

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Rural Utilities Service

#### 7 CFR Part 1755

#### RUS Specification for Aerial Service Wires

**AGENCY:** Rural Utilities Service, USDA.

**ACTION:** Proposed rule.

**SUMMARY:** The Rural Utilities Service (RUS) proposes to amend its regulations on Telecommunications Standards and Specifications for Materials, Equipment and Construction, by codifying the RUS Specification for Aerial Service Wires. The new specification sets forth the engineering and technical standards that are required by RUS in outside plant environments.

**DATES:** Comments concerning this proposed rule must be received by RUS or postmarked no later than January 29, 1996.

**ADDRESSES:** Comments should be mailed to the Orren E. Cameron III, Director, Telecommunications Standards Division, Rural Utilities Service, room 2835, AG Box 1598, South Building, U.S. Department of Agriculture, Washington, DC 20250-1598. RUS requests an original and three copies of all comments (7 CFR part 1700). All comments received will be made available for public inspection at room 2835, South Building, U.S. Department of Agriculture, Washington, DC 20250-1598 between 8:00 a.m. and 4:00 p.m. (7 CFR 1.27(b)).

**FOR FURTHER INFORMATION CONTACT:** Chief, Outside Plant Branch, Telecommunications Standards Division, Rural Utilities Service, room 2844, AG Box 1598, South Building, U.S. Department of Agriculture, Washington, DC 20250-1598, telephone number (202) 720-0667.

#### SUPPLEMENTARY INFORMATION:

##### Executive Order 12866

This proposed rule has been determined to be not significant and

therefore has not been reviewed by the Office of Management and Budget.

##### Executive Order 12778

This proposed rule has been reviewed under Executive Order 12778, Civil Justice Reform. If adopted, this proposed rule will not:

- (1) Preempt any State or local laws, regulations, or policies;
- (2) Have any retroactive effect; and
- (3) Require administrative proceedings before parties may file suit challenging the provisions of this rule.

##### Regulatory Flexibility Act Certification

The Administrator of RUS has determined that this proposed rule will not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This proposed rule involves standards and specifications, which may increase the direct short-term costs to RUS borrowers. However, the long-term direct economic costs are reduced through greater durability and lower maintenance cost over time.

##### Information Collection and Recordkeeping Requirements

The reporting and recordkeeping requirements contained in the proposed rule were approved by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended) under control number of 0572-0059.

Send questions or comments regarding this burden or any other aspect of these collections of information, including suggestions for reducing the burden, to F. Lamont Heppe, Jr., Deputy Director, Program Support Staff, Rural Utilities Service, AG Box 1522, Washington, DC 20250-1522.

##### National Environmental Policy Act Certification

The Administrator of RUS has determined that this proposed rule will not significantly affect the quality of the human environment as defined by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) Therefore, this action does not require an environmental impact statement or assessment.

##### Catalog of Federal Domestic Assistance

The program described by this proposed rule is listed in the Catalog of Federal Domestic Assistance programs under No. 10.851, Rural Telephone Loans and Loan Guarantees; and No. 10.852, Rural Telephone Bank Loans. This catalog is available on a subscription basis from the Superintendent of Documents, the United States Government Printing Office, Washington, DC 20402.

##### Executive Order 12372

This proposed rule is excluded from the scope of Executive Order 12372, Intergovernmental Consultation, which may require consultation with State and local officials. A Notice of Final rule titled Department Programs and Activities Excluded from Executive Order 12372 (50 FR 47034) exempts RUS and RTB loans and loan guarantees, and RTB bank loans, to governmental and nongovernmental entities from coverage under this Order.

##### Background

RUS issues publications titled "Bulletin" which serve to guide borrowers regarding already codified policy, procedures, and requirements needed to manage loans, loan guarantee programs, and the security instruments which provide for and secure RUS financing. RUS issues standards and specifications for the construction of telephone facilities financed with RUS loan funds. RUS Bulletin 345-36, "RUS Specification for Parallel Conductor Drop Wire," PE-7, dated January 25, 1983 presently contains the engineering and technical requirements for aerial service wires that are considered necessary for satisfactory performance in outside plant environments. Because of the technological advancements made in aerial service wire designs over the past eleven years, RUS proposes to incorporate and update the information contained in RUS Bulletin 345-36 into 7 CFR 1755.700 through 7 CFR 1755.704, RUS Specification for Aerial Service Wires, and to rescind RUS Bulletin 345-36 upon the effective date of 7 CFR 1755.700 through 7 CFR 1755.704.

The specification allows aerial service wire designs consisting of one pair through six pairs. The specification also allows aerial service wire designs