

7. We also conclude that our interpretation here does not apply a different standard of additional cost to CMRS carriers than the standard applicable to LECs. The “additional cost” standard applicable to both is whether an element is traffic-sensitive. In asserting that the Commission applied a different standard of recoverable costs in the Local Competition Order when it found that loop costs were not recoverable, SBC misconstrues the Commission’s reasoning. The Commission excluded loop costs because it found that “[t]he costs of local loops and line ports associated with local switches do not vary in proportion to the number of calls terminated over these facilities’ and concluded that “such non-traffic sensitive costs should not be considered “additional costs” when a LEC terminates a call that originated on the network of a competing carrier.” Because loop costs were excluded from “additional costs” on the basis of a finding of non-traffic sensitivity, we are not creating a different standard for CMRS carriers by permitting them to recover all costs that are traffic-sensitive.

8. We also find that the Joint Letter’s interpretation of the tandem interconnection rate rule is correct. Section 51.711(a)(3) of our rules governs when the tandem interconnection rate is applicable, and requires only a comparable geographic area test to be met for a carrier to receive the tandem interconnection rate. SBC argues that § 51.711(a)(3) of our rules must be interpreted to require both a functional equivalence test and a comparable geographic area test based on discussion in the Local Competition Order addressing this issue. As the Joint Letter correctly noted, however, the Commission has previously addressed the import of this language in the NPRM, and stated that “although there has been some confusion stemming from additional language in the text of the Local Competition Order regarding functional equivalency, § 51.711(a)(3) is clear in requiring only a geographic area test.” We reaffirm this interpretation.

9. Accordingly, it is ordered that, pursuant to 47 U.S.C. 154(i), and 47 CFR 1.115(c), the Application for Review filed by SBC Communications Inc. on June 8, 2001, is denied.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

[FR Doc. 03–23129 Filed 9–10–03; 8:45 am]

BILLING CODE 6712–01–P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 1804

RIN 2700–AC61

Format and Numbering of Award Documents

AGENCY: National Aeronautics and Space Administration.

ACTION: Final rule.

SUMMARY: This final rule revises the NASA FAR Supplement (NFS) to change the scheme used for numbering procurement award instruments. This change is required to comply with the General Services Administration (GSA) requirement that each agency establish unique document numbers on award instruments.

EFFECTIVE DATE: October 1, 2003.

FOR FURTHER INFORMATION CONTACT: William Childs, NASA, Office of Procurement, Analysis Division (Code HC), (202) 358–0454, e-mail: wchilds@nasa.gov.

SUPPLEMENTARY INFORMATION:

A. Background

Effective October 1, 2003, each agency is required to have unique document numbers on contracts, BPA calls, and other procurement instruments. Document numbers must be unique within the agency and between agencies. The General Services Administration (GSA) has established a register of agency numbering schemes to assure they do not conflict. On May 21, 2003, the Assistant Administrator for Procurement approved a new numbering scheme to be used by NASA to comply with the GSA requirement. This final rule implements that scheme.

B. Regulatory Flexibility Act

This final rule does not constitute a significant revision within the meaning of FAR 1.501 and Public Law 98–577, and publication for public comment is not required. However, NASA will consider comments from small entities concerning the affected NFS Part 1804 in accordance with 5 U.S.C. 610.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes do not impose recordkeeping or information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Part 1804.

Government Procurement.

Tom Luedtke,

Assistant Administrator for Procurement.

■ Accordingly, 48 CFR Part 1804 is amended as follows:

■ 1. The authority citation for 48 CFR Part 1804 continues to read as follows:

Authority: 42 U.S.C. 2473(c)(1).

PART 1804—ADMINISTRATIVE MATTERS

■ 2. Revise sections 1804.7101 and 1804.7102 to read as follows:

1804.7101 Policy.

(a) Contractual documents shall be numbered with approved prefixes, suffixes, and serial numbers as prescribed in this subpart. If other identification is required for center purposes, it shall be placed on the document in such a location as to clearly separate it from the identification number.

(b) The identification number shall consist of exactly 10 alpha-numeric characters positioned as prescribed in this subpart and shall be retained unchanged for the life of the particular instrument.

(c) Identification numbers shall be serially assigned to the extent feasible. Installations may designate blocks of numbers to offices for future use.

(d) Solicitations shall be numbered in accordance with installation procedures, except that in all cases the identifying number shall begin with the three characters specified in 1804.7102(a)(1) and (2).

1804.7102 Numbering scheme.

(a) General.

(1) The first two characters shall be NN.

(2) The third character shall be the same letter as used in the Integrated Financial Management Program (IFMP), *i.e.*, the first letter of Center name, except for GRC which uses “C”.

(3) The fourth and fifth characters shall be 2 numeric characters for the FY in which the award is expected to be signed by the Government.

(4) The sixth through ninth characters shall be 4 digits for action number; 2 alphas, 2 numbers (AA01, AA02 . . . AA99, AB01, AB02, . . . AZ99, BA01, BA02, etc. through ZZ99)

(5) The tenth character shall be 1 alpha character for type of action.

(b) Codes for Type of Action:

A—Cooperative agreement.

B—BOA, GWAC, or other indefinite delivery type contract.

C—Contract (except Facilities or indefinite delivery type).

- D—Delivery order or call against a supply contract (BOA, FSS, or other indefinite delivery contract or BPA).
- F—Facilities contract.
- G—Grant (other than training).
- H—Training grant.
- I—Intragovernmental transaction, *i.e.*, request to another Government agency to furnish supplies or services. It does not include an award by NASA to fulfill a request from another agency.
- P—Purchase order. (This does not include a call or task or delivery order, regardless of whether it is issued on a purchase order form. It also does not include other types of actions listed in this paragraph, notwithstanding that they are referred to as purchase orders in IFMP.)
- S—Space Act agreement.
- T—Task order against a service (including R&D) contract (BOA, FSS, or other indefinite delivery contract or BPA).
- Z—BPA.

(c) Sample.

NNG04AA01C would be a GSFC action issued in FY04. It would be the first one issued at the Center (or the first of its type), and the action type would be a contract:

| | | | | |
|------|------|------|--------------|----------|
| NN | G | 04 | AA01 | C |
| NASA | GSFC | FY04 | Serial No. 1 | Contract |

1804.7103 [Removed]

1804.7104 [Redesignated as 1804.7103]

■ 3. Remove section 1804.7103 and redesignate section 1804.7104 as section 1804.7103.

[FR Doc. 03-23176 Filed 9-10-03; 8:45 am]

BILLING CODE 7510-01-P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 195

[Docket No. RSPA-97-2717; Amdt. 195-78]

RIN 2137-AD10

Pipeline Safety: Recommendations To Change Hazardous Liquid Pipeline Safety Standards

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Final rule.

SUMMARY: The Research and Special Programs Administration's (RSPA) Office of Pipeline Safety (OPS) is changing several safety standards for hazardous liquid and carbon dioxide pipelines. The changes, which concern welder qualifications, backfilling, records, training, and signs, are based on recommendations by the National

Association of Pipeline Safety Representatives (NAPSR). RSPA/OPS believes the changes will improve the clarity and effectiveness of the present standards.

DATES: This Final Rule takes effect October 14, 2003.

FOR FURTHER INFORMATION CONTACT: L. M. Furrow by phone at 202-366-4559, by fax at 202-366-4566, by mail at U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC, 20590, or by e-mail at buck.furrow@rspa.dot.gov.

SUPPLEMENTARY INFORMATION:

Background

NAPSR is a non-profit association of officials from state agencies that participate with RSPA/OPS in the Federal pipeline safety regulatory program. RSPA/OPS asked NAPSR to review the hazardous liquid pipeline safety standards in 49 CFR part 195 and recommend any changes needed to make the standards more explicit, understandable, and enforceable. NAPSR compiled the results of its review in a report titled "Part 195 Project."

The report includes 30 different recommendations for changes to Part 195, of which RSPA/OPS has adopted or proposed to adopt 18 in earlier rulemaking actions. In the **Federal Register** of September 6, 2002, RSPA/OPS published a notice of proposed rulemaking (NPRM) in which RSPA/OPS proposed to adopt five more recommendations (67 FR 56970). The NPRM also described the earlier actions and explained why RSPA/OPS had declined to adopt seven recommendations.

Disposition of Comments

This section of the preamble summarizes the written comments RSPA/OPS received in response to the NPRM. It also describes how RSPA/OPS treated those comments in developing this Final Rule. If a proposed section is not mentioned, no significant comments were received on that section and RSPA/OPS is adopting it as final.

RSPA/OPS invited the public to comment by November 5, 2002, on proposed changes to five sections in Part 195: § 195.222, Welders; Qualification of welders; § 195.252, Backfilling; § 195.310, Records; § 195.403, Training; and § 195.434, Signs. The only comments RSPA/OPS received were from the Florida Department of Transportation (FDOT) and the Washington Utilities and Transportation Commission (WUTC).

FDOT was concerned that part 195 could be construed to supersede its more stringent requirements on backfilling and abandonment. For example, FDOT said it does not allow abandonment of utility facilities, whereas § 195.402(c)(10) permits operators to abandon pipelines under appropriate procedures. FDOT recommended that RSPA/OPS state in Part 195 that the part does not supersede state requirements unless those requirements are less stringent.

RSPA/OPS has not added this statement to part 195 because it may not be in accord with the preemption provisions of Federal pipeline safety law (49 U.S.C. 60104(c)). Those provisions prohibit state agencies from establishing any safety standards for interstate pipeline facilities. And although state agencies that meet certain requirements may establish additional or more stringent safety standards for intrastate pipeline facilities, the state standards must be compatible with the federal safety standards. The preemption provisions do not allow state agencies to establish less stringent safety standards for intrastate pipeline facilities. To say that Part 195 does not supersede state requirements unless they are less stringent would incorrectly imply that states may have safety standards for interstate pipeline facilities or may have less stringent standards for intrastate pipeline facilities. In addition, such a statement would incorrectly imply that Part 195 does not supersede a state agency's more stringent intrastate standards that are incompatible with Part 195.

Having said this, RSPA/OPS does not want to leave the impression that it considers FDOT's more stringent requirements on backfilling and abandonment to be inoperative in view of the Federal preemption provisions. As RSPA/OPS construes those provisions, they apply only to generally applicable state safety standards. They do not apply to safety requirements that a state or local agency may attach to specific construction permits as a condition of exercising the permit. It is in this vein that RSPA/OPS believes FDOT applies its more stringent requirements.

WUTC generally supported the NPRM, but made specific comments on the backfilling standard proposed in § 195.252. RSPA/OPS proposed that backfilling must provide firm support under the pipe and prevent damage to the pipe and pipe coating from equipment and backfill material. As explained in the NPRM, RSPA/OPS did not propose to adopt NAPSR's recommendation that backfill material