications common carriers.

Accordingly, 47 CFR parts 24 and 64 are corrected by making the following amendments:

PART 24—PERSONAL COMMUNICATIONS SERVICES

1. The authority citation for part 24 continues to read as follows:

Authority: 47 U.S.C. 154, 301, 302, 303, 309 and 332.

2. Section 24.903 is amended by revising paragraphs (a) and (b) introductory text to read as follows:

(a) Except as provided under paragraph (b) of this section, as of June 30, 2000, a broadband PCS telecommunications carrier shall provide to a LEA the assistance capability requirements of CALEA, see 47 U.S.C. 1002. A carrier may satisfy these requirements by complying with publicly available technical requirements or standards adopted by an industry association or standard-setting organization, such as J–STD–025.

(b) As of September 30, 2001, a broadband PCS telecommunications carrier shall provide to a LEA communications and call-identifying information transported by packet-mode communications and the following capabilities:

* * * * *

PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS

3. The authority citation for part 64 continues to read as follows:

Authority: 47 U.S.C. 151, 154, 201, 202, 205, 218–220, and 332 unless otherwise noted. Interpret or apply sections 201, 218, 225, 226, 227, 229, 332, 48 Stat. 1070, as amended, 47 U.S.C. 201–204, 208–, 225, 226, 227, 229, 332, 501 and 503 unless otherwise noted.

4. Section 64.2203 is amended by revising paragraphs (a) and (b) introductory text to read as follows:

(a) Except as provided under paragraph (b) of this section, as of June 30, 2000, a wireline telecommunications carrier shall provide to a LEA the assistance capability requirements of CALEA, see 47 U.S.C. 1002. A carrier may satisfy these requirements by complying with publicly available technical requirements or standards

adopted by an industry association or standard-setting organization, such as J-STD-025.

(b) As of September 30, 2001, a wireline telecommunications carrier shall provide to a LEA communications and call-identifying information transported by packet-mode communications and the following capabilities:

* * * *

Federal Communications Commission.

Magalie Roman Salas,
Secretary.

[FR Doc. 00-8590 Filed 4-6-00; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 52

[WT Docket No. 98-229, CC Docket No. 95-116; FCC 00-47]

Cellular Telecommunications Industry Association's Petition for Forbearance From Commercial Mobile Radio Services Number Portability Obligations; Telephone Number Portability

AGENCY: Federal Communications Commission.

ACTION: Final rule: Petition for Reconsideration.

SUMMARY: In this document, the Federal Communications Commission (Commission) denies four petitions for reconsideration or clarification of the Commission's Order forbearing from imposing service provider local number portability (LNP) requirements on commercial mobile radio service providers (CMRS providers) until November 24, 2002. The Commission finds that, in its forbearance decision, it adequately considered issues related to number conservation, competition in the wireless industry, and the Telecommunications Resellers Association's alternate LNP proposal. The Commission also finds that its forbearance analysis was consistent with the statutory standard. By this document, the Commission declines to extend or shorten the November 24, 2002 deadline for CMRS providers to support service provider LNP in the top 100 Metropolitan Statistical Areas (MSAs).

DATES: Effective April 7, 2000.

FOR FURTHER INFORMATION CONTACT: Joel Taubenblatt, Wireless Telecommunications Bureau, at (202) 418-1513.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order on Reconsideration in WT Docket No. 98-229 and CT Docket No. 95-116, adopted February 9, 2000, and released February 23, 2000. The complete text of this Order on Reconsideration is available for inspection and copying during normal business hours in the Commission's Reference Center, room CY-A257, 445 12th Street SW, Washington, DC. The complete text is also available through the Internet at <http://www.fcc.gov/Bureaus/Wireless/Orders/2000/fcc00047.doc>. In addition, the complete text may be purchased from the Commission's duplicating contractor, International Transcription Service, Inc. (ITS, Inc.) at 1231 20th Street NW, Washington, DC 10036, (202) 857-3800.

Synopsis of the Order on Reconsideration

1. On May 27, 1999, four parties filed petitions for reconsideration or clarification of the Commission's Order forbearing from imposing service provider LNP requirements on CMRS providers until November 24, 2002. See Cellular Telecommunications Industry Association's Petition for Forbearance From Commercial Mobile Radio Services Number Portability Obligations, 64 FR 22562, April 27, 1999 ("CMRS LNP Forbearance Order"). These parties are GTE Service Corporation (GTE), MCI WorldCom Inc. (MCI WorldCom), the Telecommunications Resellers Association (TRA), and the Pennsylvania Public Utility Commission (Pennsylvania Commission). The Commission denies these petitions for the reasons discussed.

2. Under the Commission's prior LNP decisions, CMRS providers were required to implement LNP in the top 100 MSAs and to support nationwide roaming by March 31, 2000. Implementation of LNP by CMRS providers would enable wireless customers to "port" their telephone numbers in the event that they switch from one wireless carrier to another, or from a wireless to a wireline carrier.

3. In the *CMRS LNP Forbearance Order*, the Commission granted a petition filed by the Cellular Telecommunications Industry Association (CTIA) requesting forbearance from the Commission's service provider LNP requirements for CMRS providers until the expiration of the five-year buildout period for broadband PCS carriers. The Commission found that the limited forbearance granted in the *CMRS LNP Forbearance Order* satisfied the three-

prong test for granting forbearance set forth in section 10 of the Communications Act. 47 U.S.C. 160. Accordingly, the Commission extended the deadline for CMRS providers to support service provider LNP in the top 100 MSAs until November 24, 2002. The Commission also stated its intention to promptly initiate a rulemaking proposing certain non-LNP based numbering optimization techniques applicable to all telecommunications carriers and to develop standards for other number conservation methods, possibly including one or more pooling methods. On June 2, 1999, the Commission released a Notice of Proposed Rulemaking on numbering resource optimization. See *Numbering Resource Optimization*, 64 FR 32471, June 17, 1999 ("Numbering Resource Optimization Notice").

4. In their petitions for reconsideration of the *CMRS LNP Forbearance Order*, MCI WorldCom, the Pennsylvania Commission, and TRA argue that the Commission should not have forbore from imposing service provider LNP requirements on CMRS providers for any length of time. GTE's petition for reconsideration of the *CMRS LNP Forbearance Order*, on the other hand, contends that the Commission should have forbore indefinitely from imposing service provider LNP requirements on CMRS providers. Generally, petitioners challenge the Commission's analysis of issues related to number conservation, competition in the wireless industry, and TRA's alternate LNP proposal. In addition, GTE and TRA challenge the Commission's application of the forbearance standard set forth in section 10 of the Communications Act. 47 U.S.C. 160.

5. This Order on Reconsideration finds that none of the petitions raises arguments that warrant reconsideration of the Commission's decision in the *CMRS LNP Forbearance Order* to forbear from imposing service provider LNP requirements on CMRS providers until November 24, 2002.

6. With respect to number conservation issues, the Order rejects assertions that: (1) the Commission's decision to extend the CMRS LNP deadline until November 24, 2002 will hamper the implementation of number optimization solutions that require LNP technology, such as thousands-block number pooling; and (2) the Commission's consideration of number conservation issues as a basis for limiting forbearance was impermissible and inaccurate speculation. In addition, in response to a request for clarification,