## § 52.2020 Identification of plan.

(c) \* \* \* \* \*

(101) Revisions to the State Implementation Plan submitted by the Pennsylvania Department of Environmental Resources regarding RACT requirements for two Stroehmann Bakeries, Inc. facilities located in Lycoming and Bradford Counties, submitted on February 24, 1995.

(i) Incorporation by reference.

(A) Letter of February 24, 1995 from the Pennsylvania Department of Environmental Resources submitting a revision to the State Implementation Plan

(B) Plan Approval Nos. PA-41-0001 and PA-08-0001 and Operating Permit Nos. OP-41-0001A and OP-08-0001A, issued and effective February 9, 1995.

(ii) Additional material.

(A) Remainder of the State
Implementation Plan revision request
submitted by the Pennsylvania
Department of Environmental Resources
on February 24, 1995, pertaining to the
Plan Approvals and Operating Permits
listed above.

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## FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 15

[GEN Docket No. 91-1; FCC 95-309]

## Television Closed-Caption Decoding Circuitry

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; Order.

summary: This order deletes the requirement for television receivers to incorporate closed-caption decoder circuitry that is compatible with a cable television copy protection system developed by Eidak Corporation. This change was requested by the Consumer Electronics Group of the Electronic Industries Association. This action will relieve electronics manufacturers and consumers of the burden involved in incorporating special circuitry in television receivers for a technology that is not used by cable systems.

EFFECTIVE DATE: August 10, 1995.

**FOR FURTHER INFORMATION CONTACT:** John A. Reed, Office of Engineering and Technology, (202) 776–1627.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Order* in GEN Docket No. 91–1, adopted July 25, 1995, and released August 3, 1995.

The complete text of this *Order* is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC, and also may be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857–3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

## **Paperwork Reduction**

This action will not modify the information collection requirements contained in the current regulations.

Summary of the Order

1. The Commission is granting a request by the Consumer Electronics Group of the Electronic Industries Association (EIA) for partial relief of the Commission's closed-caption decoder circuitry requirements for television receivers. Specifically, this action deletes the requirement that television receivers, manufactured after January 1, 1995, incorporate closed-caption decoder circuitry that is compatible with a cable television copy protection system developed by Eidak Corporation. This action will relieve electronics manufacturers and consumers of the burden involved in incorporating special circuitry in television receivers for a technology that is not used by cable systems.

2. 47 CFR 15.119 requires that all television broadcast receivers with screen sizes equal to, or greater, 33 cm (13 inches) that were manufactured or imported on or after July 1, 1993 must be capable of receiving and displaying closed-captions. These rules also specify technical standards for the reception and display of such captioning. Previously, in the Memorandum Order and Opinion in this proceeding, 57 FR 19093, May 4, 1992, the Commission observed that existing closed-caption decoders may not function when the television signals are processed by some security systems designed to prevent unauthorized reception of cable service. It therefore adopted an additional requirement that the closed-caption circuitry of television receivers must function properly when receiving signals from all commonly known and used cable security systems designed and marketed prior to April 5, 1991

3.Shortly prior to April 5, 1991, Eidak designed and marketed a copy protection system that was intended to prevent the video taping of certain programs carried by cable television systems or broadcast stations. The Eidak system dynamically changes the number of lines and the timing of the television picture. While these changes are not

readily apparent to television viewers, video tape recorders, dependent on accurate and consistent timing, cannot copy Eidak-protected material. However, the Eidak system also interferes with the ability of existing closed-caption decoders to locate line 21 of the television broadcast signal, the line on which closed-caption information is carried. Thus, existing closed-caption decoders do not function properly when closed-caption information is processed by the Eidak system. For this reason, television receiver manufacturers would need to develop and incorporate in their products special circuitry that is only necessary for compatibility with Eidakprocessed signals. Recognizing that the Eidak system was not widely used, the Commission provided television receiver manufacturers with additional time, until January 1, 1995, to incorporate Eidak compatibility within their closed-caption circuitry.

 On September 29, 1994, EIA submitted a Petition for Rule Making and a Petition for Partial Waiver requesting relief from § 15.119(l) as it applies to Eidak's copy protection system. In these petitions, EIA states that no cable systems are using the Eidak technology. EIA further states that Eidak's copy protection system is a technology that has never been, is not now, and is not ever likely to be used by a cable system. EIA asks that the Commission either amend or waive § 15.119(l) with respect to the Eidak systems to relieve manufacturers and purchasers of television receivers of the expense and burden that is no longer necessary. On October 13, 1994, the Commission issued a Public Notice requesting comments on the EIA petitions. All of the commenting parties support EIA's request for relief.

5. Prior to receipt of the petitions from EIA, the Commission, on June 6, 1994, contacted the current holder of the rights to the Eidak technology, Mr. Richard Leghorn, to determine whether or not this technology was being employed by cable systems. In response, we were informed by Mr. Leghorn that "there are no cable systems using the Eidak technology." Mr. Leghorn indicated that the Eidak copy protection capability currently is incorporated in a cable satellite network with equipment in cable head-ends and in "a pay-perview Colorado test site jointly operated by TCI, AT&T and U.S. West." He added that "it would be unfortunate if the option which the industry has to avail [itself] of Eidak's copy protection capabilities were to be removed by deletion of the requirements of § 15.119(l) of the Commission's rules."