impact upon competition for subscribers in the local cellular market. This is particularly true if carriers utilize a transferable NXX scheme, which we find would serve the public interest. Secondly, we conclude that, even were we convinced that local competition were being stifled by non-switchable cellular customer equipment, none of the solutions to this problem is feasible or justifiable.

8. In order for a cellular subscriber to switch home systems, the subscriber must take his cellular telephone to a service technician for reprogramming. This is necessary, even if the cellular unit is equipped with an A/B switch, because the unit must be programmed with a new telephone number.[11] An A/B switch would only permit free movement of subscribers if we were to require number portability or programmability, as proposed by Chase/Post and MCI. We agree with the commenters, however, that these proposals are unworkable and are not justified by the record before us. Therefore, because a cellular subscriber desiring to change home carriers must have his cellular telephone reprogrammed regardless of the presence of an A/B switch (except as discussed in the following paragraph), none of the proposed rules would promote competition for local subscribers.

9. The proposal by Telocator and Metro Mobile that we require local telephone carriers to give the non-wireline reseller its own NXX code during the wireline headstart is clearly technically feasible. Indeed, such arrangements have been made in a number of markets. We believe this is a reasonable and pro-competitive means of enabling the prospective non-wireline licensee to compete in the resale market. In cases where the non-wireline, proposing to act as a reseller, has sufficient projected customer volume, we would expect the local landline telephone company to assign an NXX code to it in advance of beginning its own operations, if it is technically feasible to do so. We would also expect the wireline cellular operator (where technically feasible) to make the appropriate software changes to its system to permit the non-wireline carrier's customers to use mobile units programmed with the non-wireline carrier's numbers on the wireline system while the non-wireline is relegated to reselling service. If a non-wireline carrier chooses this option, it would, of course, be responsible for the cost of implementation. This solution has the advantages of avoiding the need for reprogramming the mobile unit with a new telephone number upon transfer to the non-wireline system and of full compatibility with mobiles that do not have an A-B switch.[12]

10. The remaining question before us is whether non-switchable cellular customer equipment represents a sufficient impediment to competition in the roamer market to justify the adoption of one of the proposed rules. Clearly, a roamer using a non-switchable unit will have no choice of carriers; such a unit will default to a system on the same frequency block as its home system, if one is available. Most cellular subscribers are likely to use roaming service relatively infrequently. Therefore, will be relatively, the ability to select a roamer carrier unimportant to the majority of cellular subscribers. To the extent that this ability is important to consumers, (*e.g.*, as roaming becomes more commonplace) the marketplace will supply switchable cellular equipment. In fact, whereas the petition for rulemaking suggested that non-switchable units were dominating the market, it is clear from the record before us that there is a large supply of cellular customer equipment equipped with an A/B switch. The cellular customer equipment market is highly competitive. Equipment is available from carriers, resellers and consumer electronics retailers. In addition, many subscribers lease their equipment rather than purchasing it and in such a case would normally obtain a new unit upon switching carriers. Thus, even during the headstart period, the wireline carrier does not have a strangle-hold on the equipment supply. Moreover, given the fact that it is equally inconvenient to switch home cellular carriers regardless of whether the subscriber has a cellular telephone equipped with an A/B Switch (unless the NXX option discussed above is used), it has not been demonstrated that the wireline carrier has any substantial incentive to promote the use of non-switchable equipment.[13] no reason has been suggested to us why the industry would not continue to meet the demand for switchable equipment. Similarly, although consumer awareness of the value of an A/B switch may, at present, be low, we believe that a competitive cellular equipment market can be trusted to perform its traditional function of consumer education.

Conclusion

11. The record of this proceeding indicates that the cost both to the public and to manufacturers, of imposing an A/B switch requirement would be minimal. The record also demonstrates, however, that the marketplace is meeting consumer demand for switchable cellular customer equipment. Cellular subscribers who wish to have the ability to select carriers when roaming can purchase or lease cellular units that provide this capability. In sum, we do not believe that the present situation poses any threat to competition that requries regulatory intervention. We therefore conclude that the public interest does not require the adoption of either of the rules proposed in the NPRM. (March 22, 1985, 50 FR 11519).

12. Accordingly, it is ordered, that this proceeding, CC Docket No. 85-25, is terminated.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 85-26257 Filed 11-1-85; 8:45 am]

BILLING CODE 6712-01-M

[11] If the subscriber has been leasing his equipment from his original carrier, he may simply have a new unit installed in his vehicle. The presence of an A/B Switch obviously would have no effect in this situation.

[12] *See* note 7, *supra.*

[13] The record contains speculation, but no evidence, that wireline carriers are seeking to promote the use of non-switchable equipment. The highly competitive nature of the cellular customer equipment market would make it difficult and even futile for wireline carriers to attempt to promote non-switchable equipment. In any event, the small additional cost of installing a new PROM to scan the non-wireline frequency block—a cost which might be borne by the non-wireline carrier itself—is unlikely to dissuade a subscriber from switching carriers when he is already prepared to bear the expense and/or inconvenience associated with having his unit programmed with a new telephone number.

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 192

[Docket No. PS-84; Notice 2]

Transportation of Natural and Other Gas by Pipeline; Confirmation or Revision of Maximum Allowable Operating Pressure for Gas Pipelines

AGENCY: Materials Transportation Bureau (MTB), DOT.

ACTION: Extension of comment period.

SUMMARY: This notice extends the comment period to January 3, 1986, for comments to be submitted on Docket No. PS-84; Notice 1, an Advance Notice of Proposed Rulemaking (ANPRM) on the confirmation or revision of maximum allowable operating pressure for gas pipelines. This ANPRM was

published in the **Federal Register**, Volume 50, No. 172, on September 5, 1985, at page 36116.

DATE: Comments due by January 3, 1986.

ADDRESS: Comments should be sent to the Dockets Branch, Materials Transportation Bureau, U.S. Department of Transportation, 400 Seventh Street SW., Washington, D.C. 20590. Please identify the docket and notice numbers. All comments and docket materials will be available in Room 8426 for inspection and copying between the hours of 8:30 a.m. and 5:00 p.m. each working day. Non-Federal employee visitors are admitted to the DOT Headquarters building through the southwest quadrant at Seventh and E Streets.

FOR FURTHER INFORMATION CONTACT: Robert F. Langley, (202) 426–2082, regarding this extension of the comment period, or the Dockets Branch, (202) 426–3148, for copies of the ANPRM.

SUPPLEMENTARY INFORMATION: In a letter of October 25, 1985, the Interstate Natural Gas Association of America (INGAA) requested the comment period on Docket PS–84; Notice 1 be extended 60 days. INGAA, which represents a large segment of the operators affected by the regulations involved, states that additional time is needed to establish an industry position on this subject.

Based on the above and also that MTB is interested in having as thorough a review made of the ANPRM as possible, MTB is extending the comment period to January 3, 1986.

Authority: 49 U.S.C. 1672; 40 CFR 1.53; Appendix A to Part 1, and Appendix A to Part 106.

Issued in Washington, D.C., on October 30, 1985.

Lucian M. Furrow,

Acting Associate Director for Pipeline Safety Regulation, Materials Transporting Bureau.

[FR Doc. 85–26277 Filed 11–1–85; 8:45 am]

BILLING CODE 4910–60–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants: Public Hearing and Extension of Comment Period on Proposed Endangered Status With Critical Habitat for Glaucocarpum Suffrutescens (Toad-Flax Cress)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; notice of public hearing, and extension of comment period.

SUMMARY: Section 4(b)(5)(E) of the Endangered Species Act of 1973, as amended, requires that a public hearing be held if requested within 45 days of the publication of a proposed rule. The Service gives notice that a public hearing will be held in Vernal, Utah, on the Proposed determination of endangered status with designation of critical habitat for *Glaucocarpum Suffrutescens* (toad-flax cress), and that the comment period on the proposal will be extended.

DATES: The public hearing will be held on November 21, 1985, at 7:00 p.m. Comments on the proposal must be received by December 1, 1985.

ADDRESS: The public hearing will be held at the Uintah County Courthouse, 147 East Main, Vernal, Utah. Written comments and materials should be sent to the Field Supervisor, Endangered Species Office, U.S. Fish and Wildlife Service, Room 2078 Administration Building, 1745 West 1700 South, Salt Lake City, Utah 84104–5110. Comments and materials received will be available for public inspection during normal business hours, by appointment, at the above address.

FOR FURTHER INFORMATION CONTACT: Mr. John L. England, Staff Botanist, Endangered Species Office, U.S. Fish and Wildlife Service, Room 2078, Administration Building, 1745 West 1700 South, Salt Lake City, Utah 84104–5110 (801/524–4430; FTS 588–4430).

SUPPLEMENTARY INFORMATION:

Background

Glaucocarpum suffrutescens (toad-flax cress) is an herbaceous perennial plant, commonly 8 to 12 inches tall with a deep woody root that forms an above-ground clump of several slender simple stems with an elongated loose inflorescence of yellow flowers. *Glaucocarpum suffrutescens* is in the mustard family and is the only member of its genus. The species is one of several endemics limited to the Green River Formation in the Uinta Basin of eastern Utah. It survives mostly on one calcareous shale stratum, marked by a highly erosion-resistant layer of water deposited volcanic tuff. The species has experienced a significant population and range reduction since its discovery 50 years ago and appears to be threatened with habitat destruction associated with the collection of building stone on the ground surface of its habitat. The species may be vulnerable to heavy grazing. The species has lost at least two stands to oil and gas exploration and development and is potentially threatened by continued oil and gas development and oil shale development. The Service proposed a determination of endangered status with designation of critical habitat for *Glaucocarpum suffrutescens* in the **Federal Register**, September 5, 1985 (50 FR 36118). The period for submission of public comments on the proposal was originally scheduled to end on November 4, 1985.

By October 21, 1985, the Service had received letters from U.S. Congressman Howard C. Nielson; Dorothy C. Luck, Uintah County Clerk; and several private individuals requesting a hearing on the proposal to determine endangered status with critical habitat designation for *Glaucocarpum suffrutescens* (toad-flax cress). The Service has scheduled this hearing for November 21, 1985, at 7:00 p.m. at the Uintah County Courthouse, 147 East Main Street, Vernal, Utah. Those parties wishing to make statements for the record are encouraged to have a copy of their statements available to be presented to the Service at the start of the hearing. In order to accommodate the hearing, the Service also extends the public comment period on the proposal. Written comments may now be submitted until December 1, 1985, to the Service's Office in the **ADDRESS** section.

Author

The primary author of this notice is Mr. John L. England, Botanist, at the above address.

Authority: The authority for this action is the Endangered Species Act of 1973 (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).

List of Subjects in 50 CFR Part 17

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

Dated: October 29, 1985.

Frank Dunkle,

Acting Regional Director, U.S. FWS, Denver, Colorado.

[FR Doc. 85–26238 Filed 11–1–85; 8:45 am]

BILLING CODE 4310–55–M