

In accordance with the provisions of Executive Order 12866, this regulation was reviewed by the Office of Management and Budget.

List of Subjects

42 CFR Part 422

Administrative practice and procedure, Grant programs—health, Health care, Health insurance, Health maintenance organizations (HMO), Loan programs—Health, Medicare, Reporting and recordkeeping requirements.

42 CFR Part 423

Administrative practice and procedure, Emergency medical services, Health facilities, Health maintenance organizations (HMO), Medicare, Penalties, Privacy, Reporting and recordkeeping.

For the reasons set forth in the preamble, the Centers for Medicare & Medicaid Services proposes to amend 42 CFR chapter IV as set forth below:

PART 422—MEDICARE ADVANTAGE PROGRAM

1. The authority citation for part 422 continues to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

Subpart F—Submission of Bids, Premiums, and Related Information and Plan Approval

2. Amend § 422.262 to revise paragraph (c)(1) to read as follows:

§ 422.262 Beneficiary premiums.

(c) * * *

(1) General rule. Except as permitted for supplemental premiums pursuant to § 422.106(d), for MA contracts with employers and labor organizations, the MA monthly bid amount submitted under § 422.254, the MA monthly basic beneficiary premium, the MA monthly supplemental beneficiary premium, the MA monthly prescription drug premium (except as provided in § 423.780), and the monthly MSA premium of an MA organization may not vary among individuals enrolled in an MA plan (or segment of the plan as provided for local MA plans under paragraph (c)(2) of this section). In addition, the MA organization cannot vary the level of cost-sharing charged for basic benefits or supplemental benefits (if any) among individuals enrolled in an MA plan (or segment of the plan).

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PART 423—VOLUNTARY MEDICARE PRESCRIPTION DRUG BENEFIT

3. The authority citation for part 423 continues to read as follows:

Authority: Secs 1102, 1860D–1 through 1860D–42, and 1871 of the Social Security Act (42 U.S.C. 1302, 1395w–101 through 1395w–152, and 1395hh).

Subpart B—Eligibility and Enrollment.

- 4. Amend § 423.34 by—
A. Revising paragraph (d)(1).
B. Adding a new paragraph (d)(3).

The revisions and additions read as follows:

§ 423.34 Enrollment of full-benefit dual eligible individuals.

* * * * *

(d) * * *

(1) General rule. Except as provided in paragraph (d)(3) of this section, CMS must automatically enroll full-benefit dual eligible individuals who fail to enroll in a Part D plan into a PDP offering basic prescription drug coverage in the area where the individual resides that has a monthly beneficiary premium that does not exceed the low-income premium subsidy amount (as defined in § 423.780(b)). In the event that there is more than one PDP in an area with a monthly beneficiary premium at or below the low-income premium subsidy amount, individuals must be enrolled in such PDPs on a random basis.

(2) * * *

(3) PDPs whose premiums were reduced for LIS beneficiaries under § 423.780(f) would not be entitled to automatic enrollment under paragraph (d)(1) of this section.

* * * * *

Subpart F—Submission of Bids and Monthly Beneficiary Premiums; Plan Approval

5. Amend § 423.286 by revising paragraph (e) to read as follows:

§ 423.286 Rules regarding premiums.

* * * * *

(e) Decrease in monthly beneficiary premium for low-income assistance. The monthly beneficiary premium paid by the beneficiary may be eliminated as provided in § 423.780.

* * * * *

Subpart P—Premiums and Cost-Sharing Subsidies for Low-Income Individuals

6. Amend § 423.780 by adding a new paragraph (f) to read as follows:

§ 423.780 Premium subsidy.

* * * * *

(f) Option for a reduced premium amount for full subsidy eligible individuals. PDP sponsors have the option of providing for a separate prescription drug premium amount for full subsidy eligible individuals for prescription drugs plans under § 423.104(d) or (e) subject to the following conditions—

(1) The PDP sponsor must elect this option at the time its bid is submitted, and agree to set its prescription drug premium for all full subsidy eligible individuals at the premium subsidy amount under paragraph (b) of this section for the entire coverage year if

(i) The PDP sponsor puts forward no other PDP in the PDP region that is offering a premium below the premium subsidy amount or closer to the premium subsidy amount; and

(ii) Its premium amount would otherwise equal or be below the amount established under paragraph (f)(ii) of this section.

(2) Following the establishment of the premium subsidy amount, CMS will review the bids of PDP sponsors that have elected the option under paragraph (f)(i) of this section, and determine an amount that, when added to the premium subsidy amount, would produce a premium amount that is no greater than the amount that would equal or exceed the prescription drug premium amount produced by bids for at least five PDP sponsors in every PDP region.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: December 13, 2007.

Kerry Weems,

Acting Administrator, Centers for Medicare & Medicaid Services.

Approved: December 28, 2007.

Michael O. Leavitt,

Secretary.

[FR Doc. 08–15 Filed 1–3–08; 10:12 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 61 and 69

[WC Docket No. 07–135; DA 07–5082]

Establishing Just and Reasonable Rates for Local Exchange Carriers

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment period.

SUMMARY: In this document, the Federal Communications Commission (Commission) extends the date for filing reply comments from December 31, 2007, to January 16, 2008, to provide parties additional time to evaluate the extensive comments received and prepare their replies.

DATES: Reply comments are due on or before January 16, 2008.

ADDRESSES: Interested parties may file reply comments on or before January 16, 2008. All filings related to this Notice of Proposed Rulemaking should refer to WC Docket No. 07–135. Comments may be filed using: (1) The Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's Rulemaking Portal, or (3) by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

- *Electronic Filers:* Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the Web site for submitting comments.

- For ECFS filers, if multiple dockets or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

- *Paper Filers:* Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

- Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-

delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW., Washington, DC 20554.

- 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 or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

FOR FURTHER INFORMATION CONTACT: Douglas Sloten, Wireline Competition Bureau, Pricing Policy Division, (202) 418–1572.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order in WC Docket No. 07–135, adopted on December 20, 2007, and released on December 20, 2007. The complete text of this Order is available for public inspection Monday through Thursday from 8 a.m. to 4:30 p.m. and Friday from 8 a.m. to 11:30 a.m. in the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, Room CY–A257, 445 12th Street, SW., Washington, DC 20554. The complete text is available also on the Commission's Internet site at <http://www.fcc.gov>. Alternative formats are available for persons with disabilities by contacting the Consumer and Governmental Affairs Bureau, at (202) 418–0531, TTY (202) 418–7365, or at fcc504@fcc.gov. The complete text of the decision may be purchased from the Commission's duplicating contractor, Best Copying and Printing, Inc., Room CY–B402, 445 12th Street, SW., Washington, DC 20554, telephone (202) 488–5300, facsimile (202) 488–5563, TTY (202) 488–5562, or e-mail at fcc@bcpweb.com.

Synopsis of Order

1. Reply comments are currently due on December 31, 2007, 72 FR 64179 (Nov. 15, 2007). We find that providing an additional sixteen days to file reply comments in this proceeding will facilitate the development of a more accurate and complete record. We note that it is the policy of the Commission

that extensions of time shall not be routinely granted. Given the complexity of the issues that are raised, the large number of comments that were filed, and the intervening holidays, however, we find that good cause exists to provide all parties an extension of time from December 31, 2007 to January 16, 2008 for filing reply comments in this proceeding.

2. *Accordingly, it is ordered* that, pursuant to §§ 4(i), 4(j), and 5(c) of the Communications Act, 47 U.S.C. 154(i), 154(j), 155(c), and §§ 0.91, 0.291, and 1.46 of the Commission's rules, 47 CFR 0.91, 0.291, 1.46, reply comments in this matter shall be filed on or before January 16, 2008.

3. *It is further ordered* that the motions of FUTUREPHONE.COM, LLC., the National Telephone Cooperative Association and the Independent Telephone and Telecommunications Alliance, and CTIA—the Wireless Association for Extension of Time are granted, as set forth herein.

Federal Communications Commission.

Dana R. Shaffer,

Chief, Wireline Competition Bureau.

[FR Doc. E8–117 Filed 1–7–08; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Pipeline and Hazardous Materials Safety Administration

49 CFR Part 192

[Docket No. PHMSA—2005—21305, Notice 2]

RIN 2137–AE26

Pipeline Safety: Polyamide-11 (PA–11) Plastic Pipe Design Pressures

AGENCY: Pipeline and Hazardous Materials Safety Administration (PHMSA); DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: PHMSA proposes to revise the Federal pipeline safety regulations to allow certain thermoplastic pipelines made from new Polyamide-11 (PA–11) pipe to be designed using a higher design factor and to raise the design pressure limit for the same pipelines. Design pressure calculations and design pressure limitations for all other thermoplastic pipes (PE-polyethylene, PB-polybutylene, PVC-polyvinyl chloride, etc.) would remain unchanged. These rule changes would allow pipeline operators to operate certain pipelines constructed of new PA–11 pipe at higher operating pressures than currently allowed by the existing rules.