

duplicating contractor, International Transcription Services, 2100 M Street NW., Suite 140, Washington, DC 20037, telephone (202) 857-3800.

FNPRM: This proceeding was initiated primarily to address complaints by the hearing impaired that the Commission's rules did not go far enough to comply with the mandate of section 710(a) of the Communications Act. That section provides: "The Commission shall establish such regulations as are necessary to ensure reasonable access to telephone service by persons with impaired hearing." In response, the Commission, in CC Docket No. 87-124, sought to gather information on what, if any, additional rules or rule revisions are needed. In response to the comments the Commission released an order on March 29, 1988 (53 FR 12546, April 15, 1988), consisting of two parts: a Notice of Proposed Rulemaking (NPRM) and a Further Notice of Inquiry (FNOI).

In the NPRM, the Commission proposed specific changes in its regulations to increase the ability of the hearing impaired to access telephone service by expanding the definition of "essential" telephones that must be compatible with hearing aids equipped with telecoils. Subsequently, Congress amended section 710 of the Act to require that essentially all new corded telephones be hearing aid compatible, and ordered the Commission to enact regulations within one year. On May 11, 1989, the Commission released a First Report and Order, FCC 89-137 (54 FR 21429, May 18, 1989), adopting the rules mandated by Congress.

The FNOI responded to requests that the Commission help establish an interstate relay system for users of TDDs. Relay systems are primarily operator services that translate TDD messages into voice or vice versa. Because section 710(e) of the Act requires the Commission to engage in a cost/benefit analysis before it promulgates rules in this area, the Commission urged interested parties to submit for analysis specific proposals for implementing an interstate TDD relay system that would enable hearing and speech impaired persons to carry on real-time interstate conversations with voice telephone users. Those submitting proposals were requested to include data regarding the technical, economic and regulatory parameters required for such a system. Parties were urged to work cooperatively to develop consensus proposals.

Comments were also sought on (a) whether public pay stations should be modified to provide TDD services; (b) whether 25 percent of public pay stations should be amplified; (c) whether

modifications should be ordered to public pay stations to facilitate wheelchair access; and (d) whether additional informational initiatives by the Commission are necessary. Although unsolicited, comments were submitted on whether an advisory committee should be established.

The FNPRM notes that the Commission's cost/benefit analysis indicates that providing approximately 181,000 TDD users the same interstate communications opportunities as users of the voice network is a substantial benefit. Although the near term costs may be \$30,000,000 per year, the benefits outweigh the costs. In addition, the Commission concludes it has jurisdiction to require an interstate TDD relay system, and offers two approaches to implement and provide interstate relay service. One approach relies on interexchange carriers subject to section 69.116(a) of the rules to either individually or jointly develop and operate an interstate TDD relay system within two years of the adoption of final rules. Under this alternative, the system costs would be recovered through the interexchange carriers' interstate services. The second approach would require amending Section 69.603 of the rules to include the management and operation of the system among the functions of the National Exchange Carrier Association (NECA). System costs under this approach would be recovered through the Universal Service Fund by NECA, from eligible interexchange carriers. Under either approach, users of the relay service would pay only for their telephone calls at the same rate as any other caller.

With respect to the other proposals to assist the disabled, the Commission concludes that the record does not indicate that the benefits of these proposals outweigh the costs. It also declines to establish an advisory committee as urged by some. Rather, it concludes that its rulemaking processes are an adequate means of addressing the needs of the disabled. The Commission does, however, encourage formation of informal groups to consider matters of importance to the disabled and asks that they submit appropriate suggestions in support thereof.

In accordance with 5 U.S.C. 603(a), the Federal Communications Commission concludes that the proposed rules will not have a significant adverse economic impact on small entities.

Comments on the proposed rules are sought.

List of subjects

47 CFR Part 64

Communications common carriers, Handicapped, Interstate TDD relay service, Telephone.

47 CFR Part 69

Communications common carriers, Interstate TDD relay service fund, Association functions, Telephone.

Legal Basis

This FNPRM seeking to amend Part 64 or Part 69 of the Commission's rules is issued pursuant to authority contained in Sections 1, 4(i) and 710(a) of the Communications Act of 1934, as amended.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 89-18389 Filed 8-14-89; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Findings on a Petition to List the Razorback Sucker

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition finding.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 90-day petition finding for a petition to amend the List of Endangered and Threatened Wildlife and Plants. The petitioner presented substantial information that listing the razorback sucker (*Xyrauchen texanus*) may be warranted. Formal review of the status of the razorback sucker is in progress.

DATES: The finding announced in this notice was made in June 1989. To receive full consideration in the Service's 12-month petition finding comments should reach the Service by December 15, 1989.

ADDRESSES: Questions or comments concerning this finding should be sent to: State Supervisor, Fish and Wildlife Enhancement, U.S. Fish and Wildlife Service, 2078 Administration Building, 1745 West 1700 South, Salt Lake City, Utah 84104-5110. The petition, finding, and supporting data are available for public inspection, by appointment, during normal business hours at the above address and at the Service's Denver Regional Office, 134 Union

Boulevard, Lakewood, Colorado (mailing address: P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225).

FOR FURTHER INFORMATION CONTACT:

Donald L. Archer at the Salt Lake City address (801/524-4430 or FTS 588-4430).

SUPPLEMENTARY INFORMATION:

Background

Section 4(b)(3)(A) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.), requires that the U.S. Fish and Wildlife Service (Service) make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to demonstrate that the petitioned action may be warranted. To the maximum extent practicable, this finding is to be made within 90 days of receipt of the petition, and the finding is to be published promptly in the *Federal Register*. If the finding is positive, the Service is also required to promptly commence a review of the status of the involved species. A status review is in progress, and the Service seeks information until December 15, 1989.

The Service has received and made a 90-day finding on the following petition:

A petition dated March 14, 1989, was received from Sierra Club, National Audubon Society, The Wilderness Society, Colorado Environmental Coalition, Southern Utah Wilderness

Alliance, and Northwest Rivers Alliance on March 15, 1989. The petition requested the Service to list the razorback sucker (*Xyrauchen texanus*) as an endangered species.

The petition stated that the razorback sucker, native of the Colorado River Basin, has suffered a considerable population decline along with three other fishes endemic to the Colorado River during the past decades. The Colorado squawfish (*Ptychocheilus lucius*), the humpback chub (*Gila cypha*) and the bonytail chub (*Gila elegans*) have been previously listed as endangered and though the razorback sucker is rarer than the Colorado squawfish, it has not been listed as endangered. The petition presents information that demonstrates that the sucker's numbers have declined dramatically throughout its former range and that natural recruitment has not been documented in recent times though much research has been ongoing for the past decade.

The petition attributed the razorback sucker's decline to predation by exotic fish and dams and other water development projects and diversions that have partitioned the once free-flowing river system into disjunct impoundments and tailwaters.

After a review of the petition, accompanying documentation, and references cited therein, the Service found the petition presented substantial

information that the requested action may be warranted. Within one year from the date the petition was received, a finding as to whether the petitioned action is warranted is required by section 4(b)(3)(B) of the Act.

Author

This notice was prepared by Donald L. Archer, Fish and Wildlife Enhancement, U.S. Fish and Wildlife Service, 2078 Administration Building, 1745 West 1700 South, Salt Lake City, Utah 84104-5110 (801/524-4430).

Authority

The authority for this action is the Endangered Species Act of 1973, as amended, (16 U.S.C. 1531 et seq.; Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411; Pub. L. 100-478, 102 Stat. 2306; Pub. L. 100-653, 102 Stat. 3825) Pub. L. 99-625, 100 Stat. 3500, unless otherwise noted.

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Dated: July 21, 1989.

Susan Recce Lamson,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 89-19024 Filed 8-14-89; 8:45 am]

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