

exchange or telephone toll service without authorization in apparent violation of section 248 of the Act, 47 U.S.C. 248, and 64.1120 of the Commission's rules, 47 CFR 64.1120.

Thus, pursuant to sections 4(i) and 214 of the Act, 47 U.S.C. 154(i), 214, the Order directs directing Buzz, BOI, U.S. Bell Corporation ("US Bell"), Link Technologies ("Link"), AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel to show cause in an adjudicatory proceeding before an administrative law judge why (i) The operating authority bestowed on them pursuant to section 214 of the Act, 47 U.S.C. 214, should not be revoked and, (ii) Kurtis J. Kintzel, Keanan Kintzel, and any and all entities in which they are or may be principals and/or by which they do, or may do business, should be required to refrain from providing any interstate common carrier services in the future without first obtaining prior Commission consent, as a result of their repeated violation of the Commission's rules and provisions of the Act, upon the following issues:

(a) Whether Buzz, BOI, U.S. Bell, Link, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel willfully and/or repeatedly violated Paragraph 14(d) of the Consent Decree by discontinuing service in one or more states without first notifying either the Commission or the appropriate state regulatory authority;

(b) Whether Buzz, BOI, U.S. Bell, Link, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel willfully and/or repeatedly violated Paragraph 14(f) of the Consent Decree by failing to make required universal service contributions by the date indicated on invoices from the Universal Service Administrative Company ("USAC");

(c) Whether Buzz, BOI, U.S. Bell, Link, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel willfully and/or repeatedly violated Paragraph 14(g) of the Consent Decree by failing to make required TRS contributions by the date indicated on invoices received from the National Exchange Carriers Association ("NECA");

(d) Whether Buzz, BOI, U.S. Bell, Link, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel willfully and/or repeatedly violated Paragraph 15 of the Consent Decree by failing to make required voluntary contributions to the Commission in a timely manner;

(e) Whether Buzz, BOI, U.S. Bell, Link, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel willfully and/or repeatedly violated

§ 63.71 of the Commission's rules, 47 CFR 63.71, by discontinuing service in one or more states without first notifying either the Commission or the appropriate state regulatory authority;

(f) Whether Buzz, BOI, U.S. Bell, Link, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel willfully and/or repeatedly violated § 54.706 of the Commission's rules, 47 CFR 54.706, by failing to make required universal service contributions by the date indicated on invoices from USAC;

(g) Whether Buzz, BOI, U.S. Bell, Link, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel willfully and/or repeatedly violated § 64.604(c)(5)(iii)(A) of the Commission's rules, 47 CFR 64.604(c)(5)(iii)(A), by failing to make required TRS contributions by the date indicated on invoices received from NECA;

(h) Whether Buzz, BOI, U.S. Bell, Link, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel willfully and/or repeatedly violated sections 218 and/or 403 of the Act, 47 U.S.C. 218, 403, by failing to respond fully, completely, and in a timely manner to one or more Commission inquiries;

(i) Whether Buzz, BOI, U.S. Bell, Link, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel willfully and/or repeatedly violated section 258 of the Act, 47 U.S.C. 258, and 64.1120 of the Commission's rules, 47 CFR 64.1120, by changing a subscriber's provider of telephone exchange or telephone toll service without authorization and/or without following the verification procedure's outlined in § 64.1120 of the Commission's rules;

(j) In light of the evidence adduced pursuant to the foregoing issues, whether the authority conferred by section 214 of the Act, 47 U.S.C. 214, upon Buzz, BOI, U.S. Bell, Link Technologies, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel to provide interstate common carrier services should be revoked;

(k) In light of the evidence adduced pursuant to the foregoing issues, whether Buzz, BOI, U.S. Bell, Link, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel should be ordered to henceforth cease, desist and otherwise refrain from providing interstate common carrier services of any kind without prior written application to and consent from the Commission.

The hearing will be held at a time and place to be specified in a subsequent

order. Copies of the Order are being sent to Buzz Telecom Corporation, Business Options, Inc., U.S. Bell Corporation, Link Technologies, AVATAR, Kurtis J. Kintzel and Keanan Kintzel via Certified Mail, Return Receipt Requested, and by e-mail.

To avail themselves of the opportunity to be heard, Buzz Telecom Corporation, Business Options, Inc., U.S. Bell Corporation, Link Technologies, AVATAR, and/or their principals Kurtis J. Kintzel and/or Keanan Kintzel, in person or by their attorney, are directed by the Order, pursuant to 47 CFR 1.91(c), to file with the Commission, by October 1, 2007, a written appearance stating that they will appear on the date fixed for hearing and present evidence on the issues specified herein.

Federal Communications Commission.

**Marlene H. Dortch,**  
*Secretary.*

[FR Doc. E7-19020 Filed 9-26-07; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

[DA 07-3759]

### Reminder to Video Programming Distributors and the Public of the January 1, 2008, Requirements for the Closed Captioning of English "Pre-rule" Nonexempt Video Programming

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In this document, the Commission reminds video programming distributors—including broadcasters, cable operators, and satellite television services—and the public of the upcoming closed captioning benchmark for "pre-rule" English language nonexempt video programming.

**DATES:** Effective January 1, 2008.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Amelia Brown (202) 418-2799 (voice), (202) 418-7804 (TTY), [Amelia.Brown@fcc.gov](mailto:Amelia.Brown@fcc.gov); or Traci Randolph, (202) 418-0569 (voice), (202) 418-0537 (TTY), [Traci.Randolph@fcc.gov](mailto:Traci.Randolph@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of document DA 07-3759, released August 28, 2007. The full text of document DA 07-3759 and copies of any subsequently filed documents

relating to this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. Document DA 07-3759 and copies of subsequently filed documents in this matter may also be purchased from the Commission's contractor at Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Customers may contact the Commission's contractor at their Web site <http://www.bcpweb.com> or by calling 1-800-378-3160.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY). Document DA 07-3759 can also be downloaded in Word and Portable Document Format (PDF) at <http://www.fcc.gov/cgb/dro>.

### Synopsis

The Commission reminds video programming distributors and the public of the upcoming closed captioning benchmark for "pre-rule" English language nonexempt video programming. As of January 1, 2008, 75% of all nonexempt pre-rule English language programming must be captioned per channel, per calendar quarter. Pre-rule video programming is programming that was first published or exhibited before January 1, 1998 (for analog programming) or before July 1, 2002 (for digital programming). Nonexempt programming is video programming that is not exempt pursuant to a self-implementing exemption found in 47 CFR 79.1(d) of the Commission's rules, or pursuant to an exemption based on the undue burden standard found in 47 CFR 79.1(f) of the Commission's rules, and, accordingly, is subject to closed captioning requirements. These closed captioning requirements are separate from video programming distributors' obligations to make emergency information accessible to persons with hearing and vision disabilities.

Federal Communications Commission.

**Nicole McGinnis,**

*Deputy Chief, Consumer & Governmental Affairs Bureau.*

[FR Doc. E7-18862 Filed 9-26-07; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than October 12, 2007.

**A. Federal Reserve Bank of Minneapolis** (Jacqueline G. King, Community Affairs Officer) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291:

1. *Michael L. Frei*, Pickstown, South Dakota; to join a group acting in concert by acquiring voting shares of Commercial Holding Company, and thereby indirectly acquire voting shares of Commercial State Bank, both of Wagner, South Dakota.

**B. Federal Reserve Bank of Kansas City** (Todd Offenbacher, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *Joseph M. Sullivan*, as co-trustee; to retain voting shares of Grant County Bank Employee Stock Ownership Plan, and thereby indirectly retain voting shares of Resource One, Inc., and Grant County Bank, all of Ulysses, Kansas.

Board of Governors of the Federal Reserve System, September 24, 2007.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E7-19094 Filed 9-26-07; 8:45 am]

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## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the

assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 23, 2007.

**A. Federal Reserve Bank of Kansas City** (Todd Offenbacher, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. *Grant County Bank Employee Stock Ownership Plan*, to become a bank holding company by retaining 25.60 percent of the voting shares of Resource One, Inc., and thereby indirectly retain voting shares of Grant County Bank, all of Ulysses, Kansas.

Board of Governors of the Federal Reserve System, September 24, 2007.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E7-19095 Filed 9-26-07; 8:45 am]

BILLING CODE 6210-01-S

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Solicitation of Nomination for Appointment to the Advisory Committee on Minority Health; Extension

**AGENCY:** Department of Health and Human Services, Office of the Secretary.

**ACTION:** Notice; extension.

**SUMMARY:** The Department of Health and Human Services published a document in the **Federal Register** of July 17, 2007, Vol 72, No. 136, pages 39068 through