

upon the proposed rule also published on April 14, 2000 (65 FR 20314).

Because of the degree of public interest in the rule, we are reopening the comment period on the proposed rule. For additional information, see the document that reopens the comment period, which is published in the "Proposed Rules" section of this issue of the **Federal Register**.

**DATES:** The direct final rule amending 40 CFR parts 141 and 142, published on April 14, 2000 (65 FR 20304), is withdrawn as of June 13, 2000.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Melch, Implementation and Assistance Division, Office of Ground Water and Drinking Water (MC-4606), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, (202) 260-7035. Information may also be obtained from the EPA Safe Drinking Water Hotline. Callers within the United States may reach the Hotline at (800) 426-4791. The Hotline is open Monday through Friday, excluding Federal holidays, from 9 a.m. to 5:30 p.m. EST.

Dated: June 8, 2000.

**J. Charles Fox,**

*Assistant Administrator, Office of Water.*

[FR Doc. 00-14886 Filed 6-12-00; 8:45 am]

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## **GENERAL SERVICES ADMINISTRATION**

### **41 CFR Chapter 301**

**[FTR Amendment 87]**

**RIN 3090-AH18**

### **Federal Travel Regulation; Maximum Per Diem Rates and Other Travel Allowances; Correction**

**AGENCY:** Office of Governmentwide Policy, GSA.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects entries listed in the prescribed maximum per diem rates for locations within the continental United States (CONUS) contained in a final rule appearing in part III of the **Federal Register** of Thursday, December 2, 1999 (64 FR 67670). The rule, among other things, increased/decreased the maximum lodging amounts in certain existing per diem localities, added new per diem localities, and removed a number of previously designated per diem localities. A correction published on Friday, May 19, 2000 (65 FR 31823), corrected the seasonal dates and lodging rates for Aspen, Colorado but failed to show changes this caused in the

amounts of the maximum per diem rates.

**EFFECTIVE DATE:** January 1, 2000.

#### **FOR FURTHER INFORMATION CONTACT:**

Joddy P. Garner, Office of Governmentwide Policy (MTT), Washington, DC 20405; telephone 202-501-4857.

**SUPPLEMENTARY INFORMATION:** In rule document 00-12340 beginning on page 31823 in the issue of Friday, May 19, 2000 make the following corrections:

#### **Appendix A to Chapter 301 [Corrected]**

On page 31825, under the State of Colorado, city of Aspen, the maximum per diem rates in column five are corrected as follows:

1. For the entry "April 1-May 31," correct "186" to read "114".

2. For the entry "June 1-December 31," correct "114" to read "186".

Page 31825, as corrected, reads as follows:

#### **Appendix A to Chapter 301— Prescribed Maximum Per Diem Rates for CONUS**

\* \* \* \* \*

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| Per diem locality:    | Maximum lodging amount (room rate only—no taxes) (a) | + | M&IE rate (b) | = | Maximum per diem rate <sup>4</sup> (c) |
|-----------------------|--|---|---------------|---|--|
| Key city <sup>1</sup> | County and/or other defined location <sup>2, 3</sup> |   |               |   |  |

|                              |   |     |    |     |
|------------------------------|---|-----|----|-----|
| (October 1-May 31)           |   | 69  | 38 | 107 |
| San Mateo/Redwood City       | San Mateo                                     | 99  | 42 | 141 |
| Santa Barbara                | Santa Barbara                                 | 99  | 38 | 137 |
| Santa Cruz                   | Santa Cruz                                    |     |    |     |
| (June 1-September 30)        |   | 99  | 42 | 141 |
| (October 1-May 31)           |   | 68  | 42 | 110 |
| Santa Rosa                   | Sonoma  | 65  | 42 | 107 |
| Santa Monica                 | City limits of Santa Monica (see Los Angeles) |     |    |     |
| (June 1-September 30)        |   | 110 | 38 | 148 |
| (October 1-May 31)           |   | 99  | 38 | 137 |
| South Lake Tahoe             | El Dorado (see also Stateline, NV)            | 108 | 42 | 150 |
| Sunnyvale/Palo Alto/San Jose | Santa Clara                                   | 125 | 46 | 171 |
| Tahoe City                   | Placer  | 128 | 42 | 170 |
| Truckee                      | Nevada  | 69  | 42 | 111 |
| Visalia                      | Tulare  | 58  | 38 | 96  |
| West Sacramento              | Yolo  | 64  | 30 | 94  |
| Yosemite National Park       | Mariposa                                      |     |    |     |
| (May 1-October 31)           |   | 100 | 46 | 146 |
| (November 1-April 30)        |   | 76  | 46 | 122 |
| COLORADO                     |   |     |    |     |
| Aspen                        | Pitkin  |     |    |     |
| (January 1-March 31)         |   | 163 | 46 | 209 |
| (April 1-May 31)             |   | 68  | 46 | 114 |
| (June 1-December 31)         |   | 140 | 46 | 186 |
| Boulder                      | Boulder                                       |     |    |     |
| (May 1-October 15)           |   | 90  | 42 | 132 |
| (October 16-April 30)        |   | 79  | 42 | 121 |
| Colorado Springs             | El Paso                                       |     |    |     |
| (May 15-September 14)        |   | 73  | 38 | 111 |
| (September 15-May 14)        |   | 59  | 38 | 97  |
| Cortez                       | Montezuma                                     | 64  | 34 | 98  |
| Crested Butte                | City limits of Crested Butte (see Gunnison)   | 95  | 42 | 137 |
| Denver                       | Denver, Adams, and Arapahoe                   | 83  | 42 | 125 |
| Durango                      | La Plata                                      |     |    |     |
| (June 1-October 31)          |   | 95  | 38 | 133 |
| (November 1-May 31)          |   | 61  | 38 | 99  |
| Fort Collins                 | Larimer (except Loveland)                     | 59  | 34 | 93  |
| Gunnison                     | Gunnison (except Crested Butte)               |     |    |     |
| (June 15-September 30)       |   | 69  | 34 | 103 |
| (October 1-June 14)          |   | 60  | 34 | 94  |
| Jefferson County             | Jefferson County                              | 69  | 34 | 103 |
| Loveland                     | City limits of Loveland (see Larimer County)  | 69  | 30 | 99  |
| Montrose                     | Montrose                                      | 59  | 34 | 93  |
| Pueblo                       | Pueblo  |     |    |     |
| (June 1-September 30)        |   | 75  | 34 | 109 |
| (October 1-May 31)           |   | 58  | 34 | 92  |
| Silverthorne/Keystone        | Summit  |     |    |     |
| (December 1-April 1)         |   | 170 | 38 | 208 |
| (April 2-November 30)        |   | 130 | 38 | 168 |

Dated: June 7, 2000.

**James L. Harte,**

*Travel Team Leader, Travel Management  
Policy Division.*

[FR Doc. 00-14796 Filed 6-12-00; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 22

[WT Docket No. 96-148; GN Docket No. 96-113; FCC 00-141]

### Geographic Partitioning and Spectrum Disaggregation by Commercial Mobile Radio Services Licensees

**AGENCY:** Federal Communications  
Commission.

**ACTION:** Final rule.

**SUMMARY:** This document modifies the Commission's rules governing Cellular Radiotelephone Service (cellular service) to permit spectrum disaggregation by cellular licensees. In addition, the Commission maintains its existing geographic partitioning rules for initial cellular licensees, and extends partitioning rules to unserved area licensees. This document also resolves several related issues relevant to cellular partitioning and disaggregation.

**DATES:** Effective July 13, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Jeffrey Steinberg, Wireless  
Telecommunications Bureau,  
Commercial Wireless Division, at (202)  
418-0896.

**SUPPLEMENTARY INFORMATION:** *Synopsis of the Second Report and Order.* "Partitioning" is the assignment of geographic portions of a radio license along geopolitical or other boundaries. "Disaggregation" is the assignment of discrete portions or "blocks" of spectrum licensed to a geographic licensee or other qualifying entity. The Commission has previously examined partitioning and disaggregation for many Commercial Mobile Radio Services (CMRS) on a service-by-service basis, and has adopted geographic partitioning and spectrum disaggregation rules for several services. In the *Further Notice of Proposed Rulemaking* in this proceeding, 62 FR 696 (January 6, 1997), the Commission tentatively concluded that it is now appropriate to consider permitting full partitioning and disaggregation in the cellular service.

2. The Commission concludes that modifying its cellular rules to allow disaggregation will promote competition and further regulatory symmetry

between cellular and other CMRS licensees. Extending flexible disaggregation rules to cellular will increase carriers' flexibility to tailor their service offerings to meet market demands, thus increasing competition and enhancing the efficient use of spectrum. The Commission further finds that there are no technical or other constraints unique to the cellular service that would make disaggregation either impractical or administratively burdensome. The Commission therefore modifies its rules to permit cellular licensees to disaggregate portions of their spectrum to other eligible entities. In addition, the Commission declines to adopt minimum standards regarding the amount of spectrum that cellular licensees may disaggregate.

3. With regard to partitioning, the Commission decides to retain its existing partitioning rules for initial cellular licensees, and to provide for partitioning by unserved area licensees. The Commission recognizes that the current cellular partitioning rules are different from the rules for geographically licensed services because the rules restrict cellular partitioning outside the licensee's Cellular Geographic Service Area (CGSA) after the initial five-year buildout period. However, this restriction ensures that the cellular partitioning rules do not conflict with the unserved area rules, and the Commission finds that the rules are sufficiently flexible so as not to place cellular licensees at a competitive disadvantage compared to other CMRS. The Commission also believes that cellular unserved area licensees should have the ability to partition their service areas. As in the case of initial cellular licensees, the Commission will allow cellular unserved area licensees to partition within their designated licensing areas during the initial buildout period of the license. After the expiration of the 12-month buildout period, an unserved area licensee may not partition outside of the licensing area established as a result of the buildout process.

4. The Commission retains its existing cellular construction rules as they apply to partitioning. These rules provide sufficient flexibility for cellular licensees to build out their markets and to respond to demands for service. Thus, where a cellular licensee partitions its license prior to the expiration of the relevant buildout period, each partitionee will be responsible for completing the buildout in its partitioned area within the remainder of the original buildout period. Any area that remains unbuilt at the conclusion of the buildout period

will revert to the Commission and be available for unserved area licensing. With respect to disaggregation, the parties will be required to certify in their disaggregation application which party will be responsible for building out the licensed area.

5. The Commission adopts its proposal to permit combined partitioning and disaggregation for cellular. The Commission also determines that the license terms for partitioned and disaggregated cellular licenses will be limited to the remaining term of the underlying licenses, and that partitionees and disaggregatees may obtain renewal expectancy on the same basis as initial cellular licensees and other CMRS licensees. Finally, the Commission declines to change its current procedures for reviewing and licensing cellular partitioning transactions, and adopts these procedures for reviewing and licensing disaggregation transactions.

### Final Regulatory Flexibility Analysis

6. As required by section 603 of the Regulatory Flexibility Act (RFA), 5 U.S.C. 603, an Initial Regulatory Flexibility Analysis (IRFA) was incorporated in the Further Notice of Proposed Rulemaking (Further Notice) in WT Docket No. 96-148.<sup>1</sup> The Commission sought written public comment on the proposals in the Further Notice, including the IRFA. The Commission's Final Regulatory Flexibility Analysis (FRFA) in this Second Report and Order conforms to the RFA, as amended by the Contract With America Advancement Act of 1996.<sup>2</sup>

#### A. Need for and Purpose of This Action

7. In this document, we modify our rules for the Cellular Radiotelephone Service (cellular) to permit partitioning and disaggregation for all licensees in these services. The rules adopted herein also implement Congress' goal of giving small businesses the opportunity to participate in the provision of spectrum-based services in accordance with 47 U.S.C. 309(j)(4)(D) and reduce entry barriers for small businesses in accordance with 47 U.S.C. 257. With flexible partitioning and disaggregation, additional entities, including small businesses, may participate in the

<sup>1</sup> Geographic Partitioning and Spectrum Disaggregation by Commercial Mobile Radio Services Licensees, WT Docket No. 96-148, FCC 96-287, Notice of Proposed Rulemaking, 11 FCC Rcd. 10187 (1996).

<sup>2</sup> Public Law 104-121, 110 Stat. 847 (1996) (CWA), Subtitle II of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) codified at 5 U.S.C. 601, *et seq.*