

Interim Enhanced Surface Water Treatment Rule, Disinfectant/Disinfection Byproducts Rule and Public Notification Rule. EPA has determined that these revisions are no less stringent than the corresponding federal regulations. Therefore, EPA intends on approving this State program revision.

All interested parties may request a public hearing. A request for a public hearing must be submitted by April 10, 2003 to the Regional Administrator at the address shown below. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request for a public hearing is made by April 10, 2003, a public hearing will be held. If no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become final and effective on April 10, 2003. Any request for a public hearing shall include the following information: (1) The name, address, and telephone number of the individual organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and a brief statement of the information that the requesting person intends to submit at such hearing, and (3) the signature of the individual making the request, or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

**ADDRESSES:** All documents relating to this determination are available for inspection between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, at the following offices:

Mississippi State Department of Health, Office of Environmental Health, Division of Water Supply, 570 E. Woodrow Wilson Blvd., Underwood Building, Suite 232, Jackson, Mississippi 39215-1700 or at the Environmental Protection Agency, Region 4, Drinking Water Section, 61 Forsyth Street SW, Atlanta, Georgia 30303.

**FOR FURTHER INFORMATION CONTACT:** Shaun McMullen, EPA Region 4, Drinking Water Section at the Atlanta address given above or at telephone (404) 562-9294

**Authority:** (Section 1420 of the Safe Drinking Water Act, as amended (1996), and

40 CFR part 142 of the National Primary Drinking Water Regulations)

**A. Stanley Meiburg,**

*Acting Regional Administrator, Region 4.*

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## FEDERAL COMMUNICATIONS COMMISSION

**[CC Docket No. 94-157, CC Docket No. 94-65, CC Docket No. 93-193, DA 03-488]**

**Stale or Moot Docketed Proceedings; Bell Atlantic Telephone Companies Tariff F.C.C. No. 1, Transmittal No. 690 and NYNEX Telephone Companies Tariff F.C.C. No. 1, Transmittal No. 328; 1994 Annual Access Tariff Filings; 1993 Annual Access Tariff Filings Phase I; AT&T Communications Tariff F.C.C. Nos. 1 and 2, Transmittal Nos. 5460, 5461, 5462, and 5464 Phase II**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** By this document, the Federal Communications Commission's Wireline Competition Bureau reinstates CC Docket No. 94-157 to address two outstanding "other postretirement employee benefits" (OPEB) related issues. Interested parties should inform the Bureau of any other OPEB-related issue that remains open. If no timely comments are received in response to this document, the Bureau will terminate its OPEB investigation in CC Docket No. 94-65, and CC Docket No. 93-193 without further action. Finally, the Bureau directs Verizon Communications to submit its direct case to demonstrate that OPEB related costs incurred prior to January 1, 1993 are eligible for exogenous treatment.

**DATES:** Comments are due on or before April 8, 2003; Reply comments are due on or before April 22, 2003.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. See Supplementary Information for filing instructions.

**FOR FURTHER INFORMATION CONTACT:** Josh Swift, Pricing Policy Division, Wireline Competition Bureau, FCC (202) 418-2019.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order, Notice, and Erratum; CC Docket Nos. 93-193 and 94-157; adopted and released February 25, 2003. In December 1990, the Financial Accounting Standards Board (FASB) adopted SFAS-106. For companies that follow

generally accepted accounting principles, SFAS-106 established new financial accounting and reporting requirements for accounting periods beginning after December 15, 1992, for any employer offering postretirement benefits other than pensions to its employees. This category of benefits, OPEBs, typically consists of health and dental care benefits and life insurance.

On May 4, 1992, the Bureau released Responsible Accounting Officer Letter No. 20 (RAO 20) (7 FCC Rcd 2872) to provide carriers with accounting and ratemaking instructions for OPEBs in a manner consistent with SFAS-106. RAO 20 directed the LECs to exclude accrued OPEB liabilities recorded in USOA Account 4310 from their interstate rate base and to include prepaid OPEB benefits recorded in USOA Account 1410 in their interstate rate base.

After the Bureau required AT&T and the LECs to conform their regulatory accounting practices to SFAS-106, several LECs subject to price cap regulation filed tariff transmittals in 1992 that sought exogenous treatment for the change in OPEB costs. The Bureau suspended the 1992 transmittals for five months and set them for investigation. (See 7 FCC Rcd 2724 (1992)) The Bureau made all price cap regulated LECs subject to this investigation. On January 22, 1993, in its *OPEB Order* (8 FCC Rcd 1024 (1993)), the Commission terminated the investigation and denied the LECs' requests for exogenous treatment of OPEBs.

On July 12, 1994, the U.S. Court of Appeals for District of Columbia Circuit reversed and remanded the *OPEB Order*, concluding that changes in LEC OPEB costs caused by the implementation of SFAS-106 were eligible for exogenous treatment under the Commission's then existing rules. (See *Southwestern Bell Telephone Company v. FCC*, 28 F.3d 165 (D.C. Cir. 1994)). Because the carriers had withdrawn the tariffs that were the subject of the *OPEB Order*, and no tariffs remained pending in the remanded CC Docket No. 92-101, the Commission vacated the *OPEB Order* and terminated the CC Docket No. 92-101 proceeding. (See 10 FCC Rcd 11821 (1995)). The SFAS-106 created two categories of OPEB expenses, "ongoing amounts" and the "transitional benefit obligation" (TBO). The "ongoing amount" represents the yearly expense that a firm recognizes as its current employees earn benefits that will be paid after they retire. SFAS-106 also requires companies to recognize on their financial records the amount of their unfunded obligation for OPEBs to