

However, the Commission believes that past business misfortunes do not inevitably preclude an entity from being able to meet its present and future responsibilities as a Commission licensee. Therefore, the Commission will allow "former defaulters," i.e., applicants that have defaulted or been delinquent in the past, but have since paid all of their outstanding non-Internal Revenue Service Federal debts and all associated charges or penalties, to be eligible to participate in C block reactions, provided that they are otherwise qualified.

In the *Part 1 Third Report and Order*, the Commission adopted general competitive bidding rules to supplant, wherever practicable, specific auction rules for each auctionable service or class of service. Accordingly, future C block reactions will adhere to Part 1 rules, insofar as applicable. Part 1 rules are determinative for the following aspects of C block reactions: competitive bidding design; activity rules; reserve price, minimum opening bid, and minimum bid increments; electronic filing; upfront payment; down payment and full payment; amendments and modifications of applications; bid withdrawal, default, and disqualification; anti-collusion, and installment payment financing. Based upon the record in this proceeding, the Commission sets a ceiling for minimum opening bids that is no more than ten percent of the amount of the net high bid for the corresponding market in the original C block auction. The Commission also sets the upfront payment amount for the next C block reaction at no higher than \$.06 per MHz per pop. The Commission will require that the upfront payment for "former defaulters" be 50 percent more than that required from applicants that do not have a history of default. This increased upfront payment formula reflects the increased risk associated with these parties.

In the *Part 1 Third Report and Order*, the Commission adopted a schedule of bidding credits to be used in future auctions for all services. Applying the Part 1 schedule to the gross revenue thresholds under the Part 24 rules for small and very small C block and F block businesses, gives small business applicants in C block reactions a fifteen percent bidding credit and very small business applicants a twenty-five percent bidding credit. Eligibility for bidding credits will be determined by the size of the

applicant as of the deadline for filing short-form applications.

Section 309(j) of the Communications Act of 1934, 47 U.S.C. 309(j), as amended, directs the Commission to disseminate licenses among a wide variety of applicants, including small businesses and other designated entities. Section 309(j) also requires that the Commission ensure the development and rapid deployment of new technologies, products, and services for the benefit of the public, and recover for the public a portion of the value of the public spectrum resource made available for commercial use. The Commission believes that the *C Block Fourth Report and Order* promotes these goals while maintaining the fair and efficient execution of the auctions program.

F. Report to Congress

The Commission will send a copy of the *C Block Fourth Report and Order*, including this FRFA, in a report to Congress pursuant to the Small Business Regulatory Enforcement Fairness Act of 1996. See 5 U.S.C. 801(a)(1)(A). A copy of the *C Block Fourth Report and Order* and this FRFA (or summary thereof) will be published in the **Federal Register**. See 5 U.S.C. 604(b). A copy of the *C Block Fourth Report and Order* and this FRFA will also be sent to the Chief Counsel for Advocacy of the Small Business Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket no. 971112269-8047-02; I.D. 102997A]

RIN 0648-AK13

Fisheries of the Exclusive Economic Zone Off Alaska; Management Authority for Black and Blue Rockfish; Correction

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Correction to final rule.

SUMMARY: This document contains a correction to the final rule pertaining to Fisheries of the Exclusive Economic Zone Off Alaska published in the **Federal Register** on March 6, 1998.

DATES: This action becomes effective September 23, 1998.

FOR FURTHER INFORMATION CONTACT: Alan Kinsolving, 907-586-7228.

SUPPLEMENTARY INFORMATION:

Background

A final rule was published in the **Federal Register** on March 6, 1998, that implemented Amendment 46 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) by removing black and blue rockfish from the complex of species managed under the FMP (63 FR 11167). That document contained an error.

Correction

In rule FR Doc. 98-5839 published on March 6, 1998 (63 FR 11167), make the following correction. On page 11168, in the second column, in amendatory instruction 3., "In § 679.21, paragraph (e)(3)(iv)(D) is revised to read as follows:" is corrected to read "In § 679.21, paragraph (e)(4)(iv)(D) is revised to read as follows:".

Dated: September 17, 1998.

Rolland A. Schmitten,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

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