

this action is to further the public interest by maintaining, and ensuring a smooth transition to, the scheduled analog sunset date for the public. The Commission received and considered over 70 comments on the Petition for Rulemaking in this proceeding.

2. The Commission also takes three related actions to ensure the continuity of wireless coverage to affected consumers following sunset of the analog service requirement and to ensure that interested parties are fully informed of the sunset. First, it requires all cellular licensees to notify any remaining analog service subscribers of the analog sunset. At a minimum, licensees must notify each analog-only subscriber individually of their intention to discontinue analog service at least four months before such discontinuance, and a second time, at least 30 days before such discontinuance. Second, in order to reduce the financial, administrative, and technical burdens that would be associated with filing a revised Cellular Geographic Service Area (CGSA) determination with the Commission when a carrier decommissions analog service in a CGSA, it permits licensees, in lieu of making a revised CGSA showing, to certify that the discontinuance of AMPS service will not result in any loss of wireless coverage throughout the carrier's CGSA. If a licensee cannot so certify, it must file a revised determination, and any area no longer covered by a CGSA would be forfeited and available for immediate reassignment by the Commission under its cellular unserved area rules. Third, it directs the Commission's Consumer and Governmental Affairs Bureau, in conjunction with the Wireless Telecommunications Bureau, to initiate a public outreach campaign to ensure that consumers, public safety groups, and other interested parties are aware of, and prepared for, the analog sunset in February 2008.

#### I. Procedural Matters

##### A. Paperwork Reduction Act

3. This document contains new information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. Specifically, it requires all cellular radiotelephone service licensees to notify each analog-only subscriber individually of their intention to discontinue analog service at least four months before such discontinuance (by a billing insert, for example), and again, at least 30 days before such discontinuance (by separate letter or

direct customer contact, for example). The Commission, as part of its continuing efforts to reduce paperwork burdens, invites the general public, the Office of Management and Budget (OMB) and other Federal agencies to comment on the information collection requirements contained in this *Memorandum Opinion and Order*, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. Public and agency comments are due September 14, 2007. Comments should address: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4), we seek specific comment on how we might "further reduce the information collection burden for small business concerns with fewer than 25 employees." We do not believe that the information collection burdens herein will affect a significant number of small businesses as defined in the SBPRA.

*OMB Control Number:* 3060-xxxx.

*Title:* Sunset of the Cellular Radiotelephone Service Analog Service Requirement and Related Matters.

*Type of Review:* New collection.

*Respondents:* Business or other for-profit.

*Number of Respondents:* 452.

*Estimated Time Per Response:* 12 hours.

*Frequency of Response:* Twice.

*Obligation to Respond:* Mandatory.

*Total Annual Burden:* 10,848 hours.

*Total Annual Costs:* \$None.

*Privacy Act Impact Assessment:* None.

*Nature and Extent of Confidentiality:* None.

*Needs and Uses:* The third-party consumer notices will ensure that remaining analog-only cellular service subscribers are adequately notified of the potential loss of analog service and the need to make alternative service arrangements.

##### B. Report to Congress

4. The Commission will send a copy of the *Memorandum Opinion and Order* in a report to be sent to Congress and the Congressional Budget Office

pursuant to the Congressional Review Act.

##### C. Ordering Clauses

Pursuant to sections 1, 2, 4(i), 4(j) and 309 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 154(j) and 309, and §§ 1.403 and 22.901 of the Commission's rules, the Petition for Rulemaking filed by the Alarm Industry Communications Committee and ADT Security Services, Inc. on November 30, 2006, *is denied*.

Pursuant to sections 4(i), 201, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 201, and 303(r); and section 5(d) of the Administrative Procedure Act, 5 U.S.C. 554(e), each cellular radiotelephone service licensee must notify each analog-only subscriber individually of their intention to discontinue Advanced Mobile Phone Service (AMPS) compatible analog service at least four months before such discontinuance, and a second time, at least 30 days before such discontinuance.

Pursuant to sections 1, 4(i), and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), and 154(j), and sections 0.131, 0.201 and 0.331 of the Commission's rules, the Consumer and Governmental Affairs Bureau, in conjunction with the Wireless Telecommunications Bureau, shall commence a public outreach campaign to ensure public awareness of the sunset of the analog service requirement.

##### List of Subjects in 47 CFR Part 22

Radio.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 070213032-7032-01]

RIN 0648-XB43

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific ocean perch in the West Yakutat District of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the 2007 total allowable catch (TAC) of Pacific ocean perch in the West Yakutat District of the GOA.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), July 11, 2007, through 2400 hrs, A.l.t., December 31, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Hogan, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The 2007 TAC of Pacific ocean perch in the West Yakutat District of the GOA is 1,140 metric tons (mt) as established by the 2007 and 2008 harvest specifications for groundfish of the GOA (72 FR 9676, March 5, 2007).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the 2007 TAC of Pacific ocean perch in the West Yakutat District of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 1,090 mt, and is setting aside the remaining 50 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific ocean perch in the West Yakutat District of the GOA.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

**Classification**

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public

interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of Pacific ocean perch in the West Yakutat District of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of July 10, 2007.

The AA also finds good cause to waive the 30 day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: July 11, 2007.

**James P. Burgess,**  
*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 07-3455 Filed 7-11-07; 2:57 pm]

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Part 679**

**[Docket No. 070213033-7033-01]**

**RIN 0648-XB45**

**Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch and Rougheye Rockfish in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific ocean perch in a specified area of the Western Aleutian District of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to limit incidental catch of rougheye rockfish and prevent overfishing of rougheye rockfish in the BSAI.

**DATES:** Effective 1200 hrs, Alaska local time (A.l.t.), July 11, 2007, through 2400 hrs, A.l.t., December 31, 2007.

**FOR FURTHER INFORMATION CONTACT:** Josh Keaton, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the

BSAI according to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The Magnuson-Stevens Fishery Conservation and Management Act requires that conservation and management measures prevent overfishing. The 2007 rougheye rockfish overfishing limit in the BSAI is 269 metric tons (mt) and the acceptable biological catch (ABC) is 202 mt as established by the 2007 and 2008 final harvest specifications for groundfish in the BSAI (72 FR 9451, March 2, 2007). NMFS closed directed fishing for rougheye rockfish in Table 9 of the 2007 and 2008 final harvest specifications for groundfish in the BSAI (72 FR 9451, March 2, 2007).

Substantial trawl fishing effort will be directed at remaining amounts of Pacific ocean perch in the Western Aleutian District of the BSAI. This fishery has significant incidental catch of rougheye rockfish in certain areas. Data from the groundfish observer program indicates that high incidental catch rates of rougheye rockfish are experienced in the area delineated by straight lines connecting the coordinates in the order listed:

East Buldir Island	52° 40.00' N.	176° 00.00' E.
	52° 30.00' N.	176° 00.00' E.
	52° 30.00' N.	176° 40.00' E.
	52° 40.00' N.	176° 40.00' E.
.....	.....	.....

If the Pacific ocean perch fishery were allowed to continue in this area beyond July 11, 2007, the ABC for rougheye rockfish would be exceeded.

The Administrator has determined, in accordance with § 679.20(d)(3) that prohibiting directed fishing for Pacific ocean perch in the area delineated by straight lines connecting the coordinates in the order listed:

East Buldir Island	52° 40.00' N.	176° 00.00' E.
	52° 30.00' N.	176° 00.00' E.
	52° 30.00' N.	176° 40.00' E.
	52° 40.00' N.	176° 40.00' E.
.....	.....	.....

is necessary to prevent overfishing of the rougheye rockfish, and is the least restrictive measure to achieve that purpose. Without this closure,