

Street, SW., Washington, DC or via Internet at *Cathy.Williams@fcc.gov* or *PRA@fcc.gov*.

To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the Web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the Web page called "Currently Under Review," (3) click on the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box, (6) when the list of FCC ICRs currently under review appears, look for the title of this ICR (or its OMB control number, if there is one) and then click on the ICR Reference Number to view detailed information about this ICR."

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0906.

*Title:* Annual DTV Report, FCC Form 317; 47 CFR 73.624(g).

*Form Number:* FCC Form 317.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit entities; Not-for-profit institutions.

*Number of Respondents and responses:* 1,815 respondents, 3,630 responses.

*Frequency of Response:*

Recordkeeping requirement; Annual reporting requirement.

*Obligation to Respond:* Required to obtain benefits—Statutory authority for this collection of information is contained in Sections 154(i), 303, 336 and 403 of the Communications Act of 1934, as amended.

*Estimated Time per Response:* 2-4 hours.

*Total Annual Burden:* 10,890 hours.

*Total Annual Costs:* \$181,500.

*Confidentiality:* No need for confidentiality required.

*Privacy Impact Assessment:* No impact(s).

*Needs and Uses:* Congress has mandated that after February 17, 2009, full-power television broadcast stations must transmit only in digital signals, and may no longer transmit analog signals. On December 22, 2007, the Commission adopted a Report and Order in the matter of the Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television, MB

Docket No. 07-91, FCC 07-228 ("Third DTV Periodic Report and Order") to establish the rules, policies and procedures necessary to complete the nation's transition to DTV. As a result of the Third DTV Periodic Report and Order, DTV stations that are permittees must now comply with the requirements for feeable ancillary or supplementary services in Section 73.624(g) (using FCC Form 317). This new requirement in 47 CFR § 73.624(g) adds a new group of respondents to this collection (namely, "DTV permittees"). The Commission has also revised FCC Form 317 and its instructions to indicate that DTV permittees are required to file the form and report their ancillary and supplementary services.

Each commercial and noncommercial educational (NCE) digital television (DTV) broadcast station licensee and permittee is required to file FCC Form 317 annually. The licensees/permittees report whether they provided ancillary or supplementary services at any time during the reporting cycle. The report indicates which services were provided, fee related services, gross revenues received from all feeable ancillary and supplementary services, and the amount of bitstream used to provide ancillary or supplementary service.

Concurrent with the submission of FCC Form 317, each commercial and noncommercial educational DTV licensee and permittee is required to remit to the Commission a payment, FCC Form 159 (3060-0589), in the amount of 5% of the gross revenues derived from the provision of its ancillary or supplementary services.

Each licensee and permittee is required to retain the records supporting the calculation of the fees due for three years from the date of remittance of fees. Noncommercial DTV licensees/permittees must also retain for eight years documentation sufficient to show that their entire bitstream was used "primarily" for noncommercial education broadcast services on a weekly basis.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E8-21862 Filed 9-17-08; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority, Comments Requested**

September 12, 2008.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3520. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (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 estimate; (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.

**DATES:** Persons wishing to comment on this information collection should submit comments November 17, 2008. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicholas A. Fraser, Office of Management and Budget (OMB), 202-395-5887, or via fax at 202-395-5167, or via the Internet at *Nicholas.A.Fraser@omb.eop.gov* and to *Judith-B.Herman@fcc.gov*, Federal Communications Commission (FCC). To submit your comments by e-mail send them to: *PRA@fcc.gov*.

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“Currently Under Review” heading, (4) select “Federal Communications Commission” from the list of agencies presented in the “Select Agency” box, (5) click the “Submit” button to the right of the “Select Agency” box and (6) when the list of FCC ICRs currently under review appears, look for the title of this ICR (or its OMB Control Number, if there is one) and then click on the ICR Reference Number to view detailed information about this ICR.

**FOR FURTHER INFORMATION CONTACT:** For additional information, send an e-mail to Judith B. Herman at 202-418-0214.

**SUPPLEMENTARY INFORMATION:**

*OMB Control No.:* 3060-0147.

*Title:* Section 64.804, Extension of Unsecured Credit for Interstate and Foreign Communication Services to Candidates for Federal Office.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit.

*Number of Respondents:* 13 respondents; 13 responses.

*Estimated Time per Response:* 8 hours.

*Frequency of Response:* Annual reporting requirement and recordkeeping requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection (IC) is contained in section 401 of the Federal Election Campaign Act of 1971, Public Law 92-225 together with the 1971 Revenue Act, Public Law 92-178.

*Total Annual Burden:* 104 hours.

*Annual Cost Burden:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Nature and Extent of Confidentiality:* Ordinarily questions of a sensitive nature are not involved in the filed data. The Commission contends that areas in which information is required are fully subject to regulation and the issue of data being regarded as sensitive will arise on special circumstances only. In such circumstances, the respondent is instructed on the appropriate procedures to follow to safeguard data. If respondents wish to request confidential treatment of their documents, they may do so under 47 CFR 0.459 of the Commission's rules.

*Needs and Uses:* This collection will be submitted as an extension (no change in the reporting requirement and/or recordkeeping requirement) after this 60 day comment period to Office of Management and Budget (OMB) in order to obtain the full three year clearance. There is no change in the number of respondents/responses and estimated burden hours. Collection of this

information is required by statute—section 401 of the Federal Election Campaign Act of 1971, Public Law 92-225, together with the 1971 Revenue Act, Public Law 92-178.

Pursuant to Section 64.804(c), a carrier must obtain a signed, written application for service which shall identify the applicant and the candidate and state whether or not the candidate assumes responsibility for charges, and which shall state that the applicant or applicants are liable for payment and that the applicant understands that service will be discontinued if payment is not rendered. Section 64.804(f) also requires that the records of each account, involving the extension by a carrier of unsecured credit to a candidate or person on behalf of such candidate for common carrier communications services shall be maintained by the carrier as to show separately, for interstate and foreign communications services all charges, credits, adjustments, and security, if any, and balance receivable. Section 64.804(g) requires communications common carriers with operating revenues exceeding \$1 million who extend unsecured credit to a political candidate or person on behalf of such candidate for Federal office to report annually, data including due and outstanding balances.

The information is used by the Commission to monitor the extent of credit extended to candidates for Federal office.

*OMB Control No.:* 3060-0704.

*Title:* Sections 42.10, 42.11, 64.1900 and Section 254(g): Policies and Rules Concerning the Interstate, Interexchange Marketplace.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit.

*Number of Respondents:* 700 respondents; 700 responses.

*Estimated Time per Response:* .50-2 hours.

*Frequency of Response:* Annual reporting requirements, third party disclosure requirements and recordkeeping requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in section 254(g) of the Communications Act of 1934, as amended.

*Total Annual Burden:* 2,450 hours.

*Annual Cost Burden:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Nature and Extent of Confidentiality:* The Commission is not requesting that the respondents submit confidential

information to the Commission. If the Commission requests respondents to submit information which respondents believe is confidential, respondents may request confidential treatment of such information under 47 CFR section 0.459 of the Commission's rules.

*Needs and Uses:* The Commission will submit this information collection as an extension (no change in reporting, third party disclosure requirements, and/or recordkeeping requirements) after this 60 day comment period in order to obtain the full three year clearance from the OMB. The estimated number of respondents/responses has increased due to an increase in alternate providers (*i.e.*, VoIP providers) and prepaid calling card providers. The estimated burden hours has been adjusted due to -81,887 hours due to a recalculation of each requirement. Finally, the total annual burden hours have significantly decreased because the Commission assumes that respondents have adapted to the requirements and therefore require less time to comply with the posting, disclosure, and certification requirements. Therefore, the Commission has decreased the estimated time per response for each of the requirements in this information collection. The four information collection requirements under this OMB Control Number are information disclosure requirements, internet posting requirements, recordkeeping requirements, and annual certification requirements. These requirements are necessary to provide consumers ready access to information concerning the rates, terms, and conditions governing the provision of interstate, domestic, Interexchange services offered by nondominant Interexchange carriers (IXCs) in a detariffed and increasingly competitive environment. These information collections are consistent with OMB's "strong recommendation" earlier in this proceeding that the Commission consider mechanisms to make pricing information available to consumers, State regulators, and other interested parties.

The information collected under the information disclosure requirement and the Internet posting requirement must be disclosed to the public to ensure that consumers have access to the information they need to select a telecommunications carrier and to bring to the Commission's attention possible violations of the Communications Act without a specific public disclosure requirement. The information collected under the recordkeeping and certification requirements will be used by the Commission to ensure that affected Interexchange carriers fulfill

their obligations under the Communications Act, as amended.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E8-21864 Filed 9-17-08; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare and Medicaid Services

[Document Identifier: CMS-10137 and CMS-10237 and 10214]

#### Emergency Clearance: Public Information Collection Requirements Submitted to the Office of Management and Budget (OMB)

**AGENCY:** Center for Medicare and Medicaid Services, HHS.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Centers for Medicare and Medicaid Services (CMS), Department of Health and Human Services, is publishing the following summary of proposed collections 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.

We are, however, requesting an emergency review of the information collection referenced below. In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, we have submitted to the Office of Management and Budget (OMB) the following requirements for emergency review. We are requesting an emergency review because the collection of this information is needed before the expiration of the normal time limits under OMB's regulations at 5 CFR part 1320(a)(2)(iii). This is necessary to ensure compliance with an initiative of the Administration. We cannot reasonably comply with the normal clearance procedures because the use of normal clearance procedures is

reasonably likely to cause a statutory deadline to be missed.

The Balanced Budget Act of 1997, established a new "Part C" in the Medicare statute, sections 1851 through 1859 of the Social Security Act, which provided for a Medicare+Choice (M+C) program. The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) was enacted on December 8, 2003. The MMA established the Medicare Prescription Drug Benefit Program under section 101 of the MMA and is codified in section 1860D of the Social Security Act which establishes the voluntary Prescription Drug Benefit Program ("Part D"), and made revisions to the provisions of Medicare Part C, governing what is now called the Medicare Advantage (MA) program (formerly Medicare+Choice). The MMA was amended on July 15, 2008 by the enactment of the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA).

CMS is in the process of publishing regulations that are intended to be released as an interim final rule with comment. Many of the provisions included in MIPPA that impact the Part C and Part D programs are self-implementing, meaning these provisions will go into effect without any further regulatory clarification or changes to the Part C and Part D solicitations. As part of the revised information collection request, CMS will implement into the Part C solicitations, sections 163, 164, and 165 of MIPPA, and implement into the Part D solicitations, sections 171, 172 and 173 of MIPPA. These sections amend the contractual requirements that Part C and Part D sponsors (applicants) must have with CMS and with any downstream or related entities performing Part C and Part D functions on the sponsor's behalf. Currently CMS provides templates that contain the required language for the contracts based on the statute and regulations. While applicants do not have to use the exact CMS contract templates, they will be responsible for including the required language in the contracts when they submit materials to CMS for the 2010 contract year.

The solicitations do not represent new policy, but rather implement the provisions that will exist in the forthcoming regulations, and include clarifying edits and updates as well. Therefore, CMS is seeking an emergency PRA clearance to amend the Part C and Part D solicitations to reflect the new MIPPA requirements.

1. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of*

*Information Collection:* Application for Prescription Drug Plans (PDP); Application for Medicare Advantage Prescription Drug (MA-PD); Application for Cost Plans to Offer Qualified Prescription Drug Coverage; Application for Employer Group Waiver Plans to Offer Prescription Drug Coverage; Service Area Expansion Application for Prescription Drug Coverage; *Use:* Collection of this information is mandated in Part D of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 and under supporting regulations Subpart K of 42 CFR 423 entitled "Application Procedures and Contracts with PDP Sponsors."

Coverage for the prescription drug benefit is provided through contracted prescription drug plans (PDPs) or through Medicare Advantage (MA) plans that offer integrated prescription drug and health care coverage (MA-PD plans). Cost Plans that are regulated under Section 1876 of the Social Security Act, and Employer Group Waiver Plans (EGWP) may also provide a Part D benefit. Organizations wishing to provide services under the Prescription Drug Benefit Program must complete an application, negotiate rates and receive final approval from CMS. Existing Part D Sponsors may also expand their contracted service area by completing the Service Area Expansion (SAE) application. The information will be collected under the solicitation of proposals from PDP, MA-PD, Cost Plan, PACE, and EGWP Plan applicants. The collected information will be used by CMS to: (1) Ensure that applicants meet CMS requirements, (2) support the determination of contract awards. *Form Number:* CMS-10137 (OMB#: 0938-0936); *Frequency:* Reporting—Once; *Affected Public:* Business or other for-profit and Not-for-profit institutions; *Number of Respondents:* 455 *Total Annual Responses:* 455; *Total Annual Hours:* 11,890.

2. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Medicare Advantage Applications—Part C; *Use:* Collection of this information is mandated in Part C of the Medicare Prescription Drug, Improvement and Modernization Act of 2003 (MMA) in Subpart K of 42 CFR 422 entitled "Contracts with Medicare Advantage Organizations." Under section 1851(a)(1) of the Act, every individual entitled to Medicare Part A and enrolled under Part B, except for most individuals with end-stage renal disease, could elect to receive benefits either through the Original Medicare