

**FEDERAL COMMUNICATIONS COMMISSION**

[WT Docket No. 08-7; DA 08-282]

**Extension of Time To File Comments on Petition for Declaratory Ruling That Text Messages and Short Codes are Title II Services or Are Title I Services Subject to Section 202 Non-Discrimination Rules****AGENCY:** Federal Communications Commission.**ACTION:** Notice.

**SUMMARY:** This document extends the time period for filing comments on a petition for declaratory ruling (Petition) filed by Public Knowledge, Free Press, Consumer Federation of America, Consumers Union, EDUCAUSE, Media Access Project, New America Foundation, and U.S. PIRG (Petitioners). The Petitioners ask the Federal Communications Commission (Commission) to clarify the regulatory status of text messaging services, including short-code based services sent from and received by mobile phones, and declare that these services are governed by the anti-discrimination provisions of Title II of the Communications Act.

**DATES:** Interested parties may file comments on or before March 14, 2008, and reply comments on or before April 14, 2008.

**ADDRESSES:** You may submit comments, identified by WT Docket No. 08-7, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Federal Communications Commission's Web Site:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.

- *Mail:* 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.

- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:**

Jennifer Salhus, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, 202-418-1310.

**SUPPLEMENTARY INFORMATION:** This is a summary of an Order released on February 1, 2008. The full text of the Order is available for public inspection and copying during normal business hours in the FCC Reference Center, Room CY-A257, 445 12th St., SW., Washington, DC 20554. The complete text may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th St., SW., Room CY-B402, Washington, DC, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com). Additionally, the complete item is available on the Federal Communications Commission's Web site at <http://www.fcc.gov>.

On December 11, 2007, Petitioners filed a joint petition for declaratory ruling, asking the Commission to clarify the regulatory status of text messaging services, including short-code-based services sent from and received by mobile phones, and declare that these services are governed by the anti-discrimination provisions of Title II of the Communications Act. On January 14, 2008, the Commission established a pleading cycle for the Petition, with comments due on February 13, 2008 and replies due on March 14, 2008, 73 FR 4866.

On January 25, 2008, CTIA-The Wireless Association (CTIA) filed a motion for an extension of time to file comments and replies. CTIA requested a 30-day extension of the deadline for filing comments and a corresponding 30-day extension of the deadline to file reply comments. CTIA stated that "additional time is necessary for parties to consider the important issues raised by the Petition and to fully prepare submissions enabling the Commission to make an informed decision based on a fully developed record."

On February 1, 2008, the Wireless Bureau issued an Order granting CTIA's motion for an extension of time to file comments and replies based on its finding that additional time would be beneficial to the development of a complete record on the issues. As a result of the Order, comments on the petition are due by March 14, 2008, and reply comments are due by April 14, 2008.

Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first

page of this document. Comments may be filed using: (1) The Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking 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 docket 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](mailto: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.

People with Disabilities: 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), 202-418-0432 (tty).

Federal Communications Commission.

**Fred B. Campbell, Jr.,**

*Chief, Wireless Telecommunications Bureau.*

[FR Doc. E8-3595 Filed 2-27-08; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Agency Information Collection Request; 60-Day Public Comment Request**

In compliance with the requirement of section 3506(c)(2)(A) of the

Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed information collection request for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden. To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, e-mail your request, including your address, phone number, OMB number, and OS document identifier, to [Sherrette.funncoleman@hhs.gov](mailto:Sherrette.funncoleman@hhs.gov), or call

the Reports Clearance Office on (202) 690-6162. Written comments and recommendations for the proposed information collections must be received with 60-days, and directed to the OS Paperwork.

*Proposed Project:* SF-424D (Assurances—Construction Programs) Form—Extension—OMB No. 4040-0009—*Grants.Gov*.

*Abstract:* The SF-424D (Assurances—Construction Programs) form is utilized by up to 26 Federal grantmaking agencies. The SF-424D is used to provide information on required assurances when applying for construction projects under Federal grants. The Federal awarding agencies use information reported on the form for the evaluation of award and general management of Federal assistance program awards. The only information collected on the form is the applicant signature, title and date submitted. A 2-year clearance is requested. Frequency of data collection varies by Federal agency.

**ESTIMATED ANNUALIZED BURDEN TABLE**

Agency	Number of respondents	Number of responses per respondent	Average burden per response (in hours)	Total burden hours
USDA .....	916	1	15/60	229
DOI .....	318	1.227	30/60	195
VA .....	141	1	15/60	35
DOC .....	505	1	15/60	126
Total .....	1,880	.....	.....	586

**John L. Leeter,**

*Office of the Secretary, Paperwork Reduction Act Reports Clearance Officer.*

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

[Document Identifier: OS-0990-30-day notice]

**Agency Information Collection Request; 30-Day Public Comment Request**

**AGENCY:** Office of the Secretary, HHS.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed collection for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this

collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, e-mail your request, including your address, phone number, OMB number, and OS document identifier, to [Sherrette.funncoleman@hhs.gov](mailto:Sherrette.funncoleman@hhs.gov), or call the Reports Clearance Office on (202) 690-6162. Written comments and recommendations for the proposed information collections must be received within 30 days of this notice

directly to the OS OMB Desk Officer. All comments must be faxed to OMB at 202-395-6974.

*Proposed Project:* Hospital Preparedness Program (HPP) Data Collection Instrument (DCI)-0990-NEW—Office of the Assistant Secretary for Preparedness and Response.

*Abstract:* The Office of the Assistant Secretary, Hospital Preparedness Program (HPP) formerly Healthcare Systems Bureau (HSB), Division of Healthcare Preparedness (DHP), is proposing a Data Collection Instrument (DCI) to gather critical information from the 62 Awardees which include: States or political subdivisions of a State (cities and counties), and territories participating in HPP.

The DCI will capture information related to: performance measures, critical benchmarks, minimal levels of readiness, program statistics, policies and procedures, surge capacity elements, surge capacity as measured by exercises, and other pertinent information for programmatic