

that turns out not to be hearing aid compatible.

For confined settings, the proposed rules would require that establishments with fifty or more beds make their telephones hearing aid compatible within one year of the Commission's implementing Order, while those with fewer than fifty beds would have to comply within two years. Telephones in all confined setting establishments would be exempt if alternate signalling devices were available, monitored and working, or if a resident brought in and maintained his or her own telephone equipment.

The proposed rules would require that hotels and motels with eighty or more guest rooms be required to provide hearing aid compatible telephones within two years of the Commission's implementing Order, while those with fewer than eighty guest rooms would have three years to do so. Upon the effective date of these proposed rules, generally twenty percent of guest rooms must have telephones that are hearing aid compatible.

The proposed rules do not address wireless telephone hearing aid compatible issues, because those are being addressed by the Commission's Wireless Telecommunications Bureau.

Initial Regulatory Flexibility Analysis

As required by Section 603 of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601 *et seq.*, the Commission has prepared an Initial Regulatory Flexibility Analysis ("IRFA") of the expected impact on small entities of the proposals suggested in this document. The IRFA is set forth in Appendix C of the NPRM. Written public comments are requested in the IRFA. These comments must be filed in accordance with the same filing procedures as other comments in this proceeding, but they also must have a separate and distinct heading designating them as responses to the Initial Regulatory Flexibility Analysis.

Reason for Action: The NPRM responds to the recommendations of the Hearing Aid Compatibility Negotiated Rulemaking Committee. Pursuant to the Negotiated Rulemaking Act, the Commission is obligated to initiate this rulemaking proceeding.

Objectives: The objective of this proposal is to provide greater access to the telephone network by persons with hearing disabilities, while at the same time balancing the needs of establishments that must provide hearing aid-compatible telephones.

Legal Basis: The proposed action is authorized under Sections 1, 201-205, and 218 of the Communications Act of

1934, as amended, 47 U.S.C. Sections 151, 154, 201-205, and 218.

Reporting, Record Keeping and Other Compliance Requirements: The proposed rules would require manufacturers and importers of telephones for use in the United States to provide volume control with their equipment after a certain date. Such telephone equipment manufacturers and importers also would be required to display on their equipment the date of manufacture. In addition, workplaces with fifteen or more employees, confined setting establishments and hotels and motels would have to provide hearing aid-compatible telephones after certain dates.

Federal Rules Which Overlap, Duplicate, or Conflict with These Rules: None.

Description, Potential Impact and Number of Small Entities Involved: The proposals set forth in this Notice may have an economic impact on workplaces with fifteen or more employees, confined setting establishments and hotels and motels. These establishments eventually may be required to replace some or all of their existing telephones with telephones that are hearing aid-compatible, including telephones that have volume control. These proposals also may make it easier for these establishments to acquire employees and generate business.

Any Significant Alternatives Minimizing the Impact on Small Entities, Consistent with Stated Objectives: None.

List of Subjects

47 CFR Part 64

Communications common carriers, Handicapped, Telephone, Hearing aid compatibility.

47 CFR Part 68

Administrative practice and procedure, Communications common carriers, Communications equipment, Reporting and recordkeeping requirements, Telephone, Hearing aid compatibility, Volume control.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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47 CFR Part 73

[MM Docket No. 95-175; RM-8707]

Radio Broadcasting Services; Ada, Newcastle, Watonga, OK

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Tyler Broadcasting Corporation requesting the reallocation of Channel 227C1 from Ada, OK, to Newcastle, OK, as the community's first local aural broadcast service, and the modification of Station KTLS' license to specify Newcastle as its community of license. To accommodate the allotment at Newcastle, the Commission also proposes the substitution of Channel 230A for Channel 228A at Watonga, OK, and the modification of Station KIMY's license to specify the alternate Class A channel. Channel 227C1 can be allotted to Newcastle in compliance with the Commission's minimum distance separation requirements with a site restriction of 7.5 kilometers (4.7 miles) south, at coordinates 35-10-44 NL; 97-36-03 WL, to accommodate petitioner's desired transmitter site. Channel 230A can be allotted to Watonga at Station KIMY's licensed transmitter site, at coordinates 35-54-17 NL; 98-23-09 WL.

DATES: Comments must be filed on or before January 29, 1996, and reply comments on or before February 13, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Gary S. Smith, Esq., Smithwick & Belendiuk, P.C., 1990 M Street, NW., Suite 510, Washington, DC 20036 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-175, adopted November 21, 1995, and released December 6, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-