



Federal Register

**Monday,
December 7, 2009**

Part XVII

**Federal
Communications
Commission**

Semiannual Regulatory Agenda

FEDERAL COMMUNICATIONS COMMISSION (FCC)

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Ch. I

Unified Agenda of Federal Regulatory and Deregulatory Actions—Fall 2009

AGENCY: Federal Communications Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: Twice a year, in spring and fall, the Commission publishes in the **Federal Register** a list in the Unified Agenda of those major items and other significant proceedings under development or review that pertain to the Regulatory Flexibility Act. *See* 5 U.S.C. 602. The Unified Agenda also provides the Code of Federal Regulations citations and legal authorities that govern these proceedings.

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

FOR FURTHER INFORMATION CONTACT: Maura McGowan, Telecommunications Specialist, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, (202) 418-0990.

SUPPLEMENTARY INFORMATION:

Unified Agenda of Major and Other Significant Proceedings

The Commission encourages public participation in its rulemaking process.

To help keep the public informed of significant rulemaking proceedings, the Commission has prepared a list of important proceedings now in progress. The General Services Administration publishes the Unified Agenda in the **Federal Register** in the spring and fall of each year.

The following terms may be helpful in understanding the status of the proceedings included in this report:

Docket Number — assigned to a proceeding if the Commission has issued either a Notice of Proposed Rulemaking or a Notice of Inquiry concerning the matter under consideration. The Commission has used docket numbers since January 1, 1978. Docket numbers consist of the last two digits of the calendar year in which the docket was established plus a sequential number that begins at 1 with the first docket initiated during a calendar year (e.g., Docket No. 96-1 or Docket No. 99-1). The abbreviation for the responsible bureau usually precedes the docket number, as in “MM Docket No. 96-222,” which indicates that the responsible bureau is the Mass Media Bureau (now the Media Bureau). A docket number consisting of only five digits (e.g., Docket No. 29622) indicates that the docket was established before January 1, 1978.

Notice of Inquiry (NOI) — issued by the Commission when it is seeking information on a broad subject or trying

to generate ideas on a given topic. A comment period is specified during which all interested parties may submit comments.

Notice of Proposed Rulemaking (NPRM) — issued by the Commission when it is proposing a specific change to Commission rules and regulations. Before any changes are actually made, interested parties may submit written comments on the proposed revisions.

Further Notice of Proposed Rulemaking (FNPRM) — issued by the Commission when additional comment in the proceeding is sought.

Memorandum Opinion and Order (MO&O) — issued by the Commission to deny a petition for rulemaking, conclude an inquiry, modify a decision, or address a petition for reconsideration of a decision.

Rulemaking (RM) Number — assigned to a proceeding after the appropriate bureau or office has reviewed a petition for rulemaking, but before the Commission has taken action on the petition.

Report and Order (R&O) — issued by the Commission to state a new or amended rule or state that the Commission rules and regulations will not be revised.

Marlene H. Dortch,
Secretary, Federal Communications Commission.

CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 465 | Policies and Rules Governing Interstate Pay-Per-Call and Other Information Services Pursuant to the Telecommunications Act of 1996 (CC Docket Nos. 96-146, 93-22) | 3060-AG42 |
| 466 | Implementation of the Subscriber Selection Changes Provision of the Telecommunications Act of 1996 (CC Docket No. 94-129) | 3060-AG46 |
| 467 | Implementation of the Telecommunications Act of 1996; Access to Telecommunications Service, Telecommunications Equipment, and Customer Premises Equipment by Persons With Disabilities | 3060-AG58 |
| 468 | Telecommunications Relay Services, the Americans With Disabilities Act of 1990, and the Telecommunications Act of 1996 (CC Docket No. 90-571) | 3060-AG75 |
| 469 | Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991 (CG Docket No. 02-278) | 3060-A114 |
| 470 | Rules and Regulations Implementing Section 225 of the Communications Act (Telecommunications Relay Service) (CG Docket No. 03-123) | 3060-A115 |
| 471 | Rules and Regulations Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CG Docket No. 04-53) | 3060-A120 |
| 472 | Rules and Regulations Implementing Minimum Customer Account Record Exchange (CARE) Obligations on All Local and Interexchange Carriers (CG Docket No. 02-386) | 3060-A158 |
| 473 | Truth in Billing and Billing Format | 3060-A161 |
| 474 | Closed Captioning of Video Programming (Section 610 Review) | 3060-A172 |

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OFFICE OF ENGINEERING AND TECHNOLOGY—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 475 | Revision of the Rules Regarding Ultra-Wideband Transmission | 3060-AH47 |
| 476 | New Advanced Wireless Services (ET Docket No. 00-258) | 3060-AH65 |
| 477 | Transfer of the 3650 Through 3700 MHz Band From Federal Government Use (WT Docket No. 05-96; ET Docket No. 02-380) | 3060-AH75 |
| 478 | Exposure to Radiofrequency Electromagnetic Fields | 3060-AI17 |
| 479 | Unlicensed Operation of the 3650-3700 Band (ET Docket No. 04-151) | 3060-AI50 |
| 480 | Unlicensed Operation in the TV Broadcast Bands (ET Docket No. 04-186) | 3060-AI52 |
| 481 | Unlicensed Devices and Equipment Approval (ET Docket No. 03-201) | 3060-AI54 |

INTERNATIONAL BUREAU—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 482 | Streamlining the Commission's Rules and Regulations for Satellite Application and Licensing Procedures (IB Docket No. 95-117) | 3060-AD70 |
| 483 | Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band (IB Docket No. 95-91; GEN Docket No. 90-357) | 3060-AF93 |
| 484 | Allocate & Designate: Spec for Fixed-Sat Srv (37.5-38.5, 40.5-41.5 & 48.2-50.2 GHz Bands); Allocate: Fixed & Mobile 40.5-42.5 GHz; Wireless 46.9-47 GHz; Gov Oper 37-38 & 40-40.5 GHz (IB Docket No. 97) | 3060-AH23 |
| 485 | Space Station Licensing Reform (IB Docket No. 02-34) | 3060-AH98 |
| 486 | Mitigation of Orbital Debris (IB Docket No. 02-54) | 3060-AI06 |
| 487 | Amendment of the Commission's Rules (IB Docket No. 04-47) | 3060-AI41 |
| 488 | Reporting Requirements for U.S. Providers of International Telecommunications Services (IB Docket No. 04-112) | 3060-AI42 |
| 489 | Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands (IB Docket No. 02-364) | 3060-AI44 |
| 490 | Amendment of the Commission's Rules To Allocate Spectrum and Adopt Service Rules and Procedures To Govern the Use of Vehicle-Mounted Earth Stations (IB Docket No. 07-101) | 3060-AI90 |

INTERNATIONAL BUREAU—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 491 | Establishing Rules and Policies for the Use of Spectrum for Mobile Satellite Service in the L-Band (IB Docket No. 96-132) | 3060-AF89 |

MEDIA BUREAU—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 492 | Cable Television Rate Regulation | 3060-AF41 |
| 493 | Cable Television Rate Regulation: Cost of Service | 3060-AF48 |
| 494 | Cable Home Wiring | 3060-AG02 |
| 495 | Competitive Availability of Navigation Devices (CS Docket No. 97-80) | 3060-AG28 |
| 496 | Cable Horizontal and Vertical Ownership Limits (MM Docket No. 92-264) | 3060-AH09 |
| 497 | Digital Audio Broadcasting Systems (MM Docket No. 99-325) | 3060-AH40 |
| 498 | Second Periodic Review of Rules and Policies Affecting the Conversion to DTV | 3060-AH54 |
| 499 | Direct Broadcast Public Interest Obligations (MM Docket No. 93-25) | 3060-AH59 |
| 500 | Revision of EEO Rules and Policies (MM Docket No. 98-204) | 3060-AH95 |
| 501 | Broadcast Multiple and Cross-Ownership Limits | 3060-AH97 |
| 502 | Establishment of Rules for Digital Low Power Television, Television Translator, and Television Booster Stations (MB Docket No. 03-185) | 3060-AI38 |
| 503 | Joint Sales Agreements in Local Television Markets (MB Docket No. 04-256) | 3060-AI55 |
| 504 | Significantly Viewed Out-of-Market Broadcast Stations (MB Docket No. 05-49) | 3060-AI56 |

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MEDIA BUREAU—Long-Term Actions (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 505 | Revision of Procedures Governing Amendments to FM Table of Allotments and Changes of Community of License in the Radio Broadcast Services (MB Docket No. 05-210) | 3060-AI63 |
| 506 | Digital Television Distributed Transmission System Technologies (MB Docket No. 05-312) | 3060-AI68 |
| 507 | Implementation of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992 (MB Docket No. 05-311) | 3060-AI69 |
| 508 | Program Access Rules—Sunset of Exclusive Contracts Prohibition and Examination of Programming Tying Arrangements; (MB Docket Nos. 07-29, 07-198) | 3060-AI87 |
| 509 | Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (MB Docket No. 07-91) | 3060-AI89 |
| 510 | DTV Consumer Education Initiative (MB Docket No. 07-148) | 3060-AI96 |
| 511 | Broadcast Localism (MB Docket No. 04-233) | 3060-AJ04 |
| 512 | Creating a Low Power Radio Service (MM Docket NO. 99-25) | 3060-AJ07 |
| 513 | Sponsorship Identification Rules and Embedded Advertising (MB Docket No. 08-90) | 3060-AJ10 |
| 514 | An Inquiry Into the Commission's Policies and Rules Regarding AM Radio Service Directional Antenna Performance Verification (MM Docket No. 93-177) | 3060-AJ17 |
| 515 | Amendment of Parts 73 and 74 of the Commission's Rules To Establish Rules for Replacement Digital Low Power Television Translator Stations; MB Docket No. 08-253 | 3060-AJ18 |
| 516 | Policies To Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures; MB Docket No. 09-52 | 3060-AJ23 |
| 517 | Promoting Diversification of Ownership in the Broadcast Services (MB Docket No. 07-294) | 3060-AJ27 |

OFFICE OF MANAGING DIRECTOR—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 518 | Assessment and Collection of Regulatory Fees | 3060-AI79 |

PUBLIC SAFETY AND HOMELAND SECURITY BUREAU—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 519 | Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems | 3060-AG34 |
| 520 | Enhanced 911 Services for Wireline | 3060-AG60 |
| 521 | In the Matter of the Communications Assistance for Law Enforcement Act | 3060-AG74 |
| 522 | Development of Operational, Technical, and Spectrum Requirements for Public Safety Communications Requirements | 3060-AG85 |
| 523 | 1998 Biennial Regulatory Review—Review of Accounts Settlement in Maritime Mobile and Maritime Mobile-Satellite Radio Services; (IB Docket No. 98-96) | 3060-AH30 |
| 524 | Implementation of 911 Act | 3060-AH90 |
| 525 | Commission Rules Concerning Disruptions to Communications | 3060-AI22 |
| 526 | E911 Requirements for IP-Enabled Service Providers | 3060-AI62 |
| 527 | Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks | 3060-AI78 |
| 528 | Stolen Vehicle Recovery System (SVRS) | 3060-AJ01 |
| 529 | The Commercial Mobile Alert System | 3060-AJ03 |

WIRELESS TELECOMMUNICATIONS BUREAU—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 530 | Implementation of the Communications Act, Amendment of the Commission's Rules—Broadband PCS Competitive Bidding and the Commercial Mobile Radio Service Spectrum Cap | 3060-AG21 |
| 531 | Amendment of Part 90 of the Rules To Adopt Regulations for Automatic Vehicle Monitoring Systems | 3060-AH12 |

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WIRELESS TELECOMMUNICATIONS BUREAU—Long-Term Actions (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 532 | Fixed Satellite Service and Terrestrial System in the Ku-Band | 3060-AH17 |
| 533 | Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to the Commission's Rules | 3060-AH32 |
| 534 | Implementation of the Communications Act of 1934 as Amended | 3060-AH33 |
| 535 | Amendment of Parts 13 and 80 of the Commission's Rules Governing Maritime Communications | 3060-AH55 |
| 536 | Competitive Bidding Procedures | 3060-AH57 |
| 537 | 2000 Biennial Regulatory Review Spectrum Aggregation Limits for Commercial Mobile Radio Services | 3060-AH81 |
| 538 | In the Matter of Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets | 3060-AH82 |
| 539 | Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers | 3060-AH83 |
| 540 | Year 2000 Biennial Review (WT Docket No. 01-108) | 3060-AI26 |
| 541 | Air-Ground Telecommunications Services | 3060-AI27 |
| 542 | Amendments of Various Rules Affecting Wireless Radio Services (WT Docket No. 03-264) | 3060-AI30 |
| 543 | Facilitating the Provision of Spectrum-Based Services to Rural Areas | 3060-AI31 |
| 544 | Improving Public Safety Communications in the 800 MHz Band Industrial/Land Transportation and Business Channels | 3060-AI34 |
| 545 | Review of Part 87 of the Commission's Rules Concerning Aviation (WT Docket No. 01-289) | 3060-AI35 |
| 546 | Implementation of the Commercial Spectrum Enhancement Act (CSEA) and Modernization of the Commission's Competitive Bidding Rules and Procedures (WT Docket No. 05-211) | 3060-AI88 |
| 547 | Facilitating the Provision of Fixed and Mobile Broadband Access Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands; Reviewing of the Spectrum Sharing Plan Among Non-Geost | 3060-AJ12 |
| 548 | Amendment of the Rules Regarding Maritime Automatic Identification Systems; WT Docket No. 04-344 | 3060-AJ16 |
| 549 | Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band | 3060-AJ19 |
| 550 | Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz, and 2175-2180 MHz Bands | 3060-AJ20 |
| 551 | Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band, WT Docket No. 08-166; Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary | 3060-AJ21 |
| 552 | Amendment of the Commission's Rules To Improve Public Safety Communications in the 800 MHz Band, and To Consolidate the 800 MHz and 900 MHz Business and Industrial/Land Transportation Pool Channels | 3060-AJ22 |
| 553 | Amendment of Part 101 to Accommodate 30 MHz Channels in the 6525-6875 MHz Band and Provide Conditional Authorization on Channels in the 21.8-22.0 and 23.0-23.2 GHz Band; WT Docket No. 04-114 | 3060-AJ28 |

WIRELESS TELECOMMUNICATIONS BUREAU—Completed Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|--|------------------------------|
| 554 | Amendment of the Commission's Rules Concerning Maritime Communications | 3060-AF14 |
| 555 | 39 GHz Channel Plan | 3060-AG16 |
| 556 | Amendment of the Rules To License Fixed Services at 24 GHz | 3060-AH41 |

WIRELINE COMPETITION BUREAU—Long-Term Actions

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 557 | Implementation of the Universal Service Portions of the 1996 Telecommunications Act | 3060-AF85 |
| 558 | Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information | 3060-AG43 |
| 559 | Implementation of the Local Competition Provisions of the Telecommunications Act of 1996 | 3060-AG50 |
| 560 | Local Telephone Networks That LECs Must Make Available to Competitors | 3060-AH44 |
| 561 | 2000 Biennial Regulatory Review—Telecommunications Service Quality Reporting Requirements | 3060-AH72 |
| 562 | Access Charge Reform and Universal Service Reform | 3060-AH74 |
| 563 | Numbering Resource Optimization | 3060-AH80 |
| 564 | National Exchange Carrier Association Petition | 3060-AI47 |
| 565 | IP-Enabled Services | 3060-AI48 |
| 566 | Consumer Protection in the Broadband Era | 3060-AI73 |
| 567 | Establishing Just and Reasonable Rates for Local Exchange Carriers (WC Docket No. 07-135) | 3060-AJ02 |
| 568 | Jurisdictional Separations | 3060-AJ06 |

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WIRELINE COMPETITION BUREAU—Long-Term Actions (Continued)

| Sequence Number | Title | Regulation Identifier Number |
|-----------------|---|------------------------------|
| 569 | Implementation of NET 911 Improvement Act | 3060-AJ09 |

Federal Communications Commission (FCC)
Consumer and Governmental Affairs Bureau

Long-Term Actions

465. POLICIES AND RULES GOVERNING INTERSTATE PAY-PER-CALL AND OTHER INFORMATION SERVICES PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996 (CC DOCKET NOS. 96-146, 93-22)

Legal Authority: 47 USC 228

Abstract: The Commission received comments on proposed rules designed to implement the 1996 Telecommunications Act with respect to information services to prevent abusive and deceptive practices by entities that might try to circumvent the statutory requirements. The proposed rules address generally the use of dialing sequences other than the 900 service access code to provide information services. The Commission issued an NPRM on these issues July 16, 2004.

Timetable:

| Action | Date | FR Cite |
|--------------------------|--------------|-------------|
| NPRM | 07/26/96 | 61 FR 39107 |
| Order | 07/26/96 | 61 FR 39084 |
| NPRM Comment Period End | 09/16/96 | |
| Notice to Refresh Record | 03/27/03 | 68 FR 14939 |
| Comment Period End | 05/27/03 | |
| NPRM | 10/15/04 | 69 FR 61184 |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Erica H. McMahon, Chief, Consumer Policy Division, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554
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RIN: 3060-AG42

466. IMPLEMENTATION OF THE SUBSCRIBER SELECTION CHANGES PROVISION OF THE TELECOMMUNICATIONS ACT OF 1996 (CC DOCKET NO. 94-129)

Legal Authority: 47 USC 154; 47 USC 201; 47 USC 258

Abstract: In December 1998, the Commission established new rules and policies implementing section 258 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, which makes it unlawful for any telecommunications carrier to “submit or execute a change in a subscriber’s selection of a provider of telecommunications exchange service or telephone toll service except in accordance with such verification procedures as the Commission shall prescribe.” The rules provide, among other things, that any telecommunications carrier that violates such verification procedures and that collects charges for telephone exchange service or telephone toll service from a subscriber shall be liable to the carrier previously selected by the subscriber in an amount equal to 150 percent of all charges paid by the subscriber after such violation. In April 2000, the Commission modified the slamming liability rules by giving victims of slamming adequate redress, ensuring that carriers that slam do not profit from their fraud, and allowing States to act as the primary administrator of slamming complaints. In May 2001, the Commission adopted streamlined procedures for the carrier-to-carrier sale or transfer of customer bases.

In February 2003, the Commission adopted a Reconsideration Order and Second FNPRM. The Reconsideration Order addresses, amongst other things, the requirement that a carrier’s sales agent drop-off a carrier change request phone call once the customer has been connected to an independent third

party verifier, and the applicability of our slamming rules to local exchange carriers. In the Second FNPRM, the Commission sought comment on rule modifications with respect to third party verifications.

On January 4, 2008, the Commission released an Order that confirmed that a LEC that is executing a carrier change on behalf of another carrier may not re-verify whether the person listed on the change order is actually authorized to do so.

On January 9, 2008, the Commission released a Fourth Report and Order that modified the slamming rules regarding the content of independent third party verifications of a consumer’s intent to switch carriers.

Timetable:

| Action | Date | FR Cite |
|--|--------------|-------------|
| MO&O on Recon and FNPRM | 08/14/97 | 62 FR 43493 |
| FNPRM Comment Period End | 09/30/97 | |
| Second R&O and Second FNPRM | 02/16/99 | 64 FR 7745 |
| First Order on Recon | 04/13/00 | 65 FR 47678 |
| Third R&O and Second Order on Recon | 11/08/00 | 65 FR 66934 |
| Third FNPRM | 01/29/01 | 66 FR 8093 |
| Order | 03/01/01 | 66 FR 12877 |
| First R&O and Fourth R&O | 06/06/01 | 66 FR 30334 |
| Second FNPRM | 03/17/03 | 68 FR 19176 |
| Third Order on Recon | 03/17/03 | 68 FR 19152 |
| Second FNPRM Comment Period End | 06/17/03 | |
| First Order on Recon & Fourth Order on Recon | 03/15/05 | 70 FR 12605 |
| Fifth Order on Recon | 03/23/05 | 70 FR 14567 |
| Order | 02/04/08 | 73 FR 6444 |
| Fourth R&O | 03/12/08 | 73 FR 13144 |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis Required: Yes

FCC—Consumer and Governmental Affairs Bureau

Long-Term Actions

Agency Contact: Nancy Stevenson, Deputy Chief, Consumer Policy Div., Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554
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RIN: 3060-AG46

467. IMPLEMENTATION OF THE TELECOMMUNICATIONS ACT OF 1996; ACCESS TO TELECOMMUNICATIONS SERVICE, TELECOMMUNICATIONS EQUIPMENT, AND CUSTOMER PREMISES EQUIPMENT BY PERSONS WITH DISABILITIES

Legal Authority: 47 USC 255; 47 USC 251(a)(2)

Abstract: This proceeding is initiated to implement the provisions of sections 255 and 251(a)(2) of the Communications Act and related sections of the Telecommunications Act of 1996 regarding the accessibility of telecommunications equipment and services to persons with disabilities.

Timetable:

| Action | Date | FR Cite |
|---------------|----------|--------------|
| Notice | 03/07/96 | 61 FR 9164 |
| Notice | 07/30/96 | 61 FR 39657 |
| R&O | 08/14/96 | 61 FR 42181 |
| NOI | 09/26/96 | 61 FR 50465 |
| Notice | 10/23/96 | 61 FR 54999 |
| NPRM | 05/22/98 | 63 FR 28456 |
| Notice | 10/28/98 | 63 FR 57686 |
| Notice | 04/13/99 | 64 FR 18021 |
| Notice | 04/19/99 | 64 FR 19178 |
| Notice | 06/02/99 | 64 FR 29644 |
| R&O | 11/19/99 | 64 FR 63235 |
| Further NOI | 11/19/99 | 64 FR 63277 |
| Public Notice | 07/13/00 | 65 FR 43372 |
| Public Notice | 01/07/02 | 67 FR 678 |
| Notice | 04/23/02 | 67 FR 19753 |
| Notice | 09/06/02 | 67 FR 57009 |
| Notice | 10/30/02 | 67 FR 66154 |
| Public Notice | 07/21/04 | 69 FR 43586 |
| Notice | 07/29/04 | 69 FR 45318 |
| Notice | 02/14/05 | 70 FR 7503 |
| Notice | 04/06/05 | 70 FR 17456 |
| Public Notice | 07/20/05 | 70 FR 41754 |
| Notice | 03/29/06 | 71 FR 15738 |
| Notice | 07/26/06 | 71 FR 42396 |
| Public Notice | 08/02/06 | 71 FR 43768 |
| R&O | 08/06/07 | 72 FR 43546 |
| NPRM | 11/21/07 | 72 FR 465494 |
| Notice | 12/10/07 | 72 FR 69686 |
| Notice | 12/11/07 | 72 FR 70324 |
| Notice | 03/06/08 | 73 FR 12174 |

| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| Notice/Announcement of Effective Date | 03/20/08 | 73 FR 14941 |
| Final Rule: Notice Removal | 04/21/08 | 73 FR 21251 |
| R&O | 05/07/08 | 73 FR 25566 |
| R&O | 06/12/08 | 73 FR 33324 |
| Public Notice | 08/01/08 | 73 FR 45008 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Cheryl J. King, Deputy Chief, Disability Rights Office, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554
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RIN: 3060-AG58

468. TELECOMMUNICATIONS RELAY SERVICES, THE AMERICANS WITH DISABILITIES ACT OF 1990, AND THE TELECOMMUNICATIONS ACT OF 1996 (CC DOCKET NO. 90-571)

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 225

Abstract: This item addresses the requirement that telecommunications relay services be capable of handling any type of call normally provided by common carriers.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 12/04/90 | 55 FR 50037 |
| R&O and Request for Comments | 08/01/91 | 56 FR 36729 |
| Order on Recon & Second R&O | 03/03/93 | 58 FR 12175 |
| FNPRM | 03/30/93 | 58 FR 12204 |
| MO&O | 11/28/95 | 60 FR 58626 |
| Order | 09/08/97 | 62 FR 47152 |
| Second NPRM | 04/05/01 | 66 FR 18059 |
| Fifth R&O | 02/07/03 | 68 FR 6352 |
| Fifth R&O (Correction) | 02/24/03 | 68 FR 8553 |
| Public Notice | 04/15/03 | 68 FR 18205 |
| Public Notice | 08/27/04 | 69 FR 52694 |
| Petitions for Recon of Fifth R&O Denied | 09/01/04 | 69 FR 53346 |
| Notice | 09/01/04 | 69 FR 53442 |
| Public Notice | 11/12/04 | 69 FR 65401 |
| Notice | 12/27/04 | 69 FR 77246 |
| Notice | 04/06/05 | 70 FR 17456 |
| Notice | 04/19/06 | 71 FR 20101 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Thomas Chandler, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554
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RIN: 3060-AG75

469. RULES AND REGULATIONS IMPLEMENTING THE TELEPHONE CONSUMER PROTECTION ACT (TCPA) OF 1991 (CG DOCKET NO. 02-278)

Legal Authority: 47 USC 227

Abstract: The Commission released a Notice of Proposed Rulemaking (NPRM) on September 18, 2002, seeking comment on the rules implementing the Telephone Consumer Protection Act of 1991 (TCPA). The NPRM sought comment on the effectiveness of the company-specific do-not-call lists and whether to revisit the option of establishing a national do-not-call list.

On July 3, 2003, the Commission released a Report and Order establishing, along with the FTC, a national do-not-call registry. The Commission's Report and Order also adopted rules on the use of predictive dialers, the transmission of caller ID information by telemarketers, and the sending of unsolicited fax advertisements.

On September 21, 2004, the Commission released an Order adopting a limited safe harbor period from the prohibition on placing automatic telephone dialing systems or prerecorded message calls to wireless numbers when such calls are made to numbers that have been recently ported from wireline to wireless service. In addition, the Commission amended its existing safe harbor rules for telemarketers subject to the do-not-call registry to require such telemarketers to access the do-not-call list every 31 days, rather than every three months.

On December 9, 2005, the Commission released an NPRM proposing to amend the fax advertising rules to implement the Junk Fax Protection Act of 2005. On April 5, 2006, the Commission adopted a Report and Order and Third Order on Reconsideration amending its facsimile advertising rules. On October 14, 2008, the Commission released an Order on Reconsideration addressing certain issues raised in petitions for reconsideration and/or clarification of

FCC—Consumer and Governmental Affairs Bureau

Long-Term Actions

the Report and Order and Third Order on Reconsideration.

On January 4, 2008, the Commission released a Declaratory Ruling, clarifying that autodialed and prerecorded message calls to wireless numbers that are provided by the called party to a creditor in connection with an existing debt are permissible as calls made with the “prior express consent” of the called party.

Following a December 4, 2007 NPRM, on June 17, 2008, the Commission released a Report and Order amending its rules to require sellers and/or telemarketers to honor registrations with the National Do-Not-Call Registry indefinitely, unless the registration is cancelled by the consumer or the number is removed by the database administrator.

Timetable:

| Action | Date | FR Cite |
|-------------------------------|----------|-------------|
| NPRM | 10/08/02 | 67 FR 62667 |
| NPRM Comment Period Extended | 11/29/02 | 67 FR 71126 |
| Reply Comment Period Extended | 12/26/02 | 67 FR 78763 |
| Comment Period End | 01/31/03 | |
| FNPRM | 04/03/03 | 68 FR 16250 |
| Order | 07/25/03 | 68 FR 44144 |
| Order Effective | 08/25/03 | |
| Order on Recon | 08/25/03 | 68 FR 50978 |
| Order | 10/14/03 | 68 FR 59130 |
| FNPRM | 03/31/04 | 69 FR 16873 |
| Order | 10/08/04 | 69 FR 60311 |
| Order | 10/28/04 | 69 FR 62816 |
| Order on Recon | 04/13/05 | 70 FR 19330 |
| Order | 06/30/05 | 70 FR 37705 |
| NPRM | 12/19/05 | 70 FR 75102 |
| Public Notice | 04/26/06 | 71 FR 24634 |
| Order | 05/03/06 | 71 FR 25967 |
| NPRM | 12/14/07 | 72 FR 71099 |
| Declaratory Ruling | 02/01/08 | 73 FR 6041 |
| R&O | 07/14/08 | 73 FR 40183 |
| Order on Recon | 10/30/08 | 73 FR 64556 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI14

470. RULES AND REGULATIONS IMPLEMENTING SECTION 225 OF THE COMMUNICATIONS ACT (TELECOMMUNICATIONS RELAY SERVICE) (CG DOCKET NO. 03-123)

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 225

Abstract: This proceeding established a new docket flowing from the previous telecommunications relay service (TRS) history, CC Docket No. 98-67. This proceeding continues the Commission’s inquiry into improving the quality of TRS and furthering the goal of functional equivalency, consistent with Congress’ mandate that TRS regulations encourage the use of existing technology and not discourage or impair the development of new technology. In this docket, the Commission explores ways to improve emergency preparedness for TRS facilities and services, new TRS technologies, public access to information and outreach, and issues related to payments from the Interstate TRS Fund.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 08/25/03 | 68 FR 50993 |
| Public Notice | 07/26/04 | 69 FR 44534 |
| R&O, Order on Recon | 09/01/04 | 69 FR 53346 |
| FNPRM | 09/01/04 | 69 FR 53382 |
| Public Notice | 11/12/04 | 69 FR 65401 |
| Public Notice | 01/11/05 | 70 FR 2360 |
| Public Notice | 02/17/05 | 70 FR 8034 |
| Declaratory Ruling /Interpretation | 02/25/05 | 70 FR 9239 |
| Public Notice | 03/07/05 | 70 FR 10930 |
| Public Notice | 03/16/05 | 70 FR 12884 |
| Order | 03/23/05 | 70 FR 14568 |
| Public Notice | 04/06/05 | 70 FR 17334 |
| /Announcement of Date | | |
| Public Notice | 05/11/05 | 70 FR 24790 |
| Order | 07/01/05 | 70 FR 38134 |
| Public Notice | 07/13/05 | 70 FR 38134 |
| Order on Recon | 08/31/05 | 70 FR 51643 |
| R&O | 08/31/05 | 70 FR 51649 |
| Public Notice | 09/07/05 | 70 FR 53191 |
| Order on Clarification | 09/14/05 | 70 FR 54294 |
| Notice | 09/14/05 | 70 FR 54381 |
| Order on Clarification | 09/14/05 | 70 FR 54298 |
| Public Notice | 10/12/05 | 70 FR 59346 |
| Public Notice | 11/30/05 | 70 FR 71849 |
| R&O/Order on Recon | 12/23/05 | 70 FR 76208 |
| Order | 12/28/05 | 70 FR 76712 |
| Order | 12/29/05 | 70 FR 77052 |
| Notice | 01/11/06 | 71 FR 1753 |
| Notice | 01/11/06 | 71 FR 1755 |
| Public Notice/Petition for Rulemaking Withdrawn | 01/18/06 | 71 FR 2942 |

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 02/01/06 | 71 FR 5221 |
| Notice | 02/01/06 | 71 FR 5221 |
| Notice/Announcement of Effective Date | 03/15/06 | 71 FR 13281 |
| Notice | 03/24/06 | 71 FR 14893 |
| Public Notice | 05/10/06 | 71 FR 27252 |
| Notice | 05/24/06 | 71 FR 29961 |
| Declaratory Ruling/Clarification | 05/31/06 | 71 FR 30818 |
| FNPRM | 05/31/06 | 71 FR 30848 |
| FNPRM | 06/01/06 | 71 FR 31131 |
| Declaratory Ruling/Dismissal of Petition | 06/21/06 | 71 FR 35553 |
| Clarification | 06/28/06 | 71 FR 36690 |
| Public Notice | 06/28/06 | 71 FR 36794 |
| Public Notice | 06/28/06 | 71 FR 36796 |
| Declaratory Ruling on Recon | 07/06/06 | 71 FR 38268 |
| Public Notice | 08/02/06 | 71 FR 43768 |
| Order on Recon | 08/16/06 | 71 FR 47141 |
| MO&O | 08/16/06 | 71 FR 47145 |
| Clarification | 08/23/06 | 71 FR 49380 |
| FNPRM | 09/13/06 | 71 FR 54009 |
| Correction | 09/27/06 | 71 FR 56442 |
| Final Rule; Clarification | 02/14/07 | 72 FR 6960 |
| Notice | 02/14/07 | 72 FR 7031 |
| Public Notice | 03/01/07 | 72 FR 9333 |
| Notice | 03/01/07 | 72 FR 9332 |
| Public Notice | 03/07/07 | 72 FR 10214 |
| Order | 03/14/07 | 72 FR 11789 |
| Public Notice | 04/12/07 | 72 FR 18478 |
| Notice | 04/18/07 | 72 FR 19501 |
| Notice | 05/02/07 | 72 FR 24305 |
| Public Notice | 05/16/07 | 72 FR 27570 |
| Public Notice | 05/16/07 | 72 FR 27569 |
| Notice | 06/06/07 | 72 FR 31327 |
| Notice | 06/13/07 | 72 FR 32661 |
| Public Notice | 07/18/07 | 72 FR 39423 |
| R&O | 08/06/07 | 72 FR 43546 |
| Notice | 08/06/07 | 72 FR 43638 |
| Public Notice | 08/16/07 | 72 FR 46060 |
| Order | 11/01/07 | 72 FR 61813 |
| Public Notice | 11/01/07 | 72 FR 61882 |
| Notice | 12/11/07 | 72 FR 70324 |
| Public Notice | 01/04/08 | 73 FR 863 |
| R&O/Declaratory Ruling | 01/17/08 | 73 FR 3197 |
| Notice | 01/17/08 | 73 FR 3253 |
| Order | 02/19/08 | 73 FR 9031 |
| Public Notice | 02/19/08 | 73 FR 9118 |
| Public Notice | 03/27/08 | 73 FR 16304 |
| Public Notice | 04/07/08 | 73 FR 18796 |
| Order | 04/21/08 | 73 FR 21347 |
| R&O | 04/21/08 | 73 FR 21252 |
| Order | 04/23/08 | 73 FR 21843 |
| Public Notice | 04/30/08 | 73 FR 23361 |
| Order | 05/15/08 | 73 FR 28057 |
| Public Notice | 05/23/08 | 73 FR 26992 |
| Notice | 06/16/08 | 73 FR 34015 |
| Declaratory Ruling | 07/08/08 | 73 FR 38928 |
| Notice | 07/18/08 | 73 FR 41351 |
| FNPRM | 07/18/08 | 73 FR 41307 |

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| Action | Date | FR Cite |
|---------------------------------------|----------|-------------|
| R&O | 07/18/08 | 73 FR 41286 |
| Notice/Announcement of Effective Date | 07/30/08 | 73 FR 4417 |
| Public Notice | 08/01/08 | 73 FR 45006 |
| Public Notice | 08/05/08 | 73 FR 45354 |
| Public Notice | 08/22/08 | 73 FR 49670 |
| Comment Period End | 09/29/08 | |
| Public Notice | 10/10/08 | 73 FR 60172 |
| Order | 10/23/08 | 73 FR 63078 |
| 2nd R&O and Order on Recon | 12/30/08 | 73 FR 79683 |
| Order | 05/06/09 | 74 FR 20892 |
| Public Notice | 05/07/09 | 74 FR 21364 |
| NPRM | 05/21/09 | 74 FR 23815 |
| Public Notice | 05/21/09 | 74 FR 23859 |
| Public Notice Comment Period End | 06/08/09 | |
| Public Notice Comment Period End | 06/11/09 | |
| Public Notice | 06/12/09 | 74 FR 28046 |
| NPRM Comment Period End | 07/20/09 | |
| Order | 07/29/09 | 74 FR 37624 |
| Public Notice | 08/07/09 | 74 FR 39669 |
| Comment Period End | 08/10/09 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI15**471. RULES AND REGULATIONS IMPLEMENTING THE CONTROLLING THE ASSAULT OF NON-SOLICITED PORNOGRAPHY AND MARKETING ACT OF 2003 (CG DOCKET NO. 04-53)**

Legal Authority: 15 USC 7706; 15 USC 7712; PL 108-187

Abstract: The Commission has adopted rules to protect consumers from unwanted electronic mobile service messages to implement the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 03/31/04 | 69 FR 16873 |
| NPRM Comment Period End | 05/17/04 | |
| Order | 09/16/04 | 69 FR 55765 |
| Order | 03/25/05 | 70 FR 34665 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI20**472. RULES AND REGULATIONS IMPLEMENTING MINIMUM CUSTOMER ACCOUNT RECORD EXCHANGE (CARE) OBLIGATIONS ON ALL LOCAL AND INTEREXCHANGE CARRIERS (CG DOCKET NO. 02-386)**

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 201 and 202; 47 USC 303(r)

Abstract: On December 20, 2002, the Commission issued a Public Notice directing interested parties to file comments on issues raised in a petition filed with the Commission by Americatel Corporation and on a separate petition filed by AT&T, Sprint, and MCI. The petitions asked the Commission to address problems relating to the exchange of customer account records between local and long distance telephone service providers. On March 25, 2004, the Commission released a Notice of Proposed Rulemaking (NPRM) in CG Docket No. 02-386 seeking further comment on the two petitions and seeking comment as to whether to replace the current voluntary industry process for the exchange of customer account information between local and long distance service providers with mandatory, minimum standards applicable to all such providers.

On February 25, 2005, the Commission released a Report and Order and Further Notice of Proposed Rulemaking in CG Docket No. 02-386. The Report and Order adopted final rules governing the exchange of customer account information between local and long distance telephone service providers. The Commission adopted these rules to help to ensure that consumers' phone service bills are accurate and that their carrier selection requests are honored and executed without undue delay. In the Further Notice of Proposed Rulemaking (FNPRM), the Commission sought comment on the need for rules

governing the exchange of customer account information between local telephone service providers.

On April 15, 2005, and June 15, 2005, a coalition of local and long distance carriers proposed minor modifications and clarifications to section 64.4002 of the Commission's CARE rules. On August 29, 2005, the Commission released a public notice requesting comment on the coalition's proposed clarifications and modifications. Notice of the proposed changes was published in the Federal Register on September 7, 2005 (70 FR 53137). The comment cycle established by the August 29 public notice closed October 3, 2005.

On September 13, 2006, the Commission released an Order on Reconsideration adopting the clarifications and technical corrections to the Report and Order, as proposed by the coalition of carriers.

On December 21, 2007, the Commission released a Report and Order declining to adopt mandatory data exchange requirements between local exchange carriers.

Timetable:

| Action | Date | FR Cite |
|----------------------------------|----------|----------------|
| NPRM | 04/19/04 | 69 FR 20845 |
| NPRM Comment Period End | 06/18/04 | |
| R&O and FNPRM | 06/02/05 | 70 FR 32258 |
| FNPRM Comment Period End | 08/01/05 | |
| Public Notice | 08/29/05 | 70 FR 53137-01 |
| Public Notice Comment Period End | 10/03/05 | |
| Order on Recon | 12/13/06 | 71 FR 74819 |
| R&O | 01/08/08 | 73 FR 1297 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI58**473. TRUTH IN BILLING AND BILLING FORMAT**

Legal Authority: 47 USC 201; 47 USC 258

Abstract: In 1999, the Commission adopted truth-in-billing rules to address

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concerns that there is consumer confusion relating to billing for telecommunications services. On March 18, 2005, the Commission released an Order and FNPRM to further facilitate the ability of telephone consumers to make informed choices among competitive service offerings.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| FNPRM | 05/25/05 | 70 FR 30044 |
| R&O | 05/25/05 | 70 FR 29979 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI61

474. CLOSED CAPTIONING OF VIDEO PROGRAMMING (SECTION 610 REVIEW)

Legal Authority: 47 USC 613

Abstract: The Commission's closed captioning rules are designed to make video programming more accessible to deaf and hard of hearing Americans. This proceeding resolves some issues regarding the Commission's closed captioning rules that were raised for comment in 2005, and also seeks comment on how a certain exemption from the closed captioning rules should be applied to digital multicast broadcast channels.

Timetable:

| Action | Date | FR Cite |
|----------------|----------|-------------|
| NPRM | 02/03/97 | 62 FR 4959 |
| R&O | 09/16/97 | 62 FR 48487 |
| Notice | 10/02/97 | 62 FR 54848 |
| Order on Recon | 10/28/98 | 63 FR 55959 |
| Notice | 09/29/00 | 65 FR 58552 |
| Notice | 01/05/01 | 66 FR 1136 |
| Notice | 12/31/03 | 68 FR 75558 |

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| Notice | 05/11/04 | 69 FR 26095 |
| NPRM | 09/26/05 | 70 FR 56150 |
| Comment Period Extended | 11/25/05 | 70 FR 71077 |
| Comment Period End | 12/16/05 | |
| Notice | 09/27/07 | 72 FR 70324 |
| Order and Declaratory Ruling | 01/13/09 | 74 FR 1594 |
| NPRM | 01/13/09 | 74 FR 1654 |
| Comment Period End | 02/27/09 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI72

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475. REVISION OF THE RULES REGARDING ULTRA-WIDEBAND TRANSMISSION

Legal Authority: 47 USC 154; 47 USC 302 to 304; 47 USC 307; 47 USC 544A

Abstract: The First Report and Order amends the Commission's rules to permit the marketing and operation of certain types of new products incorporating Ultra-Wideband (UWB) technology. UWB devices operate by employing very narrow or short duration pulses that result in very large or wideband transmission bandwidths. UWB technology holds great promise for a vast array of new applications that we believe will provide significant benefits for public safety, businesses and consumers. With appropriate technical standards, UWB devices can operate using spectrum occupied by existing radio services without causing interference, thereby permitting scarce spectrum resources to be used more efficiently.

The Memorandum Opinion and Order responded to fourteen petitions for reconsideration that were filed in response to the regulations for unlicensed ultra-wideband (UWB)

operations. In general, this document does not make any significant changes to the existing UWB parameters as the Commission is reluctant to do so until it has more experience with UWB devices. The Commission believes that any major changes to the rules for existing UWB product categories at this early stage would be disruptive to current industry product development efforts.

The Further Notice of Proposed Rulemaking proposed new rules to address issues raised by some of the petitions for reconsideration that were outside the scope of the proceeding. New rules were proposed to address issues regarding the operation of low pulse repetition frequency UWB systems, including vehicular radars, in the 3.1-10.6 GHz band; and the operation frequency hopping vehicular radars in the 22-29 GHz band as UWB devices. The Commission also proposed new rules that would establish new peak power limits for wideband part 15 devices that do not operate as UWB devices and proposed to eliminate the definition of a UWB device.

The Second Report and Order and Second Memorandum Opinion and

Order responds to two petitions for reconsideration that were filed in response to the Commission's decision to establish regulations for unlicensed UWB operation. It also responds to the rulemaking proposals contained in the Memorandum Opinion and Order and Further Notice of Proposed Rulemaking in this docket. The order establishes new rules for wideband unlicensed devices operating in the 5925-7250 MHz, 16.2-17.7 GHz, and 22.12-29 GHz bands.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 06/14/00 | 65 FR 37332 |
| NPRM Comment Period End | 10/12/00 | |
| First R&O | 05/16/02 | 67 FR 34852 |
| MO&O | 04/22/03 | 68 FR 19746 |
| FNPRM | 04/22/03 | 68 FR 19773 |
| Second R&O and Second MO&O | 02/09/05 | 70 FR 6771 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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FCC—Office of Engineering and Technology

Long-Term Actions

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RIN: 3060-AH47

476. NEW ADVANCED WIRELESS SERVICES (ET DOCKET NO. 00-258)

Legal Authority: 47 USC 154(i); 47 USC 157(a); 47 USC 303(c); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r)

Abstract: This proceeding explores the possible uses of frequency bands below 3 GHz to support the introduction of new advanced wireless services, including third generations as well as future generations of wireless systems. Advanced wireless systems could provide for a wide range of voice data and broadband services over a variety of mobile and fixed networks.

The Third Notice of Proposed Rulemaking discusses the frequency bands that are still under consideration in this proceeding and invites additional comments on their disposition. Specifically, it addresses the Unlicensed Personal Communications Service (UPCS) band at 1910-1930 MHz, the Multipoint Distribution Service (MDS) spectrum at 2155-2160/62 MHz bands, the Emerging Technology spectrum, at 2160-2165 MHz, and the bands reallocated from MSS 91990-2000 MHz, 2020-2025 MHz, and 2165-2180 MHz. We seek comment on these bands with respect to using them for paired or unpaired Advance Wireless Service (AWS) operations or as relocation spectrum for existing services.

The 7th Report and Order facilitates the introduction of Advanced Wireless Service (AWS) in the band 1710-1755 MHz—an integral part of a 90 MHz spectrum allocation recently reallocated to allow for such new and innovative wireless services. We largely adopt the proposals set forth in our recent AWS Fourth NPRM in this proceeding that are designed to clear the 1710-1755 MHz band of incumbent Federal Government operations that would otherwise impede the development of new nationwide AWS services. These actions are consistent with previous actions in this proceeding and with the United States Department of Commerce, National Telecommunications and Information Administration (NTIA) 2002 Viability Assessment, which

addressed relocation and reaccommodation options for Federal Government operations in the band.

The 8th Report and Order reallocated the 2155-2160 MHz band for Fixed and Mobile services and designates the 2155-2175 MHz band for Advanced Wireless Service (AWS) use. This proceeding continues the Commission's ongoing efforts to promote spectrum utilization and efficiency with regard to the provision of new services, including Advanced Wireless Services.

The Order requires Broadband Radio Service (BRS) licensees in the 2150-2160/62 MHz band to provide information on the construction status and operational parameters of each incumbent BRS system that would be the subject of relocation.

The Notice of Proposed Rule Making requested comments on the specific relocation procedures applicable to Broadband Radio Service (BRS) operations in the 2150-2160/62 MHz band, which the Commission recently decided will be relocated to the newly restructured 2495-2690 MHz band. The Commission also requested comments on the specific relocation procedures applicable to Fixed Microwave Service (FS) operations in the 2160-2175 MHz band.

The Office of Engineering and Technology (OET) and the Wireless Telecommunications Bureau (WTB) set forth the specific data that Broadband Radio Service (BRS) licensees in the 2150-2160/62 MHz band must file along with the deadline date and procedures for filing this data on the Commission's Universal Licensing System (ULS). The data will assist in determining future AWS licensee's relocation obligations.

The 9th Report and Order established procedures for the relocation of Broadband Radio Service (BRS) operations from the 2150-2160/62 MHz band, as well as for the relocation of Fixed Microwave Service (FS) operations from the 2160-2175 MHz band, and modified existing relocation procedures for the 2110-2150 MHz and 2175-2180 MHz bands. It also established cost-sharing rules to identify the reimbursement obligations for Advanced Wireless Service (AWS) and Mobile Satellite Service (MSS) entrants benefiting from the relocation of incumbent FS operations in the 2110-2150 MHz and 2160-2200 MHz bands and AWS entrants benefiting

from the relocation of BRS incumbents in the 2150-2160/62 MHz band. The Commission continues its ongoing efforts to promote spectrum utilization and efficiency with regard to the provision of new services, including AWS. The Order dismisses a petition for reconsideration filed by the Wireless Communications Association International, Inc. (WCA) as moot.

Two petitions for Reconsideration were filed in response to the 9th Report and Order.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 01/23/01 | 66 FR 7438 |
| NPRM Comment Period End | 03/09/01 | |
| Final Report | 04/11/01 | 66 FR 18740 |
| FNPRM | 09/13/01 | 66 FR 47618 |
| MO&O | 09/13/01 | 66 FR 47591 |
| First R&O | 10/25/01 | 66 FR 53973 |
| Petition for Recon | 11/02/01 | 66 FR 55666 |
| Second R&O | 01/24/03 | 68 FR 3455 |
| Third NPRM | 03/13/03 | 68 FR 12015 |
| Seventh R&O | 12/29/04 | 69 FR 7793 |
| Petition for Recon | 04/13/05 | 70 FR 19469 |
| Eighth R&O | 10/26/05 | 70 FR 61742 |
| Order | 10/26/05 | 70 FR 61742 |
| NPRM | 10/26/05 | 70 FR 61752 |
| Public Notice | 12/14/05 | 70 FR 74011 |
| Ninth R&O and Order | 05/24/06 | 71 FR 29818 |
| Petition for Recon | 07/19/06 | 71 FR 41022 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH65

477. TRANSFER OF THE 3650 THROUGH 3700 MHz BAND FROM FEDERAL GOVERNMENT USE (WT DOCKET NO. 05-96; ET DOCKET NO. 02-380)

Legal Authority: 47 USC 154; 47 USC 157; 47 USC 303; 47 USC 307; 47 USC 332

Abstract: This proceeding seeks to determine whether the 3650 to 3700 MHz band should be used for unlicensed devices or some or all of the band should be used for unlicensed options.

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In January 1999, the 3650-3700 MHz band (3650 MHz band) was transferred from Government/non-Government shared use to a mixed-use band. In October 2000, in ET Docket No. 98-237, the FCC allocated the band to fixed and mobile terrestrial services on a co-primary basis, but in order to protect grandfathered Fixed Satellite Service (FSS) earth stations and Federal Government radiolocation operations, limited the mobile allocation to base stations use only. At this same time, the FCC proposed licensing and service rules for fixed and mobile operations in the band. Subsequently, in December 2002, in ET Docket No. 02-380, the FCC sought comment, in part, on the possibility of allowing unlicensed devices to operate in the 3650 MHz band. In April 2004, in ET Docket No. 04-151, the FCC followed-up on this inquiry by releasing a Notice of Proposed Rulemaking (NPRM) seeking comment on whether the 3650 MHz band should be used for unlicensed devices or part or all of the band should be used for licensed operations.

The NPRM proposes to allow unlicensed devices to operate in all, or part, of the 3650 MHz band at higher power levels than usually permitted for unlicensed services. These devices would be subject to smart (or cognitive) requirements and other safeguards designed to prevent interference to the licensed FSS earth stations now resident in the band. As with other unlicensed devices, these devices would not be permitted to cause interference to licensed services, such as the FSS earth stations, and would have to accept interference. The NPRM also seeks comment on other options for the band, including licensed use of the band by fixed and mobile services, or segmenting the 3650 MHz band to provide for a combination of unlicensed and licensed terrestrial services. The Notice seeks comment on issues related both to allocation changes necessary to set the relative priority between terrestrial and FSS licensed operations, and to licensing rule changes necessary to implement licensed terrestrial service operations.

Timetable:

| Action | Date | FR Cite |
|---------------------------|----------------------|----------------------------|
| NPRM | 03/16/00 | 65 FR 14230 |
| First R&O and Second NPRM | 11/17/00 | 65 FR 69612 |
| Petition for Recon R&O | 03/28/01 02/27/02 | 66 FR 16940 67 FR 17038 |

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| MO&O and Third R&O | 05/02/03 | 68 FR 38635 |
| Notice of Inquiry | 01/21/03 | 68 FR 2730 |
| NPRM | 05/14/04 | 69 FR 26790 |
| Final Rule | 05/11/05 | 70 FR 24712 |
| Final Rule | 07/20/05 | 70 FR 41631 |
| MO&O | 07/25/07 | 72 FR 40767 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AH75

478. EXPOSURE TO RADIOFREQUENCY ELECTROMAGNETIC FIELDS

Legal Authority: 47 USC 151; 47 USC 302 and 303; 47 USC 309(j); 47 USC 336

Abstract: The Notice of Proposed Rulemaking (NPRM) proposed amendments to the FCC rules relating to compliance of transmitters and facilities with guidelines for human exposure to radio frequency (RF) energy.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 09/08/03 | 68 FR 52879 |
| NPRM Comment Period End | 12/08/03 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI17

479. UNLICENSED OPERATION OF THE 3650-3700 MHz BAND (ET DOCKET NO. 04-151)

Legal Authority: 47 USC 154

Abstract: The notice of proposed rulemaking proposed to maximize the efficient use of the 3650-3700 MHz band. The proposal would allow unlicensed devices to operate in either

all, or portions of, this radiofrequency (RF) band under flexible technical limitations with smart/cognitive features that should prevent interference to licensed satellite services. The proposal fostered the introduction of new and advanced services to the American public, especially in rural areas.

The Report and Order adopted rules that provide for nationwide, non-exclusive, licensing of terrestrial operations, utilizing technology with a contention-base protocol, in the 3650-3700 MHz band. The Commission also adopted a streamlined licensing mechanism with minimal regulatory entry requirements that will encourage multiple entrants and stimulate the rapid expansion of wireless broadband services—especially in rural American and will also serve as a safeguard to protect incumbent satellite earth stations from harmful interference.

In the Memorandum Opinion and Order, the Commission addressed several petitions for reconsideration and an emergency motion for stay that were filed in response 3650 MHz Allocation Order in ET Docket No. 98-237.

In light of its full review of the refreshed record in this proceeding, and in light of the decisions made in the companion Report and Order, the Commission denied the aspects of the petitions that challenge and seek to reverse the allocation decisions made in the 3650 MHz Allocation Order.

The Commission denied the motion for stay. When the Commission established the November 30, 2000, filing deadline, it did so because it found that additional new FSS facilities permitted by the Freeze Memorandum Opinion and Order could affect the use of the 3650-3700 MHz band by the terrestrial services. By deciding in this Order to maintain the FSS allocation changes made in the 3650 MHz Allocation Order, the Commission, reaffirmed its conclusion that allowing additional primary FSS earth stations in the 3650 MHz band could negatively affect the prospects for viable FS/MS terrestrial operations.

The Memorandum Opinion and Order addressed petitions for reconsideration filed in response to the Commission's Report and Order relating to the 3650-3700 MHz band (3650 MHz band) proceeding. The Commission affirmed its previous decisions to create a

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spectrum environment that will encourage multiple entrants and stimulate the expansion of broadband service to rural and under served areas. To facilitate rapid deployment in the band, the Commission maintains the previously adopted, non-exclusive licensing scheme. The clarification and modification will facilitate operation of the widest variety of broadband technologies with minimal risk of interference in both the near and long terms. They should further reduce the potential for co-channel interference, provide additional protections to the multiple users in the band under the current licensing regime, and create incentives for the rapid development of broadly compatible contention technologies.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 05/14/04 | 69 FR 26790 |
| R&O & MO&O | 05/11/05 | 70 FR 24712 |
| MO&O | 07/25/07 | 72 FR 40767 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI50**480. UNLICENSED OPERATION IN THE TV BROADCAST BANDS (ET DOCKET NO. 04-186)**

Legal Authority: 47 USC 154(i); 47 USC 302; 47 USC 303(e) and 303(f); 47 USC 303(r); 47 USC 307

Abstract: The Commission adopted rules to allow unlicensed radio transmitters to operate in the broadcast television spectrum at locations where that spectrum is not being used by licensed services (this unused TV spectrum is often termed “white spaces”). This action will make a significant amount of spectrum available for new and innovative products and services, including broadband data and other services for businesses and consumers. The actions taken are a conservative first step that includes many safeguards to prevent harmful interference to incumbent communications services. Moreover, the Commission will closely oversee the development and introduction of

these devices to the market and will take whatever actions may be necessary to avoid, and if necessary correct, any interference that may occur.

Timetable:

| Action | Date | FR Cite |
|-------------------------------|----------|-------------|
| NPRM | 06/18/04 | 69 FR 34103 |
| First R&O | 11/17/06 | 71 FR 66876 |
| FNPRM | 11/17/06 | 71 FR 66897 |
| R&O and MO&O | 02/17/09 | 74 FR 7314 |
| Petitions for Reconsideration | 04/13/09 | 74 FR 16870 |

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI52**481. UNLICENSED DEVICES AND EQUIPMENT APPROVAL (ET DOCKET NO. 03-201)**

Legal Authority: 47 USC 154; 47 USC 302(a); 47 USC 303; 47 USC 306

Abstract: The Notice of Proposed Rulemaking (NPRM) proposed to update section 15.247 of the rules to allow the use of more efficient antenna technologies with unlicensed devices.

The Report and Order updates several technical rules for unlicensed radiofrequency devices in part 15 of the Commission’s rules. The rule changes will allow device manufacturers to develop expanded applications for unlicensed devices and will allow unlicensed device operators, including Wireless Internet Service providers greater flexibility to modify or substitute parts as long as the overall system operation is unchanged. The changes are part of an ongoing process of updating our rules to promote more efficient sharing of spectrum used by unlicensed devices and remove unnecessary regulations that inhibit such sharing. The Commission received one petition for reconsideration in this proceeding.

The Second Report and Order amended the Commission’s rules to provide for more efficient equipment authorization of both existing modular transmitter devices and emerging partitioned (or

“split”) modular transmitter devices. These rule changes will benefit manufacturers by allowing greater flexibility in certifying equipment and providing relief from the need to obtain a new equipment authorization each time the same transmitter is installed in a different final product. The rule changes will also enable manufacturers to develop more flexible and more advanced unlicensed transmitter technologies. The Commission further found that modular transmitter devices authorized in accordance with the revised equipment authorization procedures will not pose any increased risk of interference to other radio operations.

The Further NPRM, seeks comment on whether there is a need to require unlicensed transmitters operating in the 915 MHz band under sections 15.247 and 15.249 of the rules to comply with a spectrum etiquette requirement, and the impact that requiring an etiquette would have on the development and operation of unlicensed 915 MHz devices operating under those rule sections. The Commission also seeks comment on the particular etiquette suggested by Cellnet that would require digitally modulated spread spectrum transmitters operating in the 915 MHz band under section 15.247 of the rules to operate at less than the 1-watt maximum power if they are continuously silent less than 90 percent of the time within a 0.4 second interval. This etiquette would require that the maximum permitted power level decrease in accordance with a specified formula as the silent interval between transmission decreases. The Commission further seeks comment on alternatives to the etiquette suggested by Cellnet.

The Memorandum Opinion and Order dismissed two petitions for reconsideration of the rules adopted in the Report and Order, 69 FR 54027, September 7, 2004, in this proceeding. It dismissed a petition for reconsideration filed by Warren C. Havens and Telesaurus Holdings GB LLC (Havens) requesting that the Commission suspend the rule changes adopted for unlicensed devices in the 902-928 MHz (915 MHz) band until such time as it completes a formal inquiry with regard to the potential effect of such changes to Location and Monitoring Service (LMS) licensees in the band. The Commission also dismissed a petition for reconsideration

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filed by Cellnet Technology (Cellnet) requesting that the Commission adopt spectrum sharing requirements in the unlicensed bands, for example, a "spectrum etiquette," particularly in the 915 MHz band.

Timetable:

| Action | Date | FR Cite |
|--------|----------|-------------|
| NPRM | 09/17/03 | 68 FR 68823 |

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| R&O | 09/07/04 | 69 FR 54027 |
| Petition for Recon | 11/19/04 | 69 FR 67736 |
| Petition for Recon | 02/15/05 | 70 FR 7737 |
| Second R&O | 05/23/07 | 72 FR 28889 |
| FNPRM | 08/01/07 | 72 FR 42011 |
| MO&O | 08/01/07 | 72 FR 41937 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI54

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482. STREAMLINING THE COMMISSION'S RULES AND REGULATIONS FOR SATELLITE APPLICATION AND LICENSING PROCEDURES (IB DOCKET NO. 95-117)

Legal Authority: 47 USC 4; 47 USC 154; 47 USC 303; 47 USC 554; 47 USC 701 to 744

Abstract: On February 10, 1997, the FCC adopted rules and policies that streamlined the application and licensing requirements of part 25 of its rules, which deals with communication satellites and earth stations. The streamlined rules waived the construction permit requirement for satellite space stations, changed the license term for temporary fixed earth stations; and adjusted or changed the rules concerning minor modifications and basic requirements for satellite service applications. The streamlined rules also resulted in the creation of a new application form, FCC Form 312. Form 312 eliminated from the International Bureau's use of the FCC Form 493, FCC Form 430, FCC Form 702, and FCC Form 704. Petitions for Reconsideration were filed in this matter. In March 1997, the Commission released a Public Notice concerning these petitions. The Commission addressed the issues in the Petitions for Reconsideration in an Order released on October 10, 2008. The docket in this proceeding is now closed.

Timetable:

| Action | Date | FR Cite |
|-----------------------------------|----------|-------------|
| NPRM | 09/09/95 | 60 FR 46252 |
| R&O, Recon Pending | 02/10/97 | 62 FR 5924 |
| Public Notice/Petitions for Recon | 03/26/97 | 62 FR 14430 |
| Order on Reconsideration | 11/29/08 | 73 FR 70897 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required:

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RIN: 3060-AD70

483. ESTABLISHMENT OF RULES AND POLICIES FOR THE DIGITAL AUDIO RADIO SATELLITE SERVICE IN THE 2310-2360 MHZ FREQUENCY BAND (IB DOCKET NO. 95-91; GEN DOCKET NO. 90-357)

Legal Authority: 47 USC 151; 47 USC 151(i); 47 USC 154(j); 47 USC 157; 47 USC 309(j)

Abstract: The Commission is proposing rules to govern satellite digital audio radio services (SDARS). The Commission adopted service rules for SDARS in 1997 and sought further comment on proposed rules governing the use of complementary terrestrial repeaters. The Commission released a second further notice of proposed rulemaking in January 2008 to consider new proposals for rules governing terrestrial repeaters and operations of Wireless Communications Service (WCS) devices in the 2305-2360 MHz band.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 06/15/95 | 60 FR 35166 |
| R&O | 03/11/97 | 62 FR 11083 |
| FNPRM | 04/18/97 | 62 FR 19095 |
| Second FNPRM | 01/15/08 | 73 FR 2437 |
| FNPRM Comment Period End | 03/17/08 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required:

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RIN: 3060-AF93

484. ALLOCATE & DESIGNATE: SPEC FOR FIXED-SAT SRV (37.5-38.5, 40.5-41.5 & 48.2-50.2 GHZ BANDS); ALLOCATE: FIXED & MOBILE 40.5-42.5 GHZ; WIRELESS 46.9-47 GHZ; GOV OPER 37-38 & 40-40.5 GHZ (IB DOCKET NO. 97)

Legal Authority: 47 USC 154(i); 47 USC 301 and 302; 47 USC 303(e) to 303(g); 47 USC 303(r); 47 USC 304; 47 USC 307

Abstract: This item adopts a plan for nongovernment operations in the 36.0-51.4 GHz portion of the V-band, establishing priorities for different services in different parts of this band.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|-------------|
| NPRM | 04/04/97 | 62 FR 16129 |
| R&O | 01/15/99 | 64 FR 2585 |
| Correction | 02/08/99 | 64 FR 6138 |
| Correction | 02/10/99 | 64 FR 6565 |
| Notice of Petition for Recon | 03/22/99 | 64 FR 13796 |
| Order on Recon | 12/01/99 | |
| FNPRM | 07/05/01 | 66 FR 35399 |
| Second R&O | 08/25/04 | 69 FR 52198 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required:

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RIN: 3060–AH23

485. SPACE STATION LICENSING REFORM (IB DOCKET NO. 02–34)

Legal Authority: 47 USC 154(i); 47 USC 157; 47 USC 303(c); 47 USC 303(g); ...

Abstract: The Commission has adopted a Notice of Proposed Rulemaking (NPRM) to streamline its procedures for reviewing satellite license applications. Currently, the Commission uses processing rounds to review those applications. In a processing round, when an application is filed, the International Bureau (Bureau) issues a public notice establishing a cut-off date for other mutually exclusive satellite applications, and then considers all those applications together. In cases where sufficient spectrum to accommodate all the applicants is not available, the Bureau directs the applicants to negotiate a mutually agreeable solution. Those negotiations usually take a long time, and delay provision of satellite services to the public.

The NPRM invites comment on two alternatives for expediting the satellite application process. One alternative is to replace the processing round procedure with a “first-come, first-served” procedure that would allow the Bureau to issue a satellite license to the first party filing a complete, acceptable application. The other alternative is to streamline the processing round procedure by adopting one or more of the following proposals: (1) Placing a time limit on negotiations; (2) establishing criteria to select among competing applicants; (3) dividing the available spectrum evenly among the applicants.

In the First Report and Order in this proceeding, the Commission determined that different procedures were better-suited for different kinds of satellite applications. For most geostationary orbit (GSO) satellite applications, the Commission adopted a first-come, first-served approach. For most non-geostationary orbit (NGSO) satellite applications, the Commission adopted a procedure in which the available spectrum is divided evenly among the qualified applicants. The Commission also adopted measures to

discourage applicants from filing speculative applications, including a bond requirement, payable if a licensee misses a milestone. The bond amounts originally were \$5 million for each GSO satellite, and \$7.5 million for each NGSO satellite system. These were interim amounts. Concurrently with the First Report and Order, the Commission adopted an FNPRM to determine whether to revise the bond amounts on a long-term basis.

In the Second Report and Order, the Commission adopted a streamlined procedure for certain kinds of satellite license modification requests.

In the Third Report and Order in this proceeding, the Commission adopted a standardized application form for satellite licenses, and adopted a mandatory electronic filing requirement for certain satellite applications.

In the Fourth Report and Order in this proceeding, the Commission extended the mandatory electronic filing requirement to all satellite applications.

In the Fifth Report and Order in this proceeding, the Commission revised the bond amounts based on the record developed in response to FNPRM. The bond amounts are now \$3 million for each GSO satellite, and \$5 million for each NGSO satellite system.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 03/19/02 | 67 FR 12498 |
| NPRM Comment Period End | 07/02/02 | |
| Second R&O (Release Date) | 06/20/03 | 68 FR 62247 |
| Second FNPRM (Release Date) | 07/08/03 | 68 FR 53702 |
| Third R&O (Release Date) | 07/08/03 | 68 FR 63994 |
| FNPRM | 08/27/03 | 68 FR 51546 |
| First R&O | 08/27/03 | 68 FR 51499 |
| FNPRM Comment Period End | 10/27/03 | |
| Fourth R&O (Release Date) | 04/16/04 | 69 FR 67790 |
| Fifth R&O, First Order on Recon (Release Date) | 07/06/04 | 69 FR 51586 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060–AH98

486. MITIGATION OF ORBITAL DEBRIS (IB DOCKET NO. 02–54)

Legal Authority: 47 USC 154(i); 47 USC 157(a); 47 USC 303(c); 47 USC 303(f) and 303(g); 47 USC 303(r)

Abstract: The Commission has adopted rules that require all entities seeking FCC authorization for satellite services to address orbital debris mitigation as part of their application for FCC authorization. Orbital debris consists of artificial objects orbiting the Earth that are not functional spacecraft. In addition, the Commission established requirements for the removal of geostationary spacecraft from operational orbits at the end of their useful lives and amended the Commission’s rules regarding orbit-raising maneuvers, the use of inclined orbits, and orbital longitudinal tolerance station-keeping requirements. The Commission indicated that it will seek further comment on the application of the Commission’s longitudinal tolerance station-keeping requirements for Fixed-Satellite space stations to space stations in the Mobile-Satellite Service and remote sensing services.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 05/03/02 | 67 FR 22376 |
| NPRM Comment Period End | 08/16/02 | |
| First R&O | 08/27/03 | 68 FR 59127 |
| Second R&O | 09/09/04 | 69 FR 54581 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060–AI06

487. AMENDMENT OF THE COMMISSION’S RULES (IB DOCKET NO. 04–47)

Legal Authority: 47 USC 34 to 39; 47 USC 151; 47 USC 161; 47 USC 201 to 205; ...

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Abstract: FCC amended several rules. Specifically, FCC: (1) Amended the procedures for discontinuing an international service; (2) allowed U.S. carriers to resell the U.S.-inbound service of foreign carriers; and (3) amended the submarine cable landing licensing procedures compliance with the Coastal Zone Management Act of 1972. The North American Submarine Cable Association filed a petition for reconsideration regarding the amendment to the submarine cable licensing procedures.

Timetable:

| Action | Date | FR Cite |
|----------------------------|--------------|-------------|
| NPRM | 03/22/04 | 69 FR 13276 |
| NPRM Comment Period End | 06/07/04 | |
| R&O | 09/25/07 | 72 FR 54363 |
| Petition for Recon | 01/02/08 | 73 FR 187 |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI41

488. REPORTING REQUIREMENTS FOR U.S. PROVIDERS OF INTERNATIONAL TELECOMMUNICATIONS SERVICES (IB DOCKET NO. 04-112)

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 161; 47 USC 201 to 205; ...

Abstract: FCC is reviewing the reporting requirements to which carriers providing U.S. international services are subject under 47 CFR part 43. FCC proposes to amend 47 CFR 43.61 and 47 CFR 43.82 and to repeal 47 CFR 43.53.

Timetable:

| Action | Date | FR Cite |
|----------------------------|--------------|-------------|
| NPRM | 04/12/04 | |
| NPRM Comment Period End | 08/23/04 | 69 FR 29676 |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI42

489. REVIEW OF THE SPECTRUM SHARING PLAN AMONG NON-GEOSTATIONARY SATELLITE ORBIT MOBILE SATELLITE SERVICE SYSTEMS IN THE 1.6/2.4 GHZ BANDS (IB DOCKET NO. 02-364)

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 302(a); 47 USC 303(e); ...

Abstract: This docket involves the spectrum sharing plan for the low earth orbit satellite systems in the 1.6 GHz and 2.4 GHz bands (Big LEOs). In November 2007, the Commission resolved the 1.6 GHz spectrum sharing plan between Globalstar Inc. and Iridium Satellite LLC, whereby Globalstar will have exclusive MSS use of 7.775 megahertz of spectrum at 1610-1617.775 MHz, Iridium will have exclusive MSS use of 7.775 megahertz of spectrum at 1618.725-1626.5 MHz, and the two Big LEO operators will share 0.95 megahertz of spectrum at 1617.775-1618.725 MHz. Separately, in April 2006, the Commission affirmed the spectrum sharing plan between Globalstar and the fixed and mobile (except aeronautical mobile) services in the 2495-2500 MHz band in order to accommodate the relocation of Broadband Radio Service Channel 1 to the 2496-2502 MHz band. (Iridium does not operate in the 2.4 GHz band.)

Timetable:

| Action | Date | FR Cite |
|--|--------------|-------------|
| NPRM | 01/29/03 | 68 FR 33666 |
| R&O | 08/09/04 | 69 FR 48157 |
| FNPRM | 08/09/04 | 69 FR 48192 |
| Petitions for Recon | 10/12/04 | 69 FR 60626 |
| First Order on Recon | 06/19/06 | 71 FR 35178 |
| Petitions for Further Recon | 07/27/06 | 71 FR 44029 |
| Second Order on Recon and Second R&O | 12/13/07 | 72 FR 70807 |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI44

490. AMENDMENT OF THE COMMISSION'S RULES TO ALLOCATE SPECTRUM AND ADOPT SERVICE RULES AND PROCEDURES TO GOVERN THE USE OF VEHICLE-MOUNTED EARTH STATIONS (IB DOCKET NO. 07-101)

Legal Authority: 47 USC 151; 47 USC 154(i) and (j); 47 USC 157(a); 47 USC 301; 47 USC 303 (c); 47 USC 303 (f); 47 USC 303 (g); 47 USC 303 (r); 47 USC 303 (y); 47 USC 308

Abstract: The Commission seeks comment on the proposed amendment of parts 2 and 25 of the Commission's rules to allocate spectrum for use with Vehicle-Mounted Earth Stations (VMES) in the Fixed-Satellite Service in the Ku-band uplink at 14.0-14.5 GHz and Ku-band downlink 11.72-12.2 GHz on a primary basis, and in the extended Ku-band downlink at 10.95-11.2 GHz and 11.45-11.7 GHz on a non-protected basis, and to adopt Ku-band VMES licensing and service rules modeled on the FCC's rules for Ku-band Earth Stations on Vessels (ESVs). The record in this proceeding will provide a basis for Commission action to facilitate introduction of this proposed service.

Timetable:

| Action | Date | FR Cite |
|----------------------------|--------------|-------------|
| NPRM | 07/08/07 | 72 FR 39357 |
| NPRM Comment Period End | 09/04/07 | |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI90

Federal Communications Commission (FCC)

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International Bureau

491. ESTABLISHING RULES AND POLICIES FOR THE USE OF SPECTRUM FOR MOBILE SATELLITE SERVICE IN THE L-BAND (IB DOCKET NO. 96-132)

Legal Authority: 47 USC 154; 47 USC 303; 47 USC 316; 47 USC 403

Abstract: The Commission has established licensing policies to govern mobile-satellite services (MSS) in the L-band. Specifically, the Commission has modified the license of Motient Services, Inc. (Motient), the only U.S. MSS system currently authorized to operate in the L-band, to use up to 20 megahertz of spectrum across the entire

L-band. Previously, Motient was authorized only to operate in the upper portion of the L-band. In addition, the Commission has adopted and incorporated into part 25 of the rules specific operational parameters and technical requirements to ensure the integrity of maritime distress and safety communications service will not be compromised by MSS operation in the lower portion of the L-band. Petitions for reconsideration were filed.

Timetable:

| Action | Date | FR Cite |
|--------|----------|-------------|
| NPRM | 06/18/96 | 61 FR 40772 |

| Action | Date | FR Cite |
|-----------------------------------|--------------------------|---------------------|
| NPRM Comment Period End R&O | 09/23/96 08/07/02 | 67 FR 51105 |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AF89

Federal Communications Commission (FCC)

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Media Bureau

492. CABLE TELEVISION RATE REGULATION

Legal Authority: 47 USC 154; 47 USC 543

Abstract: The Commission has adopted rate regulations to implement section 623 of the 1992 Cable Act to ensure that cable subscribers nationwide enjoy the rates that would be charged by cable systems operating in a competitive environment. Reconsideration was requested. The Fourteenth Order on Reconsideration addresses petitions on issues governing regulated services by cable systems. In a subsequent notice, comment was sought on recalibrating the competitive differential between rates of systems subject to effective competition and noncompetitive systems. In addition, comment was sought as to whether there may be a different approach to establish reasonable rates on the basic service tier.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 01/04/93 | 58 FR 48 |
| R&O and FNPRM | 05/21/93 | 58 FR 29736 |
| MO&O and FNPRM | 08/18/93 | 58 FR 43816 |
| Third R&O | 11/30/93 | 58 FR 63087 |
| Order on Recon, Fourth R&O, and Fifth NPRM | 04/15/94 | 59 FR 17943 |
| Third Order on Recon | 04/15/94 | 59 FR 17961 |
| Fifth Order on Recon and FNPRM | 10/13/94 | 59 FR 51869 |
| Fourth Order on Recon | 10/21/94 | 59 FR 53113 |
| Sixth Order on Recon, Fifth R&O, and Seventh NPRM | 12/06/94 | 59 FR 62614 |

| Action | Date | FR Cite |
|---|----------|-------------|
| Seventh Order on Recon | 01/25/95 | 60 FR 4863 |
| Ninth Order on Recon | 02/27/95 | 60 FR 10512 |
| Eighth Order on Recon | 03/17/95 | 60 FR 14373 |
| Sixth R&O and Eleventh Order on Recon | 07/12/95 | 60 FR 35854 |
| Thirteenth Order on Recon | 10/05/95 | 60 FR 52106 |
| Twelfth Order on Recon | 10/26/95 | 60 FR 54815 |
| Tenth Order on Recon | 04/08/96 | 61 FR 15388 |
| Order on Recon of the First R&O and FNPRM | 04/15/96 | 61 FR 16447 |
| MO&O | 02/12/97 | 62 FR 6491 |
| Report on Cable Industry Prices | 02/24/97 | 62 FR 8245 |
| R&O | 03/31/97 | 62 FR 15118 |
| Fourteenth Order on Recon | 10/15/97 | 62 FR 53572 |
| NPRM and Order | 09/05/02 | 67 FR 56882 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AF41

493. CABLE TELEVISION RATE REGULATION: COST OF SERVICE

Legal Authority: 47 USC 154; 47 USC 543

Abstract: The Commission has established rules pursuant to which cable operators may set rates for regulated cable service in accordance with traditional cost-of-service principles, as modified to take account of unique characteristics of the cable industry. In the latest NPRM, comment was sought on rule changes that may be necessary or desirable in order to account for changes in the regulatory process resulting from the end of the Commission's statutory authority to regulate certain tiers of cable programming service.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 07/30/93 | 58 FR 40762 |
| R&O | 04/15/94 | 59 FR 17975 |
| Second NPRM | 04/15/94 | 59 FR 18066 |
| MO&O | 10/14/94 | 59 FR 52087 |
| Second R&O/First Order on Recon/FNPRM | 03/08/96 | 61 FR 9361 |
| Correction | 03/22/96 | 61 FR 11749 |
| NPRM and Order | 09/05/02 | 67 FR 56882 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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FCC—Media Bureau

Long-Term Actions

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494. CABLE HOME WIRING

Legal Authority: 47 USC 544(i)

Abstract: On October 6, 1997, the FCC adopted a Report and Order and Second Notice of Proposed Rulemaking (FCC 97-376) that amends its cable inside wiring rules to enhance competition in the video distribution marketplace. The Second FNPRM seeks comment on, among other things, whether there are circumstances where the FCC should adopt restrictions on exclusive contracts in order to further promote competition in the multiple dwelling unit marketplace. The 2nd Report and Order addresses multiple dwelling units when the occupant charges video service providers. In the First Order on Reconsideration and the Second Report and Order, the Commission modified its rules in part. The United States Court of Appeals for the District of Columbia Circuit remanded a portion of the Commission decision back to the Commission for further consideration. In September 2004, the Commission issued an FNPRM in response to the courts decision. The subsequent Report and Order and Declaratory Ruling concluded that cable wiring behind sheet rock is physically inaccessible for determining the demarcation point.

Timetable:

| Action | Date | FR Cite |
|-------------------------------------|----------|-------------|
| NPRM | 11/17/92 | 57 FR 54209 |
| R&O | 03/02/93 | 58 FR 11970 |
| NPRM | 02/01/96 | 61 FR 3657 |
| First Order on Recon & FNPRM | 02/16/96 | 61 FR 6210 |
| FNPRM | 09/03/97 | 62 FR 46453 |
| R&O and Second FNPRM | 11/14/97 | 62 FR 60165 |
| First Order on Recon and Second R&O | 03/21/03 | 68 FR 13850 |
| FNPRM | 10/15/04 | 69 FR 61193 |
| R&O and Declaratory Ruling | 08/30/07 | 72 FR 50074 |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AG02

495. COMPETITIVE AVAILABILITY OF NAVIGATION DEVICES (CS DOCKET NO. 97-80)

Legal Authority: 47 USC 549

Abstract: The Commission has adopted rules to address the mandate expressed in section 629 of the Communications Act to ensure the commercial availability of “navigation devices,” the equipment used to access video programming and other services from multichannel video programming systems.

Specifically, in 1998, the Commission required MVPDs to make available by July 1, 2000, a security element separate from the basic navigation device (e.g., cable set-top boxes, digital video recorders, and television receivers with navigation capabilities). The separation of the security element from the host device required by this rule (referred to as the “integration ban”) was designed to enable unaffiliated manufacturers, retailers, and other vendors to commercially market host devices while allowing MVPDs to retain control over their system security. MVPDs were permitted to continue providing equipment with integrated security until January 1, 2005, so long as modular security components, known as point-of-deployment modules, were also made available for use with host devices obtained through retail outlets. In April 2003, in response to requests from cable operators, the Commission extended the effective date of the integration ban until July 1, 2006. Then, in 2005, again at the urging of cable operators, the Commission extended that date until July 1, 2007. Also, in this proceeding, in April 2003, the Commission adopted unidirectional “plug and play” rules, to govern compatibility between MVPDs and navigation devices manufactured by consumer electronics manufacturers not affiliated with cable operators. In June 2007, the Commission solicited comment on proposed standards to ensure bidirectional compatibility of cable television systems and consumer electronics equipment.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 03/05/97 | 62 FR 10011 |
| R&O | 07/15/98 | 63 FR 38089 |
| Order on Recon | 06/02/99 | 64 FR 29599 |
| FNPRM & Declaratory Ruling | 09/28/00 | 65 FR 58255 |
| FNPRM | 01/16/03 | 68 FR 2278 |
| Order and FNPRM | 06/17/03 | 68 FR 35818 |
| Second R&O | 11/28/03 | 68 FR 66728 |
| FNPRM | 11/28/03 | 68 FR 66776 |
| Order on Recon | 01/28/04 | 69 FR 4081 |
| Second R&O | 06/22/05 | 70 FR 36040 |
| Third FNPRM | 07/25/07 | 72 FR 40818 |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AG28

496. CABLE HORIZONTAL AND VERTICAL OWNERSHIP LIMITS (MM DOCKET NO. 92-264)

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 303; 47 USC 533

Abstract: Section 613 of the Communications Act requires the Commission to “prescribe rules and regulations establishing reasonable limits on the number of cable subscribers a person is authorized to reach through cable systems owned by such person, or in which such person has an attributable interest.” On October 8, 1999, the Commission issued a Third Report and Order, FCC 99-289, in this matter. The Commission revised the horizontal ownership rules as follows: (1) All multichannel video subscribers will be counted when calculating the 30 percent ownership limit; (2) actual subscriber numbers, rather than potential subscriber numbers, will be used for calculating an owner’s share; and (3) the minority exception which allowed a 35 percent ownership limit for minority-owned entities under certain circumstances was eliminated. On March 2, 2001, the District of Columbia Circuit Court reversed and remanded the cable horizontal and vertical limits, as well as two aspects of the attribution rules used to determine compliance with these limits. (Time Warner

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Entertainment Co. v. FCC, 240 F.3d 1126 (DC cir. 2001)). Pursuant to the court's remand, the Commission solicited comment in a Further Notice of Proposed Rulemaking (September 2001) and a Second Further Notice of Proposed Rulemaking.

In the Fourth Report and Order, the Commission set the cable horizontal ownership limit at 30 percent. In the accompanying Further Notice of Proposed Rulemaking, comment was sought on issues regarding the cable attribution rules and appropriate channel occupancy limits.

Timetable:

| Action | Date | FR Cite |
|--------------------------------|----------|-------------|
| Second MO&O on Recon and FNPRM | 07/14/98 | 63 FR 37790 |
| Third R&O | 12/01/99 | 64 FR 67198 |
| Order on Recon | 03/08/00 | 65 FR 12135 |
| MO&O | 06/08/00 | 65 FR 36382 |
| FNPRM | 10/11/01 | 66 FR 51905 |
| Second FNPRM | 06/18/05 | 70 FR 33680 |
| Fourth R&O and FNPRM | 02/29/08 | 73 FR 11048 |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH09

497. DIGITAL AUDIO BROADCASTING SYSTEMS (MM DOCKET NO. 99-325)

Legal Authority: 47 USC 154; 47 USC 303

Abstract: The rulemaking proceeding was initiated to foster the development and implementation of terrestrial digital audio broadcasting (DAB). The transition to DAB promises the benefits that have generally accompanied digitalization—better audio fidelity, more robust transmission systems, and the possibility of new auxiliary services. In the First Report and Order, the Commission selected in-band, on-channel as the technology that will permit AM and FM radio broadcasters to introduce digital operations. Consideration of formal standard-setting procedures and related broadcasting licensing and service rule changes are addressed in a Further

Notice of Proposed Rulemaking. Further technical guidance is provided in a Second Report and Order.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 11/09/99 | 64 FR 61054 |
| First R&O | 12/23/02 | 67 FR 78193 |
| FNPRM and NOI | 05/14/04 | 69 FR 27815 |
| Second R&O | 08/15/07 | 72 FR 45712 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH40

498. SECOND PERIODIC REVIEW OF RULES AND POLICIES AFFECTING THE CONVERSION TO DTV

Legal Authority: 47 USC 4(i) and 4(j); 47 USC 303(r); 47 USC 307; 47 USC 309; 47 USC 336

Abstract: On January 18, 2001, the Commission adopted a Report and Order (R&O) and Further Notice of Proposed Rulemaking, addressing a number of issues related to the conversion of the nation's broadcast television system from analog to digital television. The Second Report and Order resolved several major technical issues including the issue of receiver performance standards, DTV tuners, and revisions to certain components of the DTV transmission standard. A subsequent NPRM commenced the Commission's second periodic review of the progress of the digital television conversion. The resulting R&O adopted a multi-step process to create a new DTV table of allotments and authorizations. Also in the R&O, the Commission adopted replication and maximization deadlines for DTV broadcasters and updated rules in recognition revisions to broadcast transmission standards.

The Second R&O adopts disclosure requirements for televisions that do not include a digital tuner.

Timetable:

| Action | Date | FR Cite |
|--------|----------|-------------|
| NPRM | 03/23/00 | 65 FR 15600 |
| R&O | 02/13/01 | 66 FR 9973 |
| MO&O | 12/18/01 | 66 FR 65122 |

| Action | Date | FR Cite |
|-------------------------------|----------|-------------|
| Third MO&O and Order on Recon | 10/02/02 | 67 FR 61816 |
| Second R&O and Second MO&O | 10/11/02 | 67 FR 63290 |
| NPRM | 02/18/03 | 68 FR 7737 |
| R&O | 10/04/04 | 69 FR 59500 |
| Second R&O | 05/10/07 | 72 FR 26554 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH54

499. DIRECT BROADCAST PUBLIC INTEREST OBLIGATIONS (MM DOCKET NO. 93-25)

Legal Authority: 47 USC 335

Abstract: The Commission adopted rules in 1998 that implement section 25 of the Cable Television Consumer Protection and Competition Act of 1992, as codified at section 335 of the Communications Act of 1934. Section 335 directs the Commission to impose certain public interest obligations on direct broadcast satellite providers.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 03/08/93 | 58 FR 12917 |
| R&O | 02/08/99 | 64 FR 52399 |
| Order on Recon | 04/22/04 | 69 FR 21761 |
| Order on Recon | 04/28/04 | 69 FR 23155 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH59

500. REVISION OF EEO RULES AND POLICIES (MM DOCKET NO. 98-204)

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 257; 47 USC 301; 47 USC 303; 47 USC 307 to 309; 47 USC 334; 47 USC 403; 47 USC 554

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Abstract: FCC authority to govern Equal Employment Opportunity (EEO) responsibilities of cable television operators was codified in the Cable Communications Policy Act of 1984. This authority was extended to television broadcast licensees and other multi-channel video programming distributors in the Cable and Television Consumer Protection Act of 1992. In the Second Report and Order, the FCC adopted new EEO rules and policies. This action was in response to a decision of the U.S. Court of Appeals for the District of Columbia Circuit that found prior EEO rules unconstitutional. The Third Notice of Proposed Rulemaking (NPRM) requests comment as to the applicability of the EEO rules to part-time employees. The Third Report and Order adopted revised forms for broadcast station and MVPDs Annual Employment Report. In the Fourth NPRM, comment was sought regarding public access to the data contained in the forms.

Timetable:

| Action | Date | FR Cite |
|---------------------------|----------|-------------|
| NPRM | 01/14/02 | 67 FR 1704 |
| Second R&O and Third NPRM | 01/07/03 | 68 FR 670 |
| Correction | 01/13/03 | 68 FR 1657 |
| Fourth NPRM | 06/23/04 | 69 FR 34986 |
| Third R&O | 06/23/04 | 69 FR 34950 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AH95

501. BROADCAST MULTIPLE AND CROSS-OWNERSHIP LIMITS

Legal Authority: 47 USC 151; 47 USC 152(a); 47 USC 154(i); 47 USC 303; 47 USC 307; 47 USC 309 and 310

Abstract: In 2002, the Commission undertook a comprehensive review of its broadcast multiple and cross-ownership limits examining: cross-ownership of TV and radio stations; local TV ownership limits; national TV cap; and dual network rule.

The Report and Order replaced the newspaper/broadcast cross-ownership and radio and TV rules with a tiered

approach based on the number of television stations in a market. Petitions for Reconsideration are pending. Also, the Third Circuit Court of Appeals remanded portions of the Commission's decisions. In June 2006, the Commission adopted a Further Notice of Proposed Rulemaking initiating the 2006 review of the broadcast ownership rules. The further notice also sought comment on how to address the issues raised by the Third Circuit. Additional questions are raised for comment in a Second Further Notice of Proposed Rulemaking.

In the Report and Order and Order on Reconsideration, the Commission adopted rule changes regarding newspaper/broadcast cross-ownership, but otherwise generally retained the other broadcast ownership rules currently in effect.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 10/05/01 | 66 FR 50991 |
| R&O | 08/05/03 | 68 FR 46286 |
| Public Notice | 02/19/04 | 69 FR 9216 |
| FNPRM | 08/09/06 | 71 FR 4511 |
| Second FNPRM | 08/08/07 | 72 FR 44539 |
| R&O and Order on Recon | 02/21/08 | 73 FR 9481 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AH97

502. ESTABLISHMENT OF RULES FOR DIGITAL LOW POWER TELEVISION, TELEVISION TRANSLATOR, AND TELEVISION BOOSTER STATIONS (MB DOCKET NO. 03-185)

Legal Authority: 47 USC 309; 47 USC 336

Abstract: This proceeding initiates the digital television conversion for low power television (LPTV) and television translator stations. The rules and policies adopted as a result of this proceeding provide the framework for these stations' conversion from analog to digital broadcasting. The Report and Order adopts definitions and permissible use provisions for digital

TV translator and LPTV stations. Petitions for reconsideration of the Report and Order are pending.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 09/26/03 | 68 FR 55566 |
| R&O | 11/29/04 | 69 FR 69325 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI38

503. JOINT SALES AGREEMENTS IN LOCAL TELEVISION MARKETS (MB DOCKET NO. 04-256)

Legal Authority: 47 USC 151 to 152(a); 47 USC 154(i); 47 USC 303; ...

Abstract: A joint sales agreement (JSA) is an agreement with a licensee of a brokered station that authorizes a broker to sell some or all of the advertising time for the brokered station in return for a fee or percentage of revenues paid to the licensee. The Commission has sought comment on whether TV JSAs should be attributed for purposes of determining compliance with the Commission's multiple ownership rules.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 08/26/04 | 69 FR 52464 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI55

504. SIGNIFICANTLY VIEWED OUT-OF-MARKET BROADCAST STATIONS (MB DOCKET NO. 05-49)

Legal Authority: 47 USC 151; 47 USC 154(i) and 154(j); 47 USC 340

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Abstract: Section 202 of the Satellite Home Viewer Extension and Reauthorization Act of 2004 creates section 340 of the Communications Act, which provides satellite carries with the authority to offer Commission determined “significantly viewed” signals of out-of-market broadcast stations to subscribers. In the NPRM, comment was sought on implementation of section 340. The resulting Report and Order adopted a list of significantly viewed stations and procedures for stations to petition the Commission for inclusion on the list.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 03/08/05 | 70 FR 11314 |
| R&O | 12/27/05 | 70 FR 76504 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI56

505. REVISION OF PROCEDURES GOVERNING AMENDMENTS TO FM TABLE OF ALLOTMENTS AND CHANGES OF COMMUNITY OF LICENSE IN THE RADIO BROADCAST SERVICES (MB DOCKET NO. 05-210)

Legal Authority: 47 USC 154; 47 USC 303

Abstract: The rulemaking was initiated to reduce backlog in, and streamline, the FM allotment procedures and, to a lesser extent, streamline certain procedures pertaining to AM applications. Although the Commission has made important changes to streamline the processing of radio broadcast applications, the basic procedures for amending the Table have not changed since 1982. The Notice seeks comment on a number of specific rule and procedural changes in the handling of FM and AM applications and rulemaking petitions to amend the Table. In the area of applications procedures, the Notice seeks comments on various proposals designed to encourage only bona fide proponents to submit petitions and to limit the complexity of such petitions. If these changes are adopted, it will

expedite the approval and implementation on new and upgraded radio service to the public. The Report and Order adopted the proposals from the notice. Petitions for reconsideration are pending.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 06/22/05 | 70 FR 44537 |
| NPRM Comment Period End | 10/03/05 | |
| R&O | 12/20/06 | 71 FR 76208 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI63

506. DIGITAL TELEVISION DISTRIBUTED TRANSMISSION SYSTEM TECHNOLOGIES (MB DOCKET NO. 05-312)

Legal Authority: 47 USC 151; 47 USC 154(i) to (j); 47 USC 157; 47 USC 301; ...

Abstract: A digital television transmission system (DTS) employs multiple synchronized transmitters spread around a station’s service area. Such distributed transmitters fill in unserved areas in the parent station’s coverage area. The Notice of Proposed Rulemaking (NPRM) examines issues related to the use of DTS and proposes rules for future DTS operation. The Report and Order adopts the technical and licensing rules necessary to implement DTS service.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 12/07/05 | 70 FR 72763 |
| R&O | 12/05/08 | 73 FR 74047 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI68

507. IMPLEMENTATION OF THE CABLE COMMUNICATIONS POLICY ACT OF 1984 AS AMENDED BY THE CABLE TELEVISION CONSUMER PROTECTION AND COMPETITION ACT OF 1992 (MB DOCKET NO. 05-311)

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 541(a)(1); 47 USC 556(c)

Abstract: Section 621(a)(1) of the Communications Act of 1934, as amended, states in relevant part that “a franchising authority . . . may not unreasonably refuse to award an additional competitive franchise.” The Notice of Proposed Rulemaking (NPRM) solicits comment on implementation of section 621(a)(1)’s directive, and whether the franchising process unreasonably impedes the achievement of the interrelated Federal goals of enhanced cable competition and accelerated broadband deployment and, if so, how the Commission should act to address that problem.

The subsequent Report and Order found that certain actions by local franchising authorities constitute an unreasonable refusal to award a competitive franchise within the meaning of section 621(a)(1). The item included a Further Notice of Proposed Rulemaking (FNPRM) seeking comment on how the findings should affect existing franchises.

In the Second Report and Order, a number of the rules promulgated in this docket are extended to incumbent cable operators.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 12/19/05 | 70 FR 73973 |
| R&O and FNPRM | 03/21/07 | 72 FR 13230 |
| Second R&O | 11/23/07 | 72 FR 65670 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI69

FCC—Media Bureau

Long-Term Actions

508. PROGRAM ACCESS RULES—SUNSET OF EXCLUSIVE CONTRACTS PROHIBITION AND EXAMINATION OF PROGRAMMING TYING ARRANGEMENTS; (MB DOCKET NOS. 07–29, 07–198)**Legal Authority:** 47 USC 548

Abstract: The program access provisions of the Communications Act (section 628) generally prohibit exclusive contracts for satellite delivered programming between programmers in which a cable operator has an attributable interest (vertically integrated programmers) and cable operators. This limitation was set to expire on October 5, 2007, unless circumstances in the video programming marketplace indicate that an extension of the prohibition continues “to be necessary to preserve and protect competition and diversity in the distribution of video programming.” The proceeding undertakes the required review. The Report and Order concluded the prohibition continues to be necessary, and accordingly, retained it until October 5, 2012. The accompanying Notice of Proposed Rulemaking (NPRM) sought comment on revisions to the Commission’s program access and retransmission consent rules.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 03/01/07 | 72 FR 9289 |
| R&O | 10/04/07 | 72 FR 56645 |
| NPRM | 10/31/07 | 72 FR 61590 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060–AI87**509. THIRD PERIODIC REVIEW OF THE COMMISSION’S RULES AND POLICIES AFFECTING THE CONVERSION TO DIGITAL TELEVISION (MB DOCKET NO. 07–91)**

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 301 to 303; 47 USC 307 to 309; 47 USC 312; 47 USC 316; 47 USC 318 and 319; 47 USC 324 and 325; 47 USC 336 and 337

Abstract: Congress has mandated that after February 17, 2009, full-power broadcast stations must transmit only in digital signals, and may no longer transmit analog signals. This proceeding is the Commission’s third periodic review of the transition of the nation’s broadcast television system from analog to digital television (DTV). The Commission conducts these periodic reviews in order to assess the progress of the transition and make any necessary adjustments to the Commission’s rules and policies to facilitate the introduction of DTV service and the recovery of spectrum at the end of the transition. In this review, the Commission considers how to ensure that broadcasters complete construction of their final post-transition (digital) facilities by the statutory deadline.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 07/09/07 | 72 FR 37310 |
| R&O | 01/30/08 | 73 FR 5634 |
| Order on Clarification | 07/10/08 | 73 FR 39623 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060–AI89**510. DTV CONSUMER EDUCATION INITIATIVE (MB DOCKET NO. 07–148)**

Legal Authority: 47 USC 154(i); 47 USC 303(r); 47 USC 335 and 336

Abstract: Congress has mandated that after February 17, 2009, full-power broadcast stations must transmit only in digital signals, and may no longer transmit analog signals. From the beginning of the digital transition, the Commission has been committed to working with representatives from industry, public interest groups, and Congress to make the significant benefits of digital broadcasting available to the public. The digital transition will make valuable spectrums available for both public safety uses and expanded wireless competition and innovation. It will also provide consumers with better quality television picture and sound, and make

new services available through multicasting. These innovations, however, are dependent upon widespread consumer understanding of the benefits and the mechanics of the transition. While the Commission has been engaged in various DTV outreach efforts, this proceeding was initiated to seek public comment on whether there are additional steps relating to consumer education about the digital transition which the Commission should take.

The Report and Order found a clear and compelling need for educational efforts directed at consumers. Requirements were imposed on several participants in the DTV transition to provide information about the transition to consumers.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 08/16/07 | 72 FR 46014 |
| R&O | 03/24/08 | 73 FR 15431 |
| FNPRM | 05/28/08 | 73 FR 30591 |
| Order | 06/26/08 | 73 FR 36282 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060–AI96**511. BROADCAST LOCALISM (MB DOCKET NO. 04–233)**

Legal Authority: 47 USC 154(i); 47 USC 303; 47 USC 532; 47 USC 536

Abstract: The concept of localism has been a cornerstone of broadcast regulation. The Commission has consistently held that as temporary trustee of the public’s airwaves, broadcasters are obligated to operate their stations to serve the public interest. Specifically, broadcasters are required to air programming responsive to the needs and issues of the people in their licensed communities. The Commission opened this proceeding to seek input on a number of issues related to broadcast localism.

Timetable:

| Action | Date | FR Cite |
|--------|----------|------------|
| NPRM | 02/13/08 | 73 FR 8255 |

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| Action | Date | FR Cite |
|----------------------------|----------|---------|
| NPRM Comment Period End | 03/14/08 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AJ04

512. CREATING A LOW POWER RADIO SERVICE (MM DOCKET NO. 99-25)

Legal Authority: 47 USC 151 to 152; 47 USC 154(i); 47 USC 303; 47 USC 403; 47 USC 405

Abstract: This proceeding was initiated to establish a new noncommercial educational low power FM radio service for non-profit community organizations and public safety entities. In January 2000, the Commission adopted a Report and Order establishing two classes of LPFM stations, 100 watt (LP100) and 10 watt (LP10) facilities, with service radii of approximately 3.5 miles and 1-2 miles, respectively. The Report and Order also established ownership and eligibility rules for the LPFM service. The Commission generally restricted ownership to entities with no attributable interest in any other broadcast station or other media. To choose among entities filing mutually exclusive applications for LPFM licenses, the Commission established a point system favoring local ownership and locally-originated programming. The Report and Order imposed separation requirements for LPFM with respect to full power stations operating on co-, first- and second-adjacent and intermediate frequency (IF) channels. In December 2000, legislation was enacted that required the Commission to modify its rules to (i) prescribe LPFM station third-adjacent channel interference protection standards and (ii) prohibit any applicant from obtaining an LPFM station license if the applicant previously has engaged in the unlicensed operation of a station. In March 2001, the Commission adopted a Second Report and Order implementing this statute.

In a Further Notice issued in 2005, the Commission reexamined some of its rules governing the LPFM service, noting that the rules may adjustment in order to ensure that the Commission maximizes the value of the LPFM service without harming the interests of full-power FM stations or other Commission licensees. The Commission sought comment on a number of issues with respect to LPFM ownership restrictions and eligibility.

The Third Report and Order resolves issues raised in the Further Notice. The accompanying Second Further Notice of Proposed Rulemaking (FNPRM) considers rule changes to avoid the potential loss of LPFM stations.

Timetable:

| Action | Date | FR Cite |
|------------------------------------|----------|-------------|
| NPRM | 12/16/99 | 64 FR 2577 |
| R&O | 02/15/00 | 65 FR 7616 |
| MO&O and Order on Recon | 11/09/00 | 65 FR 67289 |
| Second R&O | 05/10/01 | 66 FR 23861 |
| Second Order on Recon and FNPRM | 07/07/05 | 70 FR 3918 |
| Third R&O and Second FNPRM | 01/17/08 | 73 FR 3202 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AJ07

513. SPONSORSHIP IDENTIFICATION RULES AND EMBEDDED ADVERTISING (MB DOCKET NO. 08-90)

Legal Authority: 47 USC 154(i) and (j); 47 USC 303(r); 47 USC 303(a); 47 USC 317; 47 USC 405; 47 USC 508

Abstract: The Commission undertook this proceeding to seek comment on the relationship between the Commission's sponsorship identification rules and the increasing reliance on industry by embedded advertising techniques. Due to recent technological changes that allow consumers to more easily bypass traditional commercial content, content providers may be turning to more subtle and sophisticated means of incorporating commercial messages into programming. The NPRM will seek to determine how embedded advertising

affects the efficacy of the sponsorship identification rules in protecting the public's right to know who is paying to air commercials or other programming matter on broadcast outlets and cable television systems.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM and NOI | 07/24/08 | 73 FR 43194 |
| NPRM Comment Period End | 09/22/08 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AJ10

514. • AN INQUIRY INTO THE COMMISSION'S POLICIES AND RULES REGARDING AM RADIO SERVICE DIRECTIONAL ANTENNA PERFORMANCE VERIFICATION (MM DOCKET NO. 93-177)

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 303; 47 USC 308

Abstract: This proceeding is part of a streamlining initiative to simplify the Media Bureau's licensing procedures. The Report and Order in this proceeding simplified traditional proof of performance requirements for directional AM stations. The Second Report and Order further reduces regulatory burdens on AM broadcasters by permitting the use of computer modeling.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 07/27/99 | 64 FR 40539 |
| R&O | 04/25/01 | 66 FR 20752 |
| FNPRM | 04/25/01 | 66 FR 20779 |
| 2nd R&O | 10/30/08 | 73 FR 64558 |
| 2nd FNPRM | 12/11/08 | 73 FR 75376 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AJ17

FCC—Media Bureau

Long-Term Actions

515. • AMENDMENT OF PARTS 73 AND 74 OF THE COMMISSION'S RULES TO ESTABLISH RULES FOR REPLACEMENT DIGITAL LOW POWER TELEVISION TRANSLATOR STATIONS; MB DOCKET NO. 08–253

Legal Authority: 47 USC 151; 47 USC 154(i) and (j); 47 USC 157; 47 USC 301; 47 USC 302(a); 47 USC 303; 47 USC 307 to 309; 47 USC 312; 47 USC 316; 47 USC 318 and 319; 47 USC 324 and 325; 47 USC 336 and 337

Abstract: This proceeding was initiated to create a new digital television translator service to permit full-service television stations to continue to provide digital service to viewers within their coverage areas who have lost service as a result of the stations' digital transition.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 01/20/09 | 74 FR 61 |
| R&O | 06/02/09 | 74 FR 26300 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060–AJ18

516. • POLICIES TO PROMOTE RURAL RADIO SERVICE AND TO STREAMLINE ALLOTMENT AND ASSIGNMENT PROCEDURES; MB DOCKET NO. 09–52

Legal Authority: 47 USC 151 and 152; 47 USC 154(i); 47 USC 303; 47 USC 307 and 309(j)

Abstract: This proceeding was commenced to consider a number of changes to the Commission's rules and procedures to carry out the statutory goal of distributing radio service fairly and equitably, and to increase the transparency and efficiency of radio broadcast auction and licensing processes. In the NPRM, comment is sought on specific proposals regarding the procedures used to award commercial broadcast spectrum in the AM and FM broadcast bands.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 05/13/09 | 74 FR 22498 |
| NPRM Comment Period End | 07/10/09 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

Agency Contact: Peter Doyle, Chief, Audio Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554

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RIN: 3060–AJ23

517. • PROMOTING DIVERSIFICATION OF OWNERSHIP IN THE BROADCAST SERVICES (MB DOCKET NO. 07–294)

Legal Authority: 47 USC 151; 47 USC 152(a); 47 USC 154 i and (j); 47 USC

257; 47 USC 303(r); 47 USC 307 to 310; 47 USC 336; 47 USC 534 to 535

Abstract: Diversity and competition are longstanding and important Commission goals. The measures proposed, as well as those adopted in this proceeding, are intended to promote diversity of ownership of media outlets. In the Report and Order and 3rd FNPRM, measures are enacted to increase participation in the broadcasting industry by new entrants and small businesses, including minority- and women-owned businesses. In the Report and Order and 4th FNPRM, the Commission adopts improvements to its data collection in order to obtain an accurate and comprehensive assessment of minority and female broadcast ownership in the United States.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| R&O | 05/16/08 | 73 FR 28361 |
| 3rd FNPRM | 05/16/08 | 73 FR 28400 |
| R&O | 05/27/09 | 74 FR 25163 |
| 4th FNPRM | 05/27/09 | 74 FR 25305 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060–AJ27

Federal Communications Commission (FCC)

Long-Term Actions

Office of Managing Director

518. ASSESSMENT AND COLLECTION OF REGULATORY FEES

Legal Authority: 47 USC 159

Abstract: Section 9 of the Communications Act of 1934, as amended, 47 U.S.C. 159, requires the FCC to recover the cost of its activities by assessing and collecting annual regulatory fees from beneficiaries of the activities.

Timetable:

| Action | Date | FR Cite |
|----------------|----------|-------------|
| NPRM | 04/06/06 | 71 FR 17410 |
| R&O | 08/02/06 | 71 FR 43842 |
| NPRM | 05/02/07 | 72 FR 24213 |
| R&O | 08/16/07 | 72 FR 45908 |
| FNPRM | 08/16/07 | 72 FR 46010 |
| NPRM | 05/28/08 | 73 FR 30563 |
| R&O | 08/26/08 | 73 FR 50201 |
| FNPRM | 08/26/08 | 73 FR 50285 |
| 2nd R&O | 05/12/09 | 74 FR 22104 |
| NPRM and Order | 06/02/09 | 74 FR 26329 |

R&O 08/11/09 74 FR 40089
Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060–AI79

**Federal Communications Commission (FCC)
Public Safety and Homeland Security Bureau**
Long-Term Actions
519. REVISION OF THE RULES TO ENSURE COMPATIBILITY WITH ENHANCED 911 EMERGENCY CALLING SYSTEMS

Legal Authority: 47 USC 134(i); 47 USC 151; 47 USC 201; 47 USC 208; 47 USC 215; 47 USC 303; 47 USC 309

Abstract: In a series of orders in several related proceedings issued since 1996, the Federal Communications Commission has taken action to improve the quality and reliability of 911 emergency services for wireless phone users. Rules have been adopted governing the availability of basic 911 services and the implementation of enhanced 911 (E911) for wireless services.

Timetable:

| Action | Date | FR Cite |
|----------------------------------|----------|-------------|
| FNPRM | 08/02/96 | 61 FR 40374 |
| R&O | 08/02/96 | 61 FR 40348 |
| MO&O | 01/16/98 | 63 FR 2631 |
| Second R&O | 06/28/99 | 64 FR 34564 |
| Third R&O | 11/04/99 | 64 FR 60126 |
| Second MO&O | 12/29/99 | 64 FR 72951 |
| Fourth R&O, Third NPRM, and NPRM | 09/19/00 | 65 FR 56752 |
| Fourth MO&O | 10/02/00 | 65 FR 58657 |
| FNPRM | 06/13/01 | 66 FR 31878 |
| Order | 11/02/01 | 66 FR 55618 |
| R&O | 05/23/02 | 67 FR 36112 |
| Public Notice | 07/17/02 | 67 FR 46909 |
| Order to Stay | 07/26/02 | |
| Order on Recon | 01/22/03 | 68 FR 2914 |
| FNPRM | 01/23/03 | 68 FR 3214 |
| Second R&O, Second FNPRM | 02/11/04 | 69 FR 6578 |
| Second R&O | 09/07/04 | 69 FR 54037 |
| NPRM | 06/20/07 | 72 FR 33948 |
| NPRM Comment Period End | 08/20/07 | |
| Order on Recon | 10/11/07 | 72 FR 57879 |
| R&O | 02/14/08 | 73 FR 8617 |
| Next Action Undetermined | | |

**Regulatory Flexibility Analysis
Required: Yes**

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RIN: 3060-AG34

520. ENHANCED 911 SERVICES FOR WIRELINE

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 201; 47 USC 222; 47 USC 251

Abstract: The rules generally will assist State governments in drafting legislation that will ensure that multi-line telephone systems are compatible with the enhanced 911 network.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 10/11/94 | 59 FR 54878 |
| FNPRM | 01/23/03 | 68 FR 3214 |
| Second FNPRM | 02/11/04 | 69 FR 6595 |
| R&O | 02/11/04 | 69 FR 6578 |
| Public Notice | 01/13/05 | 70 FR 2405 |
| Next Action Undetermined | | |

**Regulatory Flexibility Analysis
Required: Yes**

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RIN: 3060-AG60

521. IN THE MATTER OF THE COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT

Legal Authority: 47 USC 229; 47 USC 1001 to 1008

Abstract: All of the decisions in this proceeding thus far are aimed at implementation of provisions of the Communications Assistance for Law Enforcement Act.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 10/10/97 | 62 FR 63302 |
| Order | 01/13/98 | 63 FR 1943 |
| FNPRM | 11/16/98 | 63 FR 63639 |
| R&O | 01/29/99 | 64 FR 51462 |
| Order | 03/29/99 | 64 FR 14834 |
| Second R&O | 09/23/99 | 64 FR 51462 |
| Third R&O | 09/24/99 | 64 FR 51710 |
| Order on Recon | 09/28/99 | 64 FR 52244 |
| Policy Statement | 10/12/99 | 64 FR 55164 |
| Second Order on Recon | 05/04/01 | 66 FR 22446 |
| Order | 10/05/01 | 66 FR 50841 |
| Order on Remand | 05/02/02 | 67 FR 21999 |
| NPRM | 09/23/04 | 69 FR 56976 |
| First R&O | 10/13/05 | 70 FR 59704 |
| Second R&O | 07/05/06 | 71 FR 38091 |
| Next Action Undetermined | | |

**Regulatory Flexibility Analysis
Required: Yes**

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RIN: 3060-AG74

522. DEVELOPMENT OF OPERATIONAL, TECHNICAL, AND SPECTRUM REQUIREMENTS FOR PUBLIC SAFETY COMMUNICATIONS REQUIREMENTS

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 160; 47 USC 201 and 202; 47 USC 303; 47 USC 337(a); 47 USC 403

Abstract: This item takes steps toward developing a flexible regulatory framework to meet vital current and future public safety communications needs.

Timetable:

| Action | Date | FR Cite |
|----------------------------------|----------|-------------|
| NPRM | 10/09/97 | 62 FR 60199 |
| Second NPRM | 11/07/97 | 62 FR 60199 |
| First R&O | 11/02/98 | 63 FR 58645 |
| Third NPRM | 11/02/98 | 63 FR 58685 |
| MO&O | 11/04/99 | 64 FR 60123 |
| Second R&O | 08/08/00 | 65 FR 48393 |
| Fourth NPRM | 08/25/00 | 65 FR 51788 |
| Second MO&O | 09/05/00 | 65 FR 53641 |
| Third MO&O | 11/07/00 | 65 FR 66644 |
| Third R&O | 11/07/00 | 65 FR 66644 |
| Fifth NPRM | 02/16/01 | 66 FR 10660 |
| Fourth R&O | 02/16/01 | 66 FR 10632 |
| MO&O | 09/27/02 | 67 FR 61002 |
| NPRM | 11/08/02 | 67 FR 68079 |
| R&O | 12/13/02 | 67 FR 76697 |
| NPRM | 04/27/05 | 70 FR 21726 |
| R&O | 04/27/05 | 70 FR 21671 |
| NPRM | 04/07/06 | 71 FR 17786 |
| NPRM | 09/21/06 | 71 FR 55149 |
| Ninth NPRM | 01/10/07 | 72 FR 1201 |
| Ninth NPRM Comment Period End | 02/26/07 | |
| R&O and FNPRM | 05/02/07 | 72 FR 24238 |
| R&O and FNPRM Comment Period End | 05/23/07 | |
| Second R&O | 08/24/07 | 72 FR 48814 |
| Second FNPRM | 05/21/08 | 73 FR 29582 |
| Third FNPRM | 10/03/08 | 73 FR 57750 |
| Next Action Undetermined | | |

**Regulatory Flexibility Analysis
Required: Yes**

FCC—Public Safety and Homeland Security Bureau

Long-Term Actions

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RIN: 3060-AG85

523. 1998 BIENNIAL REGULATORY REVIEW—REVIEW OF ACCOUNTS SETTLEMENT IN MARITIME MOBILE AND MARITIME MOBILE-SATELLITE RADIO SERVICES; (IB DOCKET NO. 98-96)

Legal Authority: 47 USC 154(i) and 154(j); 47 USC 201 to 205; 47 USC 303(r)

Abstract: The FCC seeks comment regarding Accounts Settlement in the Maritime Mobile and Maritime Mobile Satellite Service (MSS) Radio Services.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 07/24/98 | 63 FR 39800 |
| FNPRM | 07/28/99 | 64 FR 40808 |
| R&O | 07/28/99 | 64 FR 40774 |
| Comment Period Extended | 09/03/99 | 64 FR 48337 |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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Phone: 202 418-1575

RIN: 3060-AH30

524. IMPLEMENTATION OF 911 ACT

Legal Authority: 47 USC 151; 47 USC 154(i) and 154(j); 47 USC 157; 47 USC 160; 47 USC 202; 47 USC 208; 47 USC 210; 47 USC 214; 47 USC 251(e); 47 USC 301; 47 USC 303; 47 USC 308 to 309(j); 47 USC 310

Abstract: This proceeding is separate from the Commission's proceeding on Enhanced 911 Emergency Systems (E911) in that it is intended to implement provisions of the Wireless Communications and Public Safety Act of 1999 through the promotion of public safety by the deployment of a seamless, nationwide emergency communications infrastructure that

includes wireless communications services. More specifically, a chief goal of the proceeding is to ensure that all emergency calls are routed to the appropriate local emergency authority to provide assistance. The E911 proceeding goes a step further and is aimed at improving the effectiveness and reliability of wireless 911 dispatchers with additional information on wireless 911 calls.

Timetable:

| Action | Date | FR Cite |
|-------------|--------------|------------|
| Final Rule | 01/25/02 | 67 FR 3621 |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH90

525. COMMISSION RULES CONCERNING DISRUPTIONS TO COMMUNICATIONS

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 303(r)

Abstract: The Report and Order extended the Commission's disruption reporting requirements to communications providers who are not wireline carriers. The Commission also streamlined compliance with the reporting requirements through electronic filing with a "fill in the blank" template and by simplifying the application of that rule. In addition, the Commission delegates authority to the Chief, Office of Engineering and Technology, to make the revisions to the filing system and template necessary to improve the efficiency of reporting and to reduce, where reasonably possible, the time for providers to prepare, and for the Commission staff to review, the communications disruption reports required to be filed. Such authority was subsequently delegated to the Chief of the Public Safety and Homeland Security Bureau. These actions will allow the Commission to obtain the necessary information regarding service disruptions in an efficient and expeditious manner and to achieve

significant concomitant public interest benefits.

The Commission received nine petitions for reconsideration in this proceeding, which are pending.

The Further Notice of Proposed Rulemaking (NPRM) expands the record in the proceeding to focus specifically on the unique communications needs of airports, including wireless and satellite communications. In this regard, the Commission requested comment on the additional types of airport communications (e.g., wireless, satellite) that should be required to file service disruption reports—particularly from a homeland security and defense perspective. These types of airport communications may include, for example, communications that are provided by ARINC as well as commercial communications (e.g., air-to-ground and ground-to-air telephone communications) as well as intra-airline commercial links. The Commission also requested comment on whether the outage-reporting requirements for special facilities should be extended to cover general aviation airports (GA) and, if so, what the applicable threshold criteria should be.

Timetable:

| Action | Date | FR Cite |
|---|----------|-------------|
| NPRM | 03/26/04 | 69 FR 15761 |
| FNPRM | 11/26/04 | 69 FR 68859 |
| R&O | 12/03/04 | 69 FR 70316 |
| Announcement of Effective Date and Partial Stay | 12/30/04 | 69 FR 78338 |
| Petition for Recon | 02/15/05 | 70 FR 7737 |
| Amendment of Delegated Authority | 02/21/08 | 73 FR 9462 |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI22

FCC—Public Safety and Homeland Security Bureau

Long-Term Actions

526. E911 REQUIREMENTS FOR IP-ENABLED SERVICE PROVIDERS

Legal Authority: 47 USC 151; 47 USC 154(i) and 154(j); 47 USC 251(e); 47 USC 303(r)

Abstract: The notice seeks comment on what additional steps the Commission should take to ensure that providers of voice-over Internet protocol services that interconnect with the public switched telephone network provide ubiquitous and reliable enhanced 911 service.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 06/29/05 | 70 FR 37307 |
| NPRM Comment Period End | 09/12/05 | |
| NPRM | 06/20/07 | 72 FR 33948 |
| NPRM Comment Period End | 07/11/07 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI62

527. RECOMMENDATIONS OF THE INDEPENDENT PANEL REVIEWING THE IMPACT OF HURRICANE KATRINA ON COMMUNICATIONS NETWORKS

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 218; 47 USC 303(r)

Abstract: In the Notice of Proposed Rulemaking (NPRM) in EB Docket No. 06-119, the Commission initiated a comprehensive rulemaking to address and implement the recommendations presented by the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks (Independent Panel). The Independent Panel's report included recommendations which relate to: (1) Pre-positioning the communications industry and the government for disasters in order to achieve greater network reliability and resiliency; (2) improving recovery coordination to address existing shortcomings and to maximize the use of existing resources; (3) improving the operability and

interoperability of public safety and 911 communications in times of crisis; and (4) improving communication of emergency information to the public. The Commission, in this proceeding, is to take the lessons learned from this disaster and build upon them to promote more effective, efficient response and recovery efforts as well as heightened readiness and preparedness in the future. To accomplish this goal, the Commission invited comment on what actions the Commission can take to address the Independent Panel's recommendations.

In the Order released June 8, 2007 (EB Docket No. 06-119 and WC Docket No. 06-63), the Commission directed the Public Safety and Homeland Security Bureau to implement several of the recommendations made by the Independent Panel. The Commission also adopted rules requiring some communications providers to have emergency/backup power and requiring certain communications providers to conduct analyses and submit reports on the redundancy and resiliency of their 911 and E911 networks and/or systems. Finally, the Commission extended limited regulatory relief from Section 272 of the Communications Act of 1934, as amended, previously accorded by the Wireline Competition Bureau.

In an Order on Reconsideration released on October 4, 2007, the Commission considered six petitions for reconsideration and/or clarification of the June 2007 Order that adopted the backup power rule (section 12.2 of the Commission's rules). The Order on Reconsideration granted in part and denied in part the petitions. The Commission modified the backup power rule to address several meritorious issues raised by petitioners. This modification will facilitate carrier compliance and reduce the burden on local exchange carriers and commercial mobile radio service providers, while continuing to further important homeland security and public safety goals.

Timetable:

| Action | Date | FR Cite |
|------------------------------------|----------|-------------|
| NPRM | 07/07/06 | 71 FR 38564 |
| Order | 07/11/07 | 72 FR 37655 |
| Delay of Effective Date of Rule | 08/10/07 | 72 FR 44978 |
| Petitions for Recon | 08/20/07 | 72 FR 46485 |
| Order on Recon | 10/11/07 | 72 FR 57879 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI78

528. STOLEN VEHICLE RECOVERY SYSTEM (SVRS)

Legal Authority: 47 USC 151 and 152; 47 USC 154(i); 47 USC 301 to 303

Abstract: The Report and Order amends 47 CFR 90.20(e)(6) governing stolen vehicle recovery system operations at 173.075 MHz, by increasing the radiated power limit for narrowband base stations; increasing the power output limit for narrowband base stations; increasing the power output limit for narrowband mobile transceivers; modifying the base station duty cycle; increasing the tracking duty cycle for mobile transceivers; and retaining the requirement for TV channel 7 interference studies and that such studies must be served on TV channel 7 stations.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 08/23/06 | 71 FR 49401 |
| NPRM Comment Period End | 10/10/06 | |
| R&O | 10/14/08 | 73 FR 60631 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AJ01

529. THE COMMERCIAL MOBILE ALERT SYSTEM

Legal Authority: PL 109-347 title VI; EO 13407; 47 USC 151; 47 USC 154(i)

Abstract: In the Notice of Proposed Rulemaking (NPRM), the Commission initiated a comprehensive rulemaking

FCC—Public Safety and Homeland Security Bureau

Long-Term Actions

to establish a commercial mobile alert system under which commercial mobile service providers may elect to transmit emergency alerts to the public.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-----------|
| NPRM | 01/03/08 | 73 FR 545 |
| NPRM Comment Period End | 02/04/08 | |

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| First R&O | 07/24/08 | 73 FR 43009 |
| Second R&O | 08/14/08 | 73 FR 47550 |
| FNPRM | 08/14/08 | 73 FR 47568 |
| Third R&O | 09/22/08 | 73 FR 54511 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AJ03

Federal Communications Commission (FCC)
Wireless Telecommunications Bureau

Long-Term Actions

530. IMPLEMENTATION OF THE COMMUNICATIONS ACT, AMENDMENT OF THE COMMISSION'S RULES—BROADBAND PCS COMPETITIVE BIDDING AND THE COMMERCIAL MOBILE RADIO SERVICE SPECTRUM CAP

Legal Authority: 47 USC 154(i); 47 USC 301 and 302; 47 USC 303(r); 47 USC 309(j); 47 USC 332

Abstract: NPRM to modify the competitive bidding rules for the Broadband PCS F Block. Report and Order, adopted June 21, 1996, modified the PCS/cellular rule and the cellular spectrum cap.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| Order on Recon of Fifth MO&O and D, E, & F R&O | 11/15/00 | 65 FR 68927 |
| Final Rule | 03/02/01 | 66 FR 13022 |
| Final Rule | 06/04/01 | 66 FR 29911 |
| Third NPRM | 08/27/04 | 69 FR 52632 |
| Third NPRM Comment Period Extended | 10/04/04 | 69 FR 59166 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AG21

531. AMENDMENT OF PART 90 OF THE RULES TO ADOPT REGULATIONS FOR AUTOMATIC VEHICLE MONITORING SYSTEMS

Legal Authority: 47 USC 154; 47 USC 251 and 252; 47 USC 303; 47 USC 309; 47 USC 332

Abstract: This Second Report and Order adopts rules and procedures governing competitive bidding for multilateration Location and Monitoring Service (LMS) frequencies.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 10/06/97 | 62 FR 52078 |
| NPRM Comment Period End | 11/20/97 | |
| Second R&O | 07/30/98 | 63 FR 40659 |
| NPRM | 05/03/99 | 64 FR 23571 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AH12

532. FIXED SATELLITE SERVICE AND TERRESTRIAL SYSTEM IN THE KU-BAND

Legal Authority: 47 USC 154; 47 USC 157; 47 USC 303

Abstract: The Memorandum Opinion and Order and 2nd Report and Order addressed petitions for reconsideration and established technical, service, and licensing rules for Multichannel Video Distribution and Data Service (MVDDS) in the 12 GHz band. MVDDS will facilitate the delivery of new communications services, such as video and broadband services, to a wide range of populations, including those that are unserved or underserved. These rules will allow MVDDS licensees to share the 12 GHz band with new operators on a com-primary basis, and non-harmful interference

basis with incumbent Direct Broadcast Satellite service providers.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 01/12/99 | 64 FR 1786 |
| Order | 02/16/99 | 64 FR 7577 |
| Public Notice | 12/15/99 | 64 FR 70028 |
| FNPRM | 01/24/01 | 66 FR 7607 |
| R&O | 02/16/01 | 66 FR 10601 |
| Petitions for Recon | 04/09/01 | 66 FR 18474 |
| Second R&O | 06/26/02 | 67 FR 43031 |
| Third R&O | 06/18/03 | 68 FR 42610 |
| Order To Deny | 07/25/03 | 68 FR 43942 |
| Final Rule | 05/18/04 | 69 FR 28062 |
| Final Rule | 06/07/04 | 69 FR 28062 |
| Correcting Amendment | 10/04/04 | 69 FR 59145 |

Next Action Undetermined

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AH17

533. SERVICE RULES FOR THE 746-764 AND 776-794 MHz BANDS, AND REVISIONS TO THE COMMISSION'S RULES

Legal Authority: 47 USC 1; 47 USC 4(i); 47 USC 7; 47 USC 10; 47 USC 201 and 202; 47 USC 208; 47 USC 214; 47 USC 301; 47 USC 303; 47 USC 307 and 308; 47 USC 309(j) and 309(k); 47 USC 310 and 311; 47 USC 315; 47 USC 317; 47 USC 324; 47 USC 331 and 332; 47 USC 336

Abstract: The Report and Order in this proceeding adopts service rules for licensing and auction of commercial services in spectrum in the 700 MHz

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band to be vacated by UHF television licensees.

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| NPRM | 07/07/99 | 64 FR 36686 |
| R&O | 01/20/00 | 65 FR 3139 |
| Second R&O | 04/04/00 | 65 FR 17594 |
| MO&O and FNPRM | 07/12/00 | 65 FR 42879 |
| Second MO&O | 02/06/01 | 66 FR 9035 |
| Third R&O | 02/14/01 | 66 FR 10204 |
| Second MO&O | 02/15/01 | 66 FR 10374 |
| Order on Recon of Third R&O | 10/10/01 | 66 FR 51594 |
| Third MO&O and Order | 07/30/02 | 67 FR 49244 |
| Second FNPRM | 05/21/08 | 73 FR 29582 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH32

534. IMPLEMENTATION OF THE COMMUNICATIONS ACT OF 1934 AS AMENDED

Legal Authority: 47 USC 154(i); 47 USC 303(r); 47 USC 309(j)

Abstract: In the Fourth Memorandum Opinion and Order in WT Docket No. 99-87 (Fourth Memorandum Opinion and Order), the Federal Communications Commission (Commission or FCC) clarifies the Commission's Third Report and Order in this docket, and takes the opportunity to correct the inadvertent deletion of language in the rules regarding the schedule for Private Land Mobile Radio systems in the 150-174 MHz and 421-512 MHz bands to transition to narrowband kHz technology.

Timetable:

| Action | Date | FR Cite |
|------------|----------|-------------|
| NPRM | 05/03/99 | 64 FR 23571 |
| R&O | 01/02/01 | 66 FR 33 |
| MO&O | 05/16/02 | 67 FR 34848 |
| NPRM | 07/17/03 | 68 FR 42337 |
| R&O | 07/17/03 | 68 FR 42296 |
| Order | 04/06/04 | 69 FR 17959 |
| Final Rule | 06/15/05 | 70 FR 34666 |
| NPRM | 06/15/05 | 70 FR 34726 |
| Final Rule | 05/11/05 | 70 FR 24712 |

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| Final Rule | 07/15/05 | 70 FR 41631 |
| Final Rule | 04/18/07 | 72 FR 19387 |
| Fourth MO&O | 06/17/08 | 73 FR 34201 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH33

535. AMENDMENT OF PARTS 13 AND 80 OF THE COMMISSION'S RULES GOVERNING MARITIME COMMUNICATIONS

Legal Authority: 47 USC 302 to 303

Abstract: This matter concerns the amendment of the rules governing maritime communications in order to consolidate, revise and streamline the regulations as well as address new international requirements and improve the operational ability of all users of marine radios.

Timetable:

| Action | Date | FR Cite |
|-------------------------------------|----------|-------------|
| NPRM | 03/24/00 | 65 FR 21694 |
| NPRM | 08/17/00 | 65 FR 50173 |
| NPRM | 05/17/02 | 67 FR 35086 |
| Report & Order | 08/07/03 | 68 FR 46957 |
| Second R&O, Sixth R&O, Second FNPRM | 04/06/04 | 69 FR 18007 |
| Comments Due | 06/07/04 | |
| Reply Comments Due | 07/06/04 | |
| Second R&O and Sixth R&O | 11/08/04 | 69 FR 64664 |
| NPRM | 11/08/06 | 71 FR 65447 |
| Final Action | 01/25/08 | 73 FR 4475 |
| Petition for Reconsideration | 03/18/08 | 73 FR 14486 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH55

536. COMPETITIVE BIDDING PROCEDURES

Legal Authority: 47 USC 154; 47 USC 301 to 303; 47 USC 309; 47 USC 332

Abstract: This proceeding proposes resumption of installment payments for broadband Personal Communications Services (PCS), for example, for C and F Block, with payment deadline to be reinstated as of March 31, 1998. The proposal contemplates, inter alia, changes to the FCC's C Block rules to govern re-auction of surrendered spectrum in the C Block. The proposal was released on October 16, 1997, and published in the Federal Register.

Timetable:

| Action | Date | FR Cite |
|-------------------------------------|----------|-------------|
| Second R&O | 10/24/97 | 62 FR 55348 |
| FNPRM | 10/24/97 | 62 FR 55375 |
| Order on Recon of Second R&O | 04/08/98 | 63 FR 17111 |
| Fourth R&O | 09/23/98 | 63 FR 50791 |
| Second Order on Recon of Second R&O | 05/18/99 | 64 FR 26887 |
| Recon of Fourth R&O | 03/16/00 | 65 FR 14213 |
| FNPRM | 06/13/00 | 65 FR 37092 |
| Sixth R&O and Order on Recon | 09/05/00 | 65 FR 53620 |
| Order on Recon | 02/12/01 | 66 FR 9773 |
| Seventh R&O | 10/29/01 | 66 FR 54447 |
| Eighth R&O | 04/08/02 | 67 FR 16647 |
| Final Rule | 07/21/03 | 68 FR 42984 |
| Final Rule | 10/07/03 | 68 FR 57828 |
| Final Rule | 09/30/05 | 70 FR 57183 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH57

537. 2000 BIENNIAL REGULATORY REVIEW SPECTRUM AGGREGATION LIMITS FOR COMMERCIAL MOBILE RADIO SERVICES

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 161; 47 USC 303(g); 47 USC 303(r)

Abstract: The Commission has adopted a final rule in a proceeding reexamining the need for Commercial Mobile Radio Services spectrum aggregation limits.

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Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| NPRM | 02/12/01 | 66 FR 9798 |
| NPRM Comment Period End | 05/14/01 | |
| Final Rule | 01/14/02 | 67 FR 1626 |
| Correction to Final Rule | 01/31/02 | 67 FR 4675 |
| Petition for Recon | 03/21/02 | 67 FR 13183 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AH81

538. IN THE MATTER OF PROMOTING EFFICIENT USE OF SPECTRUM THROUGH ELIMINATION OF BARRIERS TO THE DEVELOPMENT OF SECONDARY MARKETS

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 157; 47 USC 160; 47 USC 201 and 202; 47 USC 208; 47 USC 214; 47 USC 301; 47 USC 303; 47 USC 308 to 310

Abstract: The Commission has opened a proceeding to examine actions it may take to remove unnecessary regulatory barriers to the development of more robust secondary markets in radio spectrum usage rights.

Timetable:

| Action | Date | FR Cite |
|--------------------------------|----------|-------------|
| NPRM | 12/26/00 | 65 FR 81475 |
| NPRM Comment Period End | 01/29/01 | 66 FR 8149 |
| New NPRM Comment Period End | 02/09/01 | |
| NPRM | 11/25/03 | 68 FR 66232 |
| Final Rule | 11/25/03 | 68 FR 66252 |
| NPRM Comment Period End | 01/05/04 | |
| Final Rule | 02/12/04 | 69 FR 6920 |
| Final Rule | 02/25/04 | 69 FR 8569 |
| Final Rule | 11/15/04 | 69 FR 65544 |
| Final Rule | 12/27/04 | 69 FR 77522 |
| NPRM | 12/27/04 | 69 FR 77560 |
| Final Rule | 08/01/07 | 72 FR 41935 |
| Final Action | 01/26/09 | 74 FR 4344 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AH82

539. REEXAMINATION OF ROAMING OBLIGATIONS OF COMMERCIAL MOBILE RADIO SERVICE PROVIDERS

Legal Authority: 47 USC 151; 47 USC 152(n); 47 USC 154(i) and 154(j); 47 USC 201(b); 47 USC 251(a); 47 USC 253; 47 USC 303(r); 47 USC 332(c)(1)(B); 47 USC 309

Abstract: This rulemaking considers whether the Commission should adopt an automatic roaming rule for Commercial Mobile Radio Services and sunset the current manual roaming requirement.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 11/21/00 | 65 FR 69891 |
| NPRM | 09/28/05 | 70 FR 56612 |
| NPRM | 01/19/06 | 71 FR 3029 |
| FNPRM | 08/30/07 | 72 FR 50085 |
| Final Rule | 08/30/07 | 72 FR 50064 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AH83

540. YEAR 2000 BIENNIAL REVIEW (WT DOCKET NO. 01-108)

Legal Authority: Not Yet Determined

Abstract: The year 2000 part 22 Biennial Review Report and Order and subsequent Order on Reconsideration examined whether certain rules should be modified or eliminated as a result of technological changes or increased competition.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| Final Rule | 04/01/04 | 69 FR 17063 |
| Final Rule Effective | 06/01/04 | |
| Final Rule | 09/15/04 | 69 FR 55516 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI26

541. AIR-GROUND TELECOMMUNICATIONS SERVICES

Legal Authority: 47 USC 151 and 151(i); 47 USC 161; 47 USC 303(r)

Abstract: Re-examination of rules governing air-ground telecommunications services on commercial airplanes. Revision/elimination of 47 CFR 22 non-cellular provisions.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 07/25/03 | 68 FR 44003 |
| NPRM Comment Period End | 10/23/03 | |
| Final Rule | 04/13/05 | 70 FR 19293 |
| NPRM | 04/13/05 | 70 FR 19377 |
| Final Rule Correction | 04/27/05 | 70 FR 21663 |
| Final Rule | 12/27/05 | 70 FR 76411 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI27

542. AMENDMENTS OF VARIOUS RULES AFFECTING WIRELESS RADIO SERVICES (WT DOCKET NO. 03-264)

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 161; 47 USC 303(r)

Abstract: This rulemaking proposes to streamline and harmonize wireless radio service rules.

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Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 02/23/04 | 69 FR 8132 |
| NPRM Comment Period End | 05/24/04 | |
| NPRM | 10/19/05 | 70 FR 60770 |
| Final Rule | 10/20/05 | 70 FR 61049 |
| Proposed Rule | 05/02/07 | 72 FR 24238 |
| Final Rule | 05/16/07 | 72 FR 27688 |
| Final Rule | 08/24/07 | 72 FR 48814 |
| Final Rule | 05/02/08 | 73 FR 24180 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI30**543. FACILITATING THE PROVISION OF SPECTRUM-BASED SERVICES TO RURAL AREAS****Legal Authority:** Not Yet Determined

Abstract: This rulemaking will facilitate the provision of spectrum-based services to rural areas.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 11/12/03 | 68 FR 64050 |
| NPRM Comment Period End | 01/26/04 | |
| NPRM | 12/15/04 | 69 FR 75174 |
| Final Rule | 12/15/04 | 69 FR 75144 |
| Final Rule | 04/27/05 | 70 FR 21652 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI31**544. IMPROVING PUBLIC SAFETY COMMUNICATIONS IN THE 800 MHZ BAND INDUSTRIAL/LAND TRANSPORTATION AND BUSINESS CHANNELS**

Legal Authority: 47 USC 154(i); 47 USC 303(f); 47 USC 303(r); 47 USC 332

Abstract: The Commission seeks to improve public safety communications

in the 800 MHz band and consolidate the 800 MHz Industrial/Land Transportation and Business Pool channels.

Timetable:

| Action | Date | FR Cite |
|------------------------------|----------|--------------|
| NPRM | 04/05/02 | 67 FR 16351 |
| Final Rule | 08/19/02 | 67 FR 53754 |
| Proposed Rule | 02/10/03 | 68 FR 6687 |
| Final Rule | 11/22/04 | 69 FR 67823 |
| Final Rule | 11/22/04 | 69 FR 67853 |
| Final Rule | 02/08/05 | 70 FR 6750 |
| Final Rule | 02/08/05 | 70 FR 6761 |
| Final Rule | 04/06/05 | 70 FR 17327 |
| Notice | 06/15/05 | 70 FR 34764 |
| Final Rule | 09/28/05 | 70 FR 56583 |
| Notice | 10/26/05 | 70 FR 61823 |
| Final Rule | 12/28/05 | 70 FR 76704 |
| Proposed Rule | 09/21/06 | 71 FR 55149 |
| Clarification | 06/20/07 | 72 FR 33914 |
| Final Rule | 07/20/07 | 72 FR 39756 |
| Final Rule; Correction | 09/28/07 | 72 FR 54847 |
| Notice | 09/28/07 | 72 FR 55208 |
| Final Rule; Clarification | 10/05/07 | 72 FR 56923 |
| Petition for Recon | 10/01/07 | 72 FR 557722 |
| Proposed Rule | 11/13/07 | 72 FR 63869 |
| Petition for Recon | 11/14/07 | 72 FR 65734 |
| Proposed Rule | 03/31/08 | 73 FR 16822 |
| Final Rule | 06/13/08 | 73 FR 33728 |
| Proposed Rule | 07/13/08 | 73 FR 40274 |
| Petition for Recon | 07/28/08 | 73 FR 4375 |
| Final Rule | 11/17/08 | 73 FR 67794 |
| Final Rule | 02/06/09 | 74 FR 6235 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI34**545. REVIEW OF PART 87 OF THE COMMISSION'S RULES CONCERNING AVIATION (WT DOCKET NO. 01-289)**

Legal Authority: 47 USC 154; 47 USC 303; 47 USC 307(e)

Abstract: This proceeding is intended to streamline, consolidate and revise our part 87 rules governing the Aviation Radio Service. The rule changes are designed to ensure these rules reflect current technological advances.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 10/16/01 | 66 FR 64785 |
| R&O and FNPRM | 10/16/03 | |
| FNPRM | 04/12/04 | 69 FR 19140 |
| R&O | 06/14/04 | 69 FR 32577 |
| NPRM | 12/06/06 | 71 FR 70710 |
| Final Rule | 12/06/06 | 71 FR 70671 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI35**546. IMPLEMENTATION OF THE COMMERCIAL SPECTRUM ENHANCEMENT ACT (CSEA) AND MODERNIZATION OF THE COMMISSION'S COMPETITIVE BIDDING RULES AND PROCEDURES (WT DOCKET NO. 05-211)**

Legal Authority: 15 USC 79; 47 USC 151; 47 USC 154(i) and (j); 47 USC 155; 47 USC 155(c); 47 USC 157; 47 USC 225; 47 USC 303(r); 47 USC 307; 47 USC 309; 47 USC 309(j); 47 USC 325(e); 47 USC 334; 47 USC 336; 47 USC 339; 47 USC 554

Abstract: This proceeding implements rules and procedures needed to comply with the recently enacted Commercial Spectrum Enhancement Act (CSEA). It establishes a mechanism for reimbursing federal agencies out of spectrum auction proceeds for the cost of relocating their operations from certain "eligible frequencies" that have been reallocated from Federal to non-Federal use. It also seeks to improve the Commission's ability to achieve Congress's directives with regard to designated entities and to ensure that, in accordance with the intent of Congress, every recipient of its designated entity benefits is an entity that uses its licenses to directly provide facilities-based telecommunications services for the benefit of the public.

Timetable:

| Action | Date | FR Cite |
|--------------------|----------|-------------|
| NPRM | 06/14/05 | 70 FR 43372 |
| Declaratory Ruling | 06/14/05 | 70 FR 43322 |
| R&O | 01/24/06 | 71 FR 6214 |
| FNPRM | 02/03/06 | 71 FR 6992 |

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| Action | Date | FR Cite |
|-----------------------------------|----------|-------------|
| Second R&O | 04/25/06 | 71 FR 26245 |
| Order on Recon of Second R&O | 06/02/06 | 71 FR 34272 |
| NPRM | 06/21/06 | 71 FR 35594 |
| Comment Period End | 09/20/06 | |
| Reply Comment Period End | 10/20/06 | |
| 2nd Order and Recon of 2nd R&O | 04/04/08 | 73 FR 18528 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI88

547. FACILITATING THE PROVISION OF FIXED AND MOBILE BROADBAND ACCESS EDUCATIONAL AND OTHER ADVANCED SERVICES IN THE 2150-2162 AND 2500-2690 MHZ BANDS; REVIEWING OF THE SPECTRUM SHARING PLAN AMONG NON-GEOST

Legal Authority: 47 USC 154; 47 USC 301 to 303; 47 USC 307; 47 USC 309; 47 USC 332; 47 USC 336 and 337

Abstract: The Commission seeks comment on whether to assign Educational Broadband Service (EBS) spectrum in the Gulf of Mexico. It also seeks comment on how to license unassigned and available EBS spectrum. Specifically, we seek comment on whether it would be in the public interest to develop a scheme for licensing unassigned EBS spectrum that avoids mutual exclusivity; we ask whether EBS eligible entities could participate fully in a spectrum auction; we seek comment on the use of small business size standards and bidding credits for EBS if we adopt a licensing scheme that could result in mutually exclusive applications; we seek comment on the proper market size and size of spectrum blocks for new EBS licenses; and we seek comment on issuing one license to a State agency designated by the Governor to be the spectrum manager, using frequency coordinators to avoid mutually exclusive EBS applications, as well as other alternative licensing schemes. The Commission must develop a new

licensing scheme for EBS in order to achieve the Commission's goal of facilitating the development of new and innovative wireless services for the benefit of students throughout the nation.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 04/02/03 | 68 FR 34560 |
| FNPRM | 07/29/04 | 69 FR 72048 |
| R&O | 07/29/04 | 69 FR 72020 |
| MO&O | 04/27/06 | 71 FR 35178 |
| Further NPRM | 03/20/08 | 73 FR 26067 |
| MO&O | 03/20/08 | 73 FR 26032 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AJ12

548. AMENDMENT OF THE RULES REGARDING MARITIME AUTOMATIC IDENTIFICATION SYSTEMS; WT DOCKET NO. 04-344

Legal Authority: 47 USC 154; 47 USC 302(a); 47 USC 303; 47 USC 306; 47 USC 307(e); 47 USC 332; 47 USC 154(i); 47 USC 161

Abstract: This action adopts additional measures for domestic implementation of Automatic Identification Systems (AIS), an advanced marine vessel tracking and navigation technology that can significantly enhance our nation's homeland security as well as maritime safety.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| Final Rule | 01/29/09 | 74 FR 5117 |
| Final Rule Effective | 03/02/09 | |
| Petition for Recon | 04/03/09 | 74 FR 15271 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AJ16

549. SERVICE RULES FOR ADVANCED WIRELESS SERVICES IN THE 2155-2175 MHZ BAND

Legal Authority: 47 USC 151 and 152; 47 USC 154(i); 47 USC 157; 47 USC 160; 47 USC 201; 47 USC 214; 47 USC 301

Abstract: This proceeding explores the possible uses of the 2155-2175 MHz frequency band (AWS-3) to support the introduction of new advanced wireless services, including third generations as well as future generations of wireless systems. Advanced wireless systems could provide for a wide range of voice data and broadband services over a variety of mobile and fixed networks.

The Notice of Proposed Rulemaking (NPRM) sought comment on what service rules should be adopted in the AWS-3 band. We requested comment on rules for licensing this spectrum in a manner that will permit it to be fully and promptly utilized to bring advanced wireless services to American consumers. Our objective is to allow for the most effective and efficient use of the spectrum in this band, while also encouraging development of robust wireless broadband services. We proposed to apply our flexible, market-oriented rules to the band in order to meet this objective.

Thereafter, the Commission released a Further Notice of Proposed Rulemaking (FNPRM), seeking comment on the Commission's proposed AWS-3 rules, which include adding 5 megahertz of spectrum (2175-80 MHz) to the AWS-3 band, and requiring licensees of that spectrum to provide—using up to 25 percent of its wireless network capacity—free, two-way broadband Internet service at engineered data rates of at least 768 kbps downstream.

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| NPRM | 11/14/07 | 72 FR 64013 |
| NPRM Comment Period End | 01/14/08 | |
| FNPRM | 06/25/08 | 73 FR 35995 |
| FNPRM Comment Period End | 08/11/08 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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FCC—Wireless Telecommunications Bureau

Long-Term Actions

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RIN: 3060-AJ19

**550. SERVICE RULES FOR
ADVANCED WIRELESS SERVICES IN
THE 1915-1920 MHZ, 1995-2000 MHZ,
2020-2025 MHZ, AND 2175-2180 MHZ
BANDS**

Legal Authority: 47 USC 151 and 152;
47 USC 154(i); 47 USC 157; 47 USC
160; 47 USC 201; 47 USC 214; 47 USC
301; ...

Abstract: This proceeding explores the possible uses of the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz, and 2175-2180 MHz Bands (collectively AWS-2) to support the introduction of new advanced wireless services, including third generations as well as future generations of wireless systems. Advanced wireless systems could provide for a wide range of voice data and broadband services over a variety of mobile and fixed networks.

The Notice of Proposed Rulemaking (NPRM) sought comment on what service rules should be adopted in the AWS-2 band. We requested comment on rules for licensing this spectrum in a manner that will permit it to be fully and promptly utilized to bring advanced wireless services to American consumers. Our objective is to allow for the most effective and efficient use of the spectrum in this band, while also encouraging development of robust wireless broadband services.

Thereafter, the Commission released a Further Notice of Proposed Rulemaking (FNPRM), seeking comment on the Commission's proposed rules for the 1915-1920 MHz and 1995-2000 MHz bands. In addition, the Commission proposed to add 5 megahertz of spectrum (2175-80 MHz band) to the 2155-2175 MHz band, and would require the licensee of the 2155-2180 MHz band to provide—using up to 25 percent of its wireless network capacity—free, two-way broadband Internet service at engineered data rates of at least 768 kbps downstream.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 11/02/04 | 69 FR 63489 |
| NPRM Comment Period End | 01/24/05 | |
| FNPRM | 06/25/08 | 73 FR 35995 |

| Action | Date | FR Cite |
|--|----------|---------|
| FNPRM Comment Period End | 08/11/08 | |
| Next Action Undetermined | | |
| Regulatory Flexibility Analysis Required: Yes | | |
| Agency Contact: Jennifer Mock, Program Analyst, Wireless Telecommunications Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554 Phone: 202 418-1890 Email: jennifer.mock@fcc.gov | | |
| RIN: 3060-AJ20 | | |

**551. RULES AUTHORIZING THE
OPERATION OF LOW POWER
AUXILIARY STATIONS IN THE 698-806
MHZ BAND, WT DOCKET NO. 08-166;
PUBLIC INTEREST SPECTRUM
COALITION, PETITION FOR
RULEMAKING REGARDING LOW
POWER AUXILIARY**

Legal Authority: 47 USC 151 and 152;
47 USC 154(i) and 154(j); 47 USC 301
and 302(a); 47 USC 303; 47 USC 303(r);
47 USC 304; 47 USC 307 to 309; 47
USC 316; 47 USC 332; 47 USC 336 and
337

Abstract: In the Notice of Proposed Rulemaking and Order, to facilitate the DTV transition the Commission tentatively concludes to amend its rules to make clear that the operation of low power auxiliary stations within the 700 MHz Band will no longer be permitted after the end of the DTV transition. The Commission also tentatively concludes to prohibit the manufacture, import, sale, offer for sale, or shipment of devices that operate as low power auxiliary stations in the 700 MHz Band. In addition, for those licensees that have obtained authorizations to operate low power auxiliary stations in spectrum that includes the 700 MHz Band beyond the end of the DTV transition, the Commission tentatively concludes that it will modify these licenses so as not to permit such operations in the 700 MHz Band after February 17, 2009. The Commission also seeks comment on issues raised by the Public Interest Spectrum Coalition (PISC) in its informal complaint and petition for rulemaking.

The Commission also imposes a freeze on the filing of new license applications that seek to operate on any 700 MHz Band frequencies (698- 806 MHz) after the end of the DTV

transition, February 17, 2009 as well as on granting any request for equipment authorization of low power auxiliary station devices that would operate in any of the 700 MHz Band frequencies. The Commission also holds in abeyance, until the conclusion of this proceeding, any pending license applications and equipment authorization requests that involve operation of low power auxiliary devices on frequencies in the 700 MHz Band after the end of the DTV transition.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 09/03/08 | 73 FR 51406 |
| NPRM Comment Period End | 10/20/08 | |
| Next Action Undetermined | | |

**Regulatory Flexibility Analysis
Required:** Yes

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RIN: 3060-AJ21

**552. AMENDMENT OF THE
COMMISSION'S RULES TO IMPROVE
PUBLIC SAFETY COMMUNICATIONS
IN THE 800 MHZ BAND, AND TO
CONSOLIDATE THE 800 MHZ AND 900
MHZ BUSINESS AND
INDUSTRIAL/LAND
TRANSPORTATION POOL CHANNELS**

Legal Authority: 47 USC 151; 47 USC
154(i); 47 USC 303; 47 USC 309; 47
USC 332

Abstract: This action adopts rules which retains the current site-based licensing paradigm for the 900 MHz B/ILT "white space," adopts interference protection rules applicable to all licensees operating in the 900 MHz B/ILT spectrum; and lifts, on a rolling basis, the freeze placed on applications for new 900 MHz B/ILT licenses in September 2004, the lift being tied to the completion of rebanding in each 800 MHz National Public Safety Planning Advisory Committee (NPSAPAC) region.

Timetable:

| Action | Date | FR Cite |
|--------|----------|-------------|
| NPRM | 03/18/05 | 70 FR 13143 |

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| Action | Date | FR Cite |
|-------------------------|--------------|-------------|
| NPRM Comment Period End | 06/12/05 | 70 FR 23080 |
| Final Rule | 12/16/08 | 73 FR 67794 |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AJ22

553. • AMENDMENT OF PART 101 TO ACCOMMODATE 30 MHZ CHANNELS IN THE 6525-6875 MHZ BAND AND PROVIDE CONDITIONAL AUTHORIZATION ON CHANNELS IN THE 21.8-22.0 AND 23.0-23.2 GHZ BAND; WT DOCKET NO. 04-114

Legal Authority: 47 USC 151 and 152; 47 USC 154(i); 47 USC 157; 47 USC 160; 47 USC 201; 47 USC 214; 47 USC 301 to 303; 47 USC 307 to 310; 47 USC 319; 47 USC 324; 47 USC 332 and 333

Abstract: The Commission seeks comments on modifying its rules to authorize channels with bandwidths of as much as 30 MHz in the 6525-6875 MHz band. We also propose to allow conditional authorization on additional

channels in the 21.8-22.0 and 23.0-23.2 GHz bands.

Timetable:

| Action | Date | FR Cite |
|-------------------------|--------------|-------------|
| NPRM | 06/29/09 | 74 FR 36134 |
| NPRM Comment Period End | 07/22/09 | |
| Next Action | Undetermined | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AJ28

Federal Communications Commission (FCC)

Completed Actions

Wireless Telecommunications Bureau

554. AMENDMENT OF THE COMMISSION'S RULES CONCERNING MARITIME COMMUNICATIONS

Legal Authority: 47 USC 154; 47 USC 303

Abstract: This amendment of the Maritime Radio Service Rules is to encourage growth and improve the regulatory structure in VHF maritime communications.

Timetable:

| Action | Date | FR Cite |
|---------------------------|----------|-------------|
| NOI/NPRM | 11/05/92 | 57 FR 57717 |
| FNPRM | 04/26/95 | 60 FR 35507 |
| First R&O | 04/26/95 | 60 FR 34198 |
| Second FNPRM | 06/17/97 | 62 FR 37533 |
| Second R&O | 06/17/97 | 62 FR 40281 |
| Third R&O and MO&O | 07/06/98 | 63 FR 40059 |
| MO&O | 04/26/99 | 64 FR 26885 |
| Third NPRM | 12/08/00 | 65 FR 76966 |
| Fourth R&O | 12/13/00 | 65 FR 77821 |
| Fourth NPRM | 02/04/02 | 67 FR 5080 |
| Second MO&O and Fifth R&O | 07/25/02 | 67 FR 48560 |
| R&O | 08/13/03 | 68 FR 48446 |
| MO&O | 04/15/04 | 69 FR 19947 |
| Correcting Amendment | 07/26/04 | 69 FR 44471 |
| Second R&O and Sixth R&O | 11/08/04 | 69 FR 64664 |
| Final Rule | 10/12/06 | 71 FR 60075 |
| MO&O, 3rd R&O, 3rd FNPRM | 11/08/06 | 71 FR 65447 |
| Final Rule | 01/25/08 | 73 FR 4475 |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AF14**555. 39 GHZ CHANNEL PLAN**

Legal Authority: 47 USC 154; 47 USC 302; 47 USC 524

Abstract: This proceeding amends the FCC's rules to facilitate more effective use of the 39 GHz band.

Timetable:

| Action | Date | FR Cite |
|-------------|----------|-------------|
| NPRM | 01/26/96 | 61 FR 2465 |
| Order | 02/22/96 | 61 FR 6809 |
| Order | 05/01/96 | 61 FR 19236 |
| Second NPRM | 01/21/98 | 63 FR 3075 |
| R&O | 02/06/98 | 63 FR 6079 |
| MO&O | 08/23/99 | 64 FR 45891 |
| NPRM | 12/20/99 | 64 FR 71088 |
| R&O | 01/02/01 | 66 FR 33 |
| NPRM | 12/21/01 | 66 FR 65866 |
| R&O | 03/04/02 | 67 FR 9610 |
| R&O | 12/03/02 | 67 FR 71861 |
| R&O | 08/13/03 | 68 FR 48446 |
| R&O | 08/13/03 | 68 FR 48446 |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AG16

556. AMENDMENT OF THE RULES TO LICENSE FIXED SERVICES AT 24 GHZ

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 303; 47 USC 309(j)

Abstract: This rulemaking proposes licensing and service rules to govern the 24 GHz band generally.

Timetable:

| Action | Date | FR Cite |
|------------|----------|-------------|
| NPRM | 12/20/99 | 64 FR 71088 |
| R&O | 08/05/00 | 65 FR 59350 |
| Order | 06/01/01 | 66 FR 29722 |
| NPRM | 12/21/01 | 66 FR 65866 |
| Final Rule | 07/27/04 | 69 FR 44608 |

Regulatory Flexibility Analysis**Required:** Yes

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FCC—Wireless Telecommunications Bureau

Completed Actions

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RIN: 3060-AH41

Federal Communications Commission (FCC)
Wireline Competition Bureau

Long-Term Actions

**557. IMPLEMENTATION OF THE
UNIVERSAL SERVICE PORTIONS OF
THE 1996 TELECOMMUNICATIONS
ACT**

Legal Authority: 47 USC 151 et seq

Abstract: The goals of Universal Service, as mandated by the 1996 Act, are to promote the availability of quality services at just, reasonable, and affordable rates; increase access to advanced telecommunications services throughout the Nation; advance the availability of such services to all consumers, including those in low income, rural, insular, and high-cost areas at rates that are reasonably comparable to those charged in urban areas. In addition, the 1996 Act states that all providers of telecommunications services should contribute to Federal universal service in some equitable and nondiscriminatory manner; there should be specific, predictable, and sufficient Federal and State mechanisms to preserve and advance universal service; all schools, classrooms, health care providers, and libraries should, generally, have access to advanced telecommunications services; and finally, that the Federal-State Joint Board and the Commission should determine those other principles that, consistent with the 1996 Act, are necessary to protect the public interest.

The goals of Universal Service, as mandated by the 1996 Act, are to promote the availability of quality services at just, reasonable, and affordable rates; increase access to advanced telecommunications services throughout the Nation; advance the availability of such services to all consumers, including those in low income, rural, insular, and high cost areas at rates that are reasonably comparable to those charged in urban areas. In addition, the 1996 Act states that all providers of telecommunications services should contribute to Federal universal service in some equitable and nondiscriminatory manner; there should be specific, predictable, and

sufficient Federal and State mechanisms to preserve and advance universal service; all schools, classrooms, health care providers, and libraries should, generally, have access to advanced telecommunications services; and finally, that the Federal-State Joint Board and the Commission should determine those other principles that, consistent with the 1996 Act, are necessary to protect the public interest.

On December 5, 2008, the Commission issued an Order granting the merger of two Rural Health Care (RHC) Pilot Program projects in Ohio: SOHCN and Holzer. SOHCN will assume responsibility for the projects.

On December 5, 2008, the Commission issued an Order granting a request from University of Mississippi Medical Center (UMC) and As one Together for Health (ATH), participants in the RHC Pilot Program, to merge and designate UMC as ATH's successor.

On December 10, 2008, the Commission issued an Order granting proposals to modify the formulas used to calculate universal service high-cost loop support and local switching support for average schedule companies. The high-cost loop and local switching support formulas were proposed by the National Exchange Carrier Association (NECA) and the Universal Service Administrative Company (USAC), respectively. The Commission's rules require that these formulas simulate the disbursements that would be received by a company that is representative of average schedule companies. The Commission found that the formulas proposed for 2009 are consistent with the methods approved in previous years

On December 15, 2008, the Commission issued an Order dismissing as moot ten requests for waiver of actions taken by the USAC. Several Petitioners requested that the Commission waive certain filing deadlines associated with the filing of their FCC Form 499-Qs to allow them to late-file corrected forms. Because the annual true-up process for

the FCC Forms 499-Q at issue had already provided the relief sought by Petitioners, the Commission dismissed as moot Petitioners' requests. The Commission also denied separate requests, filed by Achieve Telecom Network of Massachusetts, LLC (Achieve), Ascent Media Group (Ascent), and New Edge Network, Inc. (New Edge) for a refund of late fees, penalties and interest charges assessed, resulting from these petitioners' late filed FCC Forms 499-Q.

On December 15, 2008, the Commission issued an Order seeking comment on a petition filed by Nex-Tech Wireless, pursuant to section 54.207 of the Commission's rules, requesting the Commission's agreement with the decision of the Kansas Corporation Commission to redefine the service area of Home Communications, Inc.

On December 15, 2008, the Commission issued an Order amending certain Eligible Telecommunications Carriers (ETC) designations granted in the Interim Cap Order. The Order amended the ETC designation of New York RSA 2 Cellular Partnership, limiting the designation to the 13 wire centers requested; granted designation to St. Lawrence Seaway Cellular Partnership in nine wire centers in the study area of Citizens Telecommunications of New York d/b/a Frontier Communications; and accepted the relinquishment of the designation of Dobson Cellular Systems Inc. and American Cellular Corp. in the state of New York.

On February 26, 2009, the Commission issued an Order accepting the relinquishment of the ETC designation of RCC Minnesota in the state of New Hampshire.

On March 5, 2009, the Commission issued an Order waiving, on its own motion, the limitation on the availability of uncapped high-cost universal service support for competitive ETCs serving tribal lands or Alaska Native regions (Covered Locations). Specifically, for the period in which the interim cap is in effect,

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the Commission waived the restriction in paragraph 33 of the Interim Cap Order limiting the availability of uncapped per line support to competitive ETCs serving Covered Locations “to one payment per each residential account.”

On March 5, 2009, the Commission issued an Order modifying a forbearance condition imposed on TracFone prior to receiving support under the Lifeline universal service program. Specifically, TracFone must request a certification from each public safety answering point (PSAP) where it provides Lifeline service confirming that TracFone provides its customers with access to basic and enhanced 911 (E911) service; however, if, within 90 days of TracFone’s request a PSAP has not provided the certification and the PSAP has not made an affirmative finding that TracFone does not provide its customers with access to 911 and E911 service within the PSAP’s service area, TracFone may self-certify that it meets the requirements. On March 5, 2009, the Commission issued an Order conditionally granting a petition filed by Virgin Mobile seeking forbearance from the requirement that a carrier designated as an ETC provide services, at least in part, over its own facilities. The Commission also conditionally designated Virgin Mobile as an ETC for Lifeline support only in New York, Virginia, North Carolina, and Tennessee.

On April 8, 2009, the Commission issued a Notice of Inquiry refreshing the record regarding the issues raised by the US Court of Appeals for the 10th Circuit in the Qwest II decision. In that decision, the 10th Circuit invalidated the Commission’s High-Cost Universal Service Support Mechanism for non-rural carriers, which determines the amount of support to be provided to each state by comparing the statewide average forward-looking cost per line for non-rural carriers to a nationwide cost benchmark.

On April 10, 2009, the Commission issued an Order granting a request from TracFone Wireless, Inc. for a conditional waiver of section 54.418 of the Commission’s rules, which requires ETCs to notify their Lifeline and Link-Up customers about the DTV transition.

On April 14, 2009, the Commission issued an Order granting 39 appeals and denying 31 appeals of decisions by the USAC related to requests for

funding under the Schools and Libraries universal service support mechanism for funding years 1999 through 2008, due to the applicant’s failure to comply with the Commission’s 28-day competitive bidding requirement.

On April 16, 2009, the Commission issued an Order granting a request from two participants in the RHC Pilot Program, the Texas Healthcare Network (THN) and the Texas Health Information Network Collaborative (THINC), to merge their respective RHC Pilot Program projects and designate THINC as the successor to THN’s RHC Pilot Program project.

On April 21, 2009, the Commission issued an Order granting nine requests for waivers of various high-cost universal service support filing deadlines.

On April 21, 2009, the Commission issued an Order denying three requests, filed by LBH, L.L.C.; Knology of the Black Hills, LLC f/k/a PrairieWave Black Hills, LLC and USCOC of Cumberland Inc. Hardy Cellular Telephone Company for waiver of high-cost universal service support filing deadlines.

On April 21, 2009, the Commission issued an Order granting in part and denying in part a request filed by Xfone for waiver of high-cost universal service support filing deadlines.

On April 21, 2009, the Commission issued an Order granting a request by ICORE on behalf of Northeast Iowa for a waiver of the data submission reporting deadline for local switching universal service support.

On April 21, 2009, the Commission issued an Order denying a request from Centennial for a waiver of high-cost universal service support filing deadlines.

On April 28, 2009, the Commission issued an Order granting a joint request filed by Qwest, Pine, and Oregon for waiver of the study area boundary freeze codified in the Appendix-Glossary of Part 36 of the Commission’s rules.

On May 1, 2009, the Commission issued an Order granting a petition by Verizon Wireless for a limited waiver of certain universal service FCC Form 499 revenue filing requirements.

On May 4, 2009, the Commission issued a Petition for Rulemaking

seeking comment on a petition filed by Smith Bagley for an increase to Tier four of the Universal Service Low-Income Program from \$25 per month to \$30 per month.

On May 14, 2009, the Commission issued an Order appointing the Honorable Thomas W. Pugh, Commissioner, Minnesota Public Utilities Commission, to serve on the Federal-State Joint Board on Jurisdictional Separations.

On May 15, 2009, the Commission issued a Report and Order extending until June 30, 2010, the current freeze of part 36 category relationships and jurisdictional cost allocation factors and referred review of the Commission’s jurisdictional separations rules to the Federal-State Joint Board on Separations for consideration of how the rules should be reformed.

On June 8, 2009, the Commission issued an Order accepting relinquishment of Virginia Cellular’s ETC designation for the Williamsville wire center in the study area of MGW Telephone Co. in Virginia.

On June 10, 2009, the Commission issued an Order denying a request filed by Centennial Communications Corp. for waiver of the September 30, 2005, June 30, 2006, and June 30, 2007, filing deadlines for universal service Interstate Access Support (IAS) set forth in section 54.802(a) of the Commission’s rules. Centennial argued that it was confused by the language in its Louisiana ETC designation order, which was granted in March 2004, and therefore did not file IAS annual certifications or line counts until February 2008. Centennial sought a waiver to permit it to receive IAS funds for the first and second quarters of 2008 and a further waiver to permit it to receive retroactive payments beginning October 1, 2005 through the end of 2007. Although the Commission denied Centennial’s request for waiver, the Commission found that the amount of IAS that Centennial would have been able to receive in March 2008 if it had not missed the filing deadlines will be included in the capped level of support available to competitive ETCs in Louisiana pursuant to the Commission’s Interim Cap Order.

On June 10, 2009, the Commission issued an Order denying a request for review filed in 2005 by Centennial Michigan RSA 6 Cellular Corp. and Centennial Michigan RSA 7 Cellular

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Corp. (Centennial). In its request, Centennial asked the Commission to reverse a USAC decision to recover universal service high-cost support funds. The Commission found that USAC properly recovered funds that were disbursed to Centennial prior to the Commission's approval of the redefinition of the study areas of certain rural incumbent local exchange carriers.

On July 21, 2009, the Commission issued an Order addressing a request by Advantage Cellular Systems, Inc., a competitive ETC, to receive universal service high-cost support based on the own-costs exception in the Commission's Interim Cap Order. The Commission issued a protective order for parties that wanted to review Advantage's cost information, for which it sought confidential treatment.

On July 21, 2009, the Commission issued an Order granting Minford Local Schools request for waiver of the FCC Form 471 application filing window deadline for funding year 2008 under the Schools and Libraries Universal Service Support Mechanism consistent with the relief granted Minford in the Acorn Public Library District Order.

On July 31, 2009, the Commission issued an Order granting a request from four participants in the RHC Pilot Program, North Carolina TeleHealth Network, Albemarle Health, Western Carolina University, and University Health Systems of Eastern Carolina.

On July 31, 2009, the Commission issued an Order announcing that \$900 million in prior unused E-rate funds will be carried forward to increase disbursements to schools and libraries in Funding Year 2009.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| Recommended Decision Federal-State Joint Board, Universal Service | 11/08/96 | 61 FR 63778 |
| First R&O | 05/08/97 | 62 FR 32862 |
| Second R&O | 05/08/97 | 62 FR 32862 |
| Order on Recon | 07/10/97 | 62 FR 40742 |
| R&O and Second Order on Recon | 07/18/97 | 62 FR 41294 |
| Second R&O, and FNPRM | 08/15/97 | 62 FR 47404 |
| Third R&O | 10/14/97 | 62 FR 56118 |
| Second Order on Recon | 11/26/97 | 62 FR 65036 |

| Action | Date | FR Cite |
|--|----------|-------------|
| Fourth Order on Recon | 12/30/97 | 62 FR 2093 |
| Fifth Order on Recon | 06/22/98 | 63 FR 43088 |
| Fifth R&O | 10/28/98 | 63 FR 63993 |
| Eighth Order on Recon | 11/21/98 | |
| Second Recommended Decision | 11/25/98 | 63 FR 67837 |
| Thirteenth Order on Recon | 06/09/99 | 64 FR 30917 |
| FNPRM | 06/14/99 | 64 FR 31780 |
| FNPRM | 09/30/99 | 64 FR 52738 |
| Fourteenth Order on Recon | 11/16/99 | 64 FR 62120 |
| Fifteenth Order on Recon | 11/30/99 | 64 FR 66778 |
| Tenth R&O | 12/01/99 | 64 FR 67372 |
| Ninth R&O and Eighteenth Order on Recon | 12/01/99 | 64 FR 67416 |
| Nineteenth Order on Recon | 12/30/99 | 64 FR 73427 |
| Twentieth Order on Recon | 05/08/00 | 65 FR 26513 |
| Public Notice | 07/18/00 | 65 FR 44507 |
| Twelfth R&O, MO&O and FNPRM | 08/04/00 | 65 FR 47883 |
| FNPRM and Order | 11/09/00 | 65 FR 67322 |
| FNPRM | 01/26/01 | 66 FR 7867 |
| R&O and Order on Recon | 03/14/01 | 66 FR 16144 |
| NPRM | 05/08/01 | 66 FR 28718 |
| Order | 05/22/01 | 66 FR 35107 |
| Fourteenth R&O and FNPRM | 05/23/01 | 66 FR 30080 |
| FNPRM and Order | 01/25/02 | 67 FR 7327 |
| NPRM | 02/15/02 | 67 FR 9232 |
| NPRM and Order | 02/15/02 | 67 FR 10846 |
| FNPRM and R&O | 02/26/02 | 67 FR 11254 |
| NPRM | 04/19/02 | 67 FR 34653 |
| Order and Second FNPRM | 12/13/02 | 67 FR 79543 |
| NPRM | 02/25/03 | 68 FR 12020 |
| Public Notice | 02/26/03 | 68 FR 10724 |
| Second R&O and FNPRM | 06/20/03 | 68 FR 36961 |
| Twenty-Fifth Order on Recon, R&O, Order, and FNPRM | 07/16/03 | 68 FR 41996 |
| NPRM | 07/17/03 | 68 FR 42333 |
| Order | 07/24/03 | 68 FR 47453 |
| Order | 08/06/03 | 68 FR 46500 |
| Order and Order on Recon | 08/19/03 | 68 FR 49707 |
| Order on Remand, MO&O, FNPRM | 10/27/03 | 68 FR 69641 |
| R&O, Order on Recon, FNPRM | 11/17/03 | 68 FR 74492 |
| R&O, FNPRM | 02/26/04 | 69 FR 13794 |
| R&O, FNPRM | 04/29/04 | |
| NPRM | 05/14/04 | 69 FR 3130 |
| NPRM | 06/08/04 | 69 FR 40839 |
| Order | 06/28/04 | 69 FR 48232 |

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| Order on Recon & Fourth R&O | 07/30/04 | 69 FR 55983 |
| Fifth R&O and Order | 08/13/04 | 69 FR 55097 |
| Order | 08/26/04 | 69 FR 57289 |
| Second FNPRM | 09/16/04 | 69 FR 61334 |
| Order & Order on Recon | 01/10/05 | 70 FR 10057 |
| Sixth R&O | 03/14/05 | 70 FR 19321 |
| R&O | 03/17/05 | 70 FR 29960 |
| MO&O | 03/30/05 | 70 FR 21779 |
| NPRM & FNPRM | 06/14/05 | 70 FR 41658 |
| Order | 10/14/05 | 70 FR 65850 |
| Order | 10/27/05 | |
| NPRM | 01/11/06 | 71 FR 1721 |
| Report Number 2747 | 01/12/06 | 71 FR 2042 |
| Order | 02/08/06 | 71 FR 6485 |
| FNPRM | 03/15/06 | 71 FR 13393 |
| R&O and NPRM | 07/10/06 | 71 FR 38781 |
| Order | 01/01/06 | 71 FR 6485 |
| Order | 05/16/06 | 71 FR 30298 |
| MO&O and FNPRM | 05/16/06 | 71 FR 29843 |
| R&O | 06/27/06 | 71 FR 38781 |
| Public Notice | 08/11/06 | 71 FR 50420 |
| Order | 09/29/06 | 71 FR 65517 |
| Public Notice | 03/12/07 | 72 FR 36706 |
| Public Notice | 03/13/07 | 72 FR 40816 |
| Public Notice | 03/16/07 | 72 FR 39421 |
| Notice of Inquiry | 04/16/07 | |
| NPRM | 05/14/07 | 72 FR 28936 |
| Recommended Decision | 11/20/07 | |
| Order | 02/14/08 | 73 FR 8670 |
| NPRM | 03/04/08 | 73 FR 11580 |
| NPRM | 03/04/08 | 73 FR 11591 |
| R&O | 05/05/08 | 73 FR 11837 |
| Public Notice | 07/02/08 | 73 FR 37882 |
| NPRM | 08/19/08 | 73 FR 48352 |
| Notice of Inquiry | 10/14/08 | 73 FR 60689 |
| Order on Remand, R&O, FNPRM | 11/12/08 | 73 FR 66821 |
| R&O | 05/22/09 | 74 FR 2395 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AF85

558. TELECOMMUNICATIONS CARRIERS' USE OF CUSTOMER PROPRIETARY NETWORK INFORMATION AND OTHER CUSTOMER INFORMATION

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 222; 47 USC 272; 47 USC 303(r)

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Abstract: The Commission adopted rules implementing the new statutory framework governing carrier use and disclosure of customer proprietary network information (CPNI) created by section 222 of the Communications Act of 1934, as amended. CPNI includes, among other things, to whom, where, and when a customer places a call, as well as the types of service offerings to which the customer subscribes and the extent to which the service is used.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 05/28/96 | 61 FR 26483 |
| Public Notice | 02/25/97 | 62 FR 8414 |
| Second R&O and FNPRM | 04/24/98 | 63 FR 20364 |
| Order on Recon | 10/01/99 | 64 FR 53242 |
| Final Rule, Announcement of Effective Date | 01/26/01 | 66 FR 7865 |
| Clarification Order and Second NPRM | 09/07/01 | 66 FR 50140 |
| Third R&O and Third FNPRM | 09/20/02 | 67 FR 59205 |
| NPRM | 03/15/06 | 71 FR 13317 |
| NPRM | 06/08/07 | 72 FR 31782 |
| Final Rule, Announcement of Effective Date | 06/08/07 | 72 FR 31948 |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AG43

559. IMPLEMENTATION OF THE LOCAL COMPETITION PROVISIONS OF THE TELECOMMUNICATIONS ACT OF 1996

Legal Authority: 47 USC 151 to 155; 47 USC 157; 47 USC 201 to 205; 47 USC 207 to 209; 47 USC 218; 47 USC 251

Abstract: On August 8, 1996, the Commission adopted the Local Competition Second Report and Order (FCC 96-333), implementing the dialing parity, nondiscriminatory access, network disclosure, and numbering administration provisions of the Telecommunications Act of 1996. On July 19, 1999, the Commission released the First Order on Reconsideration (FCC 99-170), denying the petition for reconsideration of the Local

Competition Second Report and Order filed by Beehive Telephone Company, Inc., which related to numbering administration.

On September 9, 1999, the Commission released the Second Order on Reconsideration (FCC 99-227), resolving petitions for reconsideration of rules adopted in the Local Competition Second Report and Order to implement the requirement of 47 U.S.C. section 251(b)(3) that LECs provide non-discriminatory access to directory assistance, directory listing and operator services. At the same time, the Commission released a Notice of Proposed Rulemaking (NPRM) (also FCC 99-227) seeking comment on issues related to developments in, and the convergence of, directory publishing and directory assistance.

On October 21, 1999, the Commission released the Third Order on Reconsideration (FCC 99-243), resolving the remaining petitions for reconsideration regarding numbering administration under 47 U.S.C. section 251(e)(1). On January 23, 2001, the Commission released a First Report and Order (FCC 01-27) resolving issues raised in the September 9, 1999 NPRM and concluding, among other things, that competing directory assistance (DA) providers that are certified as competitive local exchange carriers (competitive LECs), are agents of competitive LECs, or that offer call completion services are entitled to nondiscriminatory access to LEC local DA databases.

On January 9, 2002, the Commission released the Directory Assistance NPRM (FCC 01-384), in which the Commission solicited comment on whether there is sufficient competition in the retail DA market, and if not, what if any action the Commission should take to promote such competition. The Commission sought specific comment on whether alternative dialing methods would promote competition. Proposed methods include: (1) Presubscription to 411; (2) utilizing national 555 numbers; (3) utilizing carrier access codes (1010 numbers); and (4) utilizing 411XX numbers. The Commission also sought comment on whether the 411 dialing code should be eliminated. This proceeding is pending before the Commission. On January 29, 2002, the Commission released an Order on Reconsideration (FCC02-11) dismissing

petitions for reconsideration or clarification of the Local Competition Second Report and Order regarding dialing parity under 47 U.S.C. section 251(b)(3) and network disclosure under 47 U.S.C. section 251(c)(5).

On May 3, 2005, the Commission released an Order on Reconsideration (FCC 05-93) resolving petitions for reconsideration of the Second Order on Reconsideration and the First Report and Order. The Commission clarified its rules regarding the use of DA data obtained pursuant to section 251(b)(3) of the Act, and denied BellSouth and SBC's joint petition for reconsideration which sought authority to place contractual restrictions on competing DA providers' use of DA information. The Commission reaffirmed that LECs are required to provide nondiscriminatory access to their entire local DA database including local DA data acquired from third parties. The Commission also accepted Qwest's request to withdraw its petition for reconsideration of the First Report and Order, and resolved SBC's petition for reconsideration of the Second Order on Reconsideration.

Timetable:

| Action | Date | FR Cite |
|-------------------------------|----------|-------------|
| NPRM | 04/25/96 | 61 FR 18311 |
| NPRM Reply Comment Period End | 06/03/96 | |
| Second R&O | 09/06/96 | 61 FR 47284 |
| Second Order on Recon | 09/27/99 | 64 FR 51910 |
| NPRM | 09/27/99 | 64 FR 51949 |
| Third Order on Recon | 11/18/99 | 64 FR 62983 |
| First R&O | 02/21/01 | 66 FR 10965 |
| NPRM | 02/14/02 | 67 FR 6902 |
| Order on Recon | 08/17/05 | 70 FR 48290 |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AG50

560. LOCAL TELEPHONE NETWORKS THAT LECS MUST MAKE AVAILABLE TO COMPETITORS

Legal Authority: 47 USC 251

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Abstract: This revises the rules applicable to incumbent local exchange carriers (LECs) to permit competitive carriers to access portions of the incumbent LECs' networks on an unbundled basis. Unbundling allows competitors to lease portions of the incumbent LECs' network to provide telecommunications services. These rule changes are intended to remove uncertainty regarding the incumbent LECs' unbundling obligations under the Telecommunications Act of 1996 and are expected to accelerate the development of local exchange competition.

On December 20, 2001, the Commission issued a Notice of Proposed Rulemaking to comprehensively consider the appropriate changes, if any, to its unbundling policies in light of market developments and technological advances. 67 FR 1947.

On May 29, 2002, the Commission extended the reply comment date of the Notice of Proposed Rulemaking to July 17, 2002, to allow all interested parties to incorporate their review and analysis of *USTA v. FCC*, 290 F.3d 415 (D.C. Cir. 2002).

On August 21, 2003, the Commission issued a Report and Order, Order on Remand, and Further Notice of Proposed Rulemaking, in which the Commission adopted new unbundling requirements. 68 FR 52276.

In addition, the Commission initiated a Notice of Proposed Rulemaking regarding whether the Commission should modify the so-called pick-and-choose rule that permits requesting carriers to opt into individual portions of interconnection agreements without accepting all the terms and conditions of such agreements. 68 FR 52307.

On September 17, 2003, the Commission issued an Errata correcting the Report and Order on Remand. On October 9, 2003, the Commission issued a Report seeking comment on ten petitions for clarification and/or reconsideration of the Report and Order on Remand released on August 21, 2003. 68 FR 60391. By Order, the Commission denied a request to extend the comment period for petitions for clarification and/or reconsideration. On March 2, 2004, the Commission's August 21, 2003 Report and Order and Order on Remand was affirmed in part and vacated and remanded in part.

USTA v. FCC, 359 F.3d 554 (D.C. Cir. 2004).

On July 13, 2004, the Commission's Second Report and Order concluded the rulemaking proceeding initiated regarding the so-called pick-and-choose rule and determined that an all-or-nothing rule for opting into other interconnection agreements will better promote increased give and take negotiations. 69 FR 43762.

On August 9, 2004, the Commission released an Order on Reconsideration addressing in part two petitions for reconsideration of the Commission's fiber-to-the-premises unbundling rules. 69 FR 54589. The Commission clarified in this Order on Reconsideration the applicability of the fiber-to-the-premises rules in multi-dwelling unit buildings.

On August 20, 2004, the Commission issued an Interim Order and Notice of Proposed Rulemaking establishing a new rulemaking proceeding to determine incumbent LEC unbundling obligations as well as establishing interim requirements to govern carrier relationships until the Commission concludes its rulemaking process. 69 FR 55111, 55128.

On October 18, 2004, the Commission released an Order on Reconsideration concluding that fiber-to-the-curb (FTTC) loops shall be subject to the same unbundling framework that the Commission established for fiber-to-the-home (FTTH) loops. 69 FR 77950.

On February 4, 2005, the Commission released an Order on Remand, 70 FR 8940, responding to the D.C. Circuit's remand of certain parts of the Triennial Review Order, including several aspects of the impairment standard as well as new determinations regarding unbundling requirements for local circuit switching, high-capacity loops, and dedicated transport. Specifically, the Commission determined that incumbent LECs have no obligation to unbundle local circuit switching and adopted a 12-month plan to transition existing customers of unbundled switching to other arrangements. Regarding high-capacity loops, the Commission determined that competing carriers are not impaired (thus, are not entitled to access as UNEs) dark fiber loop circuits. Competing carriers are, however, impaired without access to DS1 and DS3 loops, except in wire centers that meet specific business lines and fiber-based collocation thresholds.

Similarly, with respect to dedicated transport, the Commission determined that competing carriers are impaired without access to DS1, DS3 and dark fiber transport, except on routes connecting a pair of wire centers, each containing a specified number of business lines or a specified number of fiber-based collocators.

On March 14, 2005, the Commission's Wireline Competition Bureau issued an order denying a petition filed by Verizon seeking a stay of the Commission's rule allowing competitive LECs to "convert" tariffed incumbent LEC special access arrangements to unbundled network element (UNE) arrangements if the competitive LEC is eligible to order the UNE(s) at issue.

On April 25, 2005, and May 25, 2005, the Commission issued Public Notices establishing comment periods in response to petitions for reconsideration of the Commission's Order on Remand (Triennial Review Order).

On June 16, 2006, the United States Court of Appeals for the District of Columbia Circuit upheld the Commission's Order on Remand, 70 FR 8940.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| Second FNPRM | 04/26/99 | 64 FR 20238 |
| Fourth FNPRM | 01/14/00 | 65 FR 2367 |
| Errata Third R&O and Fourth FNPRM | 01/18/00 | 65 FR 2542 |
| Second Errata Third R&O and Fourth FNPRM | 01/18/00 | 65 FR 2542 |
| Supplemental Order | 01/18/00 | 65 FR 2542 |
| Third R&O | 01/18/00 | 65 FR 2542 |
| Correction | 04/11/00 | 65 FR 19334 |
| Supplemental Order Clarification | 06/20/00 | 65 FR 38214 |
| Public Notice | 02/01/01 | 66 FR 8555 |
| Public Notice | 03/05/01 | 66 FR 18279 |
| Public Notice | 04/10/01 | |
| Public Notice | 04/23/01 | |
| Public Notice | 05/14/01 | |
| NPRM | 01/15/02 | 67 FR 1947 |
| Public Notice | 05/29/02 | |
| Public Notice | 08/01/02 | |
| Public Notice | 08/13/02 | |
| NPRM | 08/21/03 | 68 FR 52276 |
| R&O and Order on Remand | 08/21/03 | 68 FR 52276 |
| Errata | 09/17/03 | |
| Report | 10/09/03 | 68 FR 60391 |
| Order | 10/28/03 | |
| Order | 01/09/04 | |
| Public Notice | 01/09/04 | |

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| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| Public Notice | 02/18/04 | |
| Order | 07/08/04 | |
| Second R&O | 07/08/04 | 69 FR 43762 |
| Order on Recon | 08/09/04 | 69 FR 54589 |
| Interim Order | 08/20/04 | 69 FR 55111 |
| NPRM | 08/20/04 | 69 FR 55128 |
| Public Notice | 09/10/04 | |
| Public Notice | 09/13/04 | |
| Public Notice | 10/20/04 | |
| Order on Recon | 12/29/04 | 69 FR 77950 |
| Order on Remand | 02/04/04 | |
| Public Notice | 04/25/05 | 70 FR 29313 |
| Public Notice | 05/25/05 | 70 FR 34765 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AH44**561. 2000 BIENNIAL REGULATORY REVIEW—TELECOMMUNICATIONS SERVICE QUALITY REPORTING REQUIREMENTS**

Legal Authority: 47 USC 154(i) and 154(j); 47 USC 201(b); 47 USC 303(r); 47 USC 403

Abstract: This NPRM proposes to eliminate our current service quality reports (ARMIS Report 43-05 and 43-06) and replace them with a more consumer-oriented report. The NPRM proposes to reduce the reporting categories from more than 30 to 6, and addresses the needs of carriers, consumers, state public utility commissions, and other interested parties.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 12/04/00 | 65 FR 75657 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AH72**562. ACCESS CHARGE REFORM AND UNIVERSAL SERVICE REFORM**

Legal Authority: 47 USC 151; 47 USC 154(i) and 154(j); 47 USC 201 to 205; 47 USC 254; 47 USC 403

Abstract: On October 11, 2001, the Commission adopted an Order reforming the interstate access charge and universal service support system for rate-of-return incumbent carriers. The Order adopts three principal reforms. First, the Order modifies the interstate access rate structure for small carriers to align it more closely with the manner in which costs are incurred. Second, the Order removes implicit support for universal service from the rate structure and replaces it with explicit, portable support. Third, the Order permits small carriers to continue to set rates based on the authorized rate of return of 11.25 percent. The Order became effective on January 1, 2002, and the support mechanism established by the Order was implemented beginning July 1, 2002.

The Commission also adopted a Further Notice of Proposed Rulemaking (FNPRM) seeking additional comment on proposals for incentive regulation, increased pricing flexibility for rate-of-return carriers, and proposed changes to the Commission's "all-or-nothing" rule. Comments on the FNPRM were due on February 14, 2002, and reply comments on March 18, 2002.

On February 12, 2004, the Commission adopted a Second Report and Order resolving several issues on which the Commission sought comment in the FNPRM. First, the Commission modified the "all-or-nothing" rule to permit rate-of-return carriers to bring recently acquired price cap lines back to rate-of-return regulation. Second, the Commission granted rate-of-return carriers the authority immediately to provide geographically deaveraged transport and special access rates, subject to certain limitations. Third, the Commission merged Long Term Support (LTS) with Interstate Common Line Support (ICLS).

The Commission also adopted a Second FNPRM seeking comment on two specific plans that propose establishing optional alternative regulation mechanisms for rate-of-return carriers. In conjunction with the consideration of those alternative regulation proposals, the Commission sought comment on modification that would

permit a rate-of-return carrier to adopt an alternative regulation plan for some study areas, while retaining rate-of-return regulation for other of its study areas. Comments on the Second FNPRM were due on April 23, 2004, and May 10, 2004.

Timetable:

| Action | Date | FR Cite |
|--------------------------|----------|-------------|
| NPRM | 01/25/01 | 66 FR 7725 |
| FNPRM | 11/30/01 | 66 FR 59761 |
| R&O | 11/30/01 | 66 FR 59719 |
| Second FNPRM | 03/23/04 | 69 FR 13794 |
| Order | 05/06/04 | 69 FR 25325 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AH74**563. NUMBERING RESOURCE OPTIMIZATION**

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 201 et seq; 47 USC 251(e)

Abstract: In 1999, the Commission released the Numbering Resource Optimization Notice of Proposed Rulemaking (Notice) in CC Docket 99-200. The Notice examined and sought comment on several administrative and technical measures aimed at improving the efficiency with which telecommunications numbering resources are used and allocated. It incorporated input from the North American Numbering Council (NANC), a Federal advisory committee, which advises the Commission on issues related to number administration. In the Numbering Resource Optimization First Report and Order and Further Notice of Proposed Rulemaking (NRO First Report and Order), released on March 31, 2000, the Commission adopted a mandatory utilization data reporting requirement, a uniform set of categories of numbers for which carriers must report their utilization, and a utilization threshold framework to increase carrier accountability and incentives to use numbers efficiently. In addition, the Commission adopted a single system for allocating numbers in blocks of one thousand, rather than ten thousand, wherever possible, and established a

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plan for national rollout of thousands-block number pooling. The Commission also adopted numbering resource reclamation requirements to ensure that unused numbers are returned to the North American Numbering Plan (NANP) inventory for assignment to other carriers. Also, to encourage better management of numbering resources, carriers are required, to the extent possible, to first assign numbering resources within thousands blocks (a form of sequential numbering).

In the NRO Second Report and Order, the Commission adopted a measure that requires all carriers to use at least 60 percent of their numbering resources before they may get additional numbers in a particular area. That 60 percent utilization threshold increases to 75 percent over the next three years. The Commission also established a five-year term for the national Pooling Administrator and an auditing program to verify carrier compliance with the Commission's rules. Furthermore, the Commission addressed several issues raised in the Notice, concerning area code relief. Specifically, the Commission declined to amend the existing Federal rules for area code relief or specify any new Federal guidelines for the implementation of area code relief. The Commission also declined to state a preference for either all-services overlays or geographic splits as a method of area code relief. Regarding mandatory nationwide ten-digit dialing, the Commission declined to adopt this measure at the present time. Furthermore, the Commission declined to mandate nationwide expansion of the "D digit" (the "N" of an NXX or central office code) to include 0 or 1, or to grant state commissions the authority to implement the expansion of the D digit as a numbering resource optimization measure at the present time.

In the NRO Third Report and Order, the Commission addressed national thousands-block number pooling administration issues, including declining to alter the implementation date for covered CMRS carriers to participate in pooling. The Commission also addressed Federal cost recovery for national thousands-block number pooling, and continued to require States to establish cost recovery mechanisms for costs incurred by carriers participating in pooling trials. The Commission reaffirmed the Months-To-Exhaust (MTE) requirement

for carriers. The Commission declined to lower the utilization threshold established in the Second Report and Order, and declined to exempt pooling carriers from the utilization threshold. The Commission also established a safety valve mechanism to allow carriers that do not meet the utilization threshold in a given rate center to obtain additional numbering resources.

In the NRO Third Report and Order, the Commission lifted the ban on technology-specific overlays (TSOs), and delegated authority to the Common Carrier Bureau, in consultation with the Wireless Telecommunications Bureau, to resolve any such petitions. Furthermore, the Commission found that carriers who violate our numbering requirements, or fail to cooperate with an auditor conducting either a "for cause" or random audit, should be denied numbering resources in certain instances. The Commission also reaffirmed the 180-day reservation period, declined to impose fees to extend the reservation period, and found that State commissions should be allowed password-protected access to the NANPA database for data pertaining to NPAs located within their State.

The measures adopted in the NRO orders will allow the Commission to monitor more closely the way numbering resources are used within the NANP, and will promote more efficient allocation and use of NANP resources by tying a carrier's ability to obtain numbering resources more closely to its actual need for numbers to serve its customers. These measures are designed to create national standards to optimize the use of numbering resources by: (1) Minimizing the negative impact on consumers of premature area code exhausts; (2) ensuring sufficient access to numbering resources for all service providers to enter into or to compete in telecommunications markets; (3) avoiding premature exhaust of the NANP; (4) extending the life of the NANP; (5) imposing the least societal cost possible, and ensuring competitive neutrality, while obtaining the highest benefit; (6) ensuring that no class of carrier or consumer is unduly favored or disfavored by the Commission's optimization efforts; and (7) minimizing the incentives for carriers to build and carry excessively large inventories of numbers.

In NRO Third Order on Recon in CC Docket No. 99-200, Third Further Notice of Proposed Rulemaking in CC Docket No. 99-200 and Second Further Notice of Proposed Rulemaking in CC Docket No. 95-116, the Commission reconsidered its findings in the NRO Third Report and Order regarding the local Number portability (LNP) and thousands-block number pooling requirements for carriers in the top 100 Metropolitan Statistical Areas (MSAs). Specifically, the Commission reversed its clarification that those requirements extend to all carriers in the largest 100 MSAs, regardless of whether they have received a request from another carrier to provide LNP. The Commission also sought comment on whether the Commission should again extend the LNP requirements to all carriers in the largest 100 MSAs, regardless of whether they receive a request to provide LNP. The Commission also sought comment on whether all carriers in the top 100 MSAs should be required to participate in thousands-block number pooling, regardless of whether they are required to be LNP capable. In addition, the Commission sought comment on whether all MSAs included in Combined Metropolitan Statistical Areas (CMSAs) on the Census Bureau's list of the largest 100 MSAs should be included on the Commission's list of the top 100 MSAs.

In the NRO Fourth Report and Order and Further Notice of Proposed Rulemaking, the Commission reaffirmed that carriers must deploy LNP in switches within the 100 largest Metropolitan Statistical Areas (MSAs) for which another carrier has made a specific request for the provision of LNP. The Commission delegated the authority to state commissions to require carriers operating within the largest 100 MSAs that have not received a specific request for LNP from another carrier to provide LNP, under certain circumstances and on a case-by-case basis. The Commission concluded that all carriers, except those specifically exempted, are required to participate in thousands-block number pooling in accordance with the national rollout schedule, regardless of whether they are required to provide LNP, including commercial mobile radio service (CMRS) providers that were required to deploy LNP as of November 24, 2003. The Commission specifically exempted from the pooling requirement rural telephone companies and Tier III

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CMRS providers that have not received a request to provide LNP. The Commission also exempted from the pooling requirement carriers that are the only service provider receiving numbering resources in a given rate center. Additionally, the Commission sought further comment on whether these exemptions should be expanded to include carriers where there are only two service providers receiving numbering resources in the rate center. Finally, the Commission reaffirmed that the 100 largest MSAs identified in the 1990 U.S. Census reports as well as those areas included on any subsequent U.S. Census report of the 100 largest MSAs.

In the NRO Order and Fifth Further Notice of Proposed Rulemaking, the Commission granted petitions for delegated authority to implement mandatory thousands-block pooling filed by the Public Service Commission of West Virginia, the Nebraska Public Service Commission, the Oklahoma Corporation Commission, the Michigan Public Service Commission, and the Missouri Public Service Commission. In granting these petitions, the Commission permitted these states to optimize numbering resources and further extend the life of the specific numbering plan areas. In the Further Notice of Proposed Rulemaking, the Commission sought comment on whether it should delegate authority to all states to implement mandatory thousands-block number pooling consistent with the parameters set forth in the NRO Order.

Timetable:

| Action | Date | FR Cite |
|-------------------------------------|----------|-------------|
| NPRM | 06/17/99 | 64 FR 32471 |
| R&O and FNPRM | 06/16/00 | 65 FR 37703 |
| Second R&O and Second FNPRM | 02/08/01 | 66 FR 9528 |
| Third R&O and Second Order on Recon | 02/12/02 | 67 FR 643 |
| Third O on Recon and Third FNPRM | 04/05/02 | 67 FR 16347 |
| Fourth R&O and Fourth NPRM | 07/21/03 | 68 FR 43003 |
| Order and Fifth FNPRM | 03/15/06 | 71 FR 13393 |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH80

564. NATIONAL EXCHANGE CARRIER ASSOCIATION PETITION

Legal Authority: 47 USC 151 and 152; 47 USC 201 and 202; ...

Abstract: In a Notice of Proposed Rulemaking (NPRM) released on July 19, 2004, the Commission initiated a rulemaking proceeding to examine the proper number of end user common line charges (commonly referred to as subscriber line charges or SLCs) that carriers may assess upon customers that obtain derived channel T-1 service where the customer provides the terminating channelization equipment and upon customers that obtain Primary Rate Interface (PRI) Integrated Service Digital Network (ISDN) service.

Timetable:

| Action | Date | FR Cite |
|-------------------------|----------|-------------|
| NPRM | 08/13/04 | 69 FR 50141 |
| NPRM Comment Period End | 11/12/04 | |

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI47

565. IP-ENABLED SERVICES

Legal Authority: 47 USC 151 and 152; ...

Abstract: The notice seeks comment on ways in which the Commission might categorize IP-enabled services for purposes of evaluating the need for applying any particular regulatory requirements. It poses questions regarding the proper allocation of jurisdiction over each category of IP-enabled service. The notice then requests comment on whether the services comprising each category constitute "telecommunications services" or "information services" under the definitions set forth in the

Act. Finally, noting the Commission's statutory forbearance authority and title I ancillary jurisdiction, the notice describes a number of central regulatory requirements (including, for example, those relating to access charges, universal service, E911, and disability accessibility), and asks which, if any, should apply to each category of IP-enabled services.

On June 16, 2005, the Commission published in the Federal Register notice that public information collections set forth in the First Report and Order were being submitted for review to the office of management and budget.

On July 27, 2005, the Commission published in the Federal Register notice that the information collection requirements adopted in the First Report and Order were approved in OMB No. 3060-1085 and would become effective on July 29, 2005.

On August 31, 2005, the Commission published in the Federal Register notice of the comment cycle for three Petitions for Reconsideration and/or Clarification of the First Report and Order. On July 10, 2006, the Commission published in the Federal Register notice that it had adopted on June 21, 2006, rules that make interim modifications to the existing approach for assessing contributions to the Federal universal service fund (USF or Fund) in order to provide stability while the Commission continues to examine more fundamental reform.

On June 8, 2007, the Commission published in the Federal Register notice that it had adopted on April 2, 2007, an item strengthening the Commission's rules to protect the privacy of customer proprietary network information (CPNI) that is collected and held by providers of communications services, and a further notice of proposed rulemaking seeking comment on what steps the Commission should take, if any, to secure further the privacy of customer information.

On August 6, 2007, the Commission published in the Federal Register notice that it had adopted on May 31, 2007, and item extending the disability access requirements that currently apply to telecommunications service providers and equipment manufacturers under section 255 of the Communications Act of 1934, as amended, to providers of "interconnected voice over Internet Protocol (VoIP) services," as defined by the Commission, and to manufacturers

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of specially designed equipment used to provide those services. In addition, the Commission extended the Telecommunications Relay Services (TRS) requirements contained in its regulations to interconnected VoIP providers.

On August 7, 2007, the Commission published in the Federal Register a notice that a petition for reconsideration of the CPNI order described above had been filed.

On August 16, 2007, the Commission published in the Federal Register notice that it had adopted on August 2, 2007, an item amending the Commission's Schedule of Regulatory Fees by, inter alia, incorporating regulatory fee payment obligations for interconnected VoIP service providers, which shall become effective November 15, 2007, which is 90 days from date of notification to Congress.

On November 1, 2007, the Commission gave notice that it granted in part, denied in part, and sought comment on petitions filed by the Voice on the Net Coalition, the United States Telecom Association, and Hamilton Telephone Company seeking a stay or waiver of certain aspects of the Commission's VoIP Telecommunications Relay Services (TRS) Order (72 FR 61813; 72 FR 61882).

On December 13, 2007, the Commission announced the effective date of its revised CPNI rules (72 FR 70808).

On December 6, 2007, OMB approved the public information collection pursuant to the Paperwork Reduction Act of 1995 for the Commission's CPNI rules (72 FR 72358).

On February 21, 2008, the Commission published in the Federal Register notice that the Commission adopted rules extending local number portability obligations and numbering administration support obligations to interconnected VoIP services. The Commission also explained it had responded to the District of Columbia Circuit Court of Appeals stay of the Commission's Intermodal Number Portability Order by publishing a Final Regulatory Flexibility Act (73 FR 9463; R&O 02/21/2008).

On February 21, 2008, the Commission published in the Federal Register notice that it sought comment on other changes to its LNP and numbering related rules, including whether to

extend such rules to interconnected VoIP providers (73 FR 9507).

On August 6, 2007, the Commission published in the Federal Register notice that it had extended Telecommunications Relay Services (TRS) regulations to interconnected VoIP providers and extended certain disability access requirements to interconnected VoIP providers and to manufacturers of specially designed equipment used to provide such service (72 FR 43546).

On May 15, 2008, the Commission's Consumer and Governmental Affairs Bureau published in the Federal Register notice that it had granted interconnected VoIP providers an extension of time to route 711-dialed calls to an appropriate telecommunications relay service (TRS) center in certain circumstances (73 FR 28057).

Timetable:

| Action | Date | FR Cite |
|-----------------------------|----------|-------------|
| NPRM | 03/29/04 | 69 FR 16193 |
| NPRM Comment Period End | 07/14/04 | |
| First R&O | 06/03/05 | 70 FR 37273 |
| Public Notice | 06/16/05 | 70 FR 37403 |
| First R&O Effective | 07/29/05 | 70 FR 43323 |
| Public Notice | 08/31/05 | 70 FR 51815 |
| R&O | 07/10/06 | 71 FR 38781 |
| R&O and FNPRM | 06/08/07 | 72 FR 31948 |
| FNPRM Comment Period End | 07/09/07 | 72 FR 31782 |
| R&O | 08/06/07 | 72 FR 43546 |
| Public Notice | 08/07/07 | 72 FR 44136 |
| R&O | 08/16/07 | 72 FR 45908 |
| Public Notice | 11/01/07 | 72 FR 61813 |
| Public Notice | 11/01/07 | 72 FR 61882 |
| Public Notice | 12/13/07 | 72 FR 70808 |
| Public Notice | 12/20/07 | 72 FR 72358 |
| R&O | 02/21/08 | 73 FR 9463 |
| NPRM | 02/21/08 | 73 FR 9507 |
| Order | 05/15/08 | 73 FR 28057 |
| Order | 07/29/09 | 74 FR 37624 |
| R&O | 08/07/09 | 74 FR 39551 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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566. CONSUMER PROTECTION IN THE BROADBAND ERA

Legal Authority: 47 USC 151 to 154; 47 USC 160; 47 USC 201 to 205; 47 USC 214; 47 USC 222; 47 USC 225; 47 USC 251 and 252; 47 USC 254 to 256; 47 USC 258; 47 USC 303(R)

Abstract: The Federal Communications Commission initiated this rulemaking in order to develop a framework that ensures that, as the telecommunications industry shifts from narrowband to broadband services, consumer protection needs are met by all providers of broadband Internet access service, regardless of the underlying technology providers use to offer the service. The Commission sought comment on whether adopting regulations, pursuant to its ancillary jurisdiction under Title I of the Communications Act, to address consumer privacy, unauthorized changes to service, truth-in-billing, network outage reporting, discontinuance of service, rate averaging, and enforcement concerns, would be desirable and necessary as a matter of public policy. The Commission also sought comment on whether it should instead rely on market forces to address some or all of these areas of potential concern. The rulemaking also explores whether there are other areas of consumer protection related to wireline broadband Internet access service for which the Commission should adopt regulations pursuant to its ancillary jurisdiction.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 10/17/05 | 70 FR 60259 |
| NPRM Comment Period End | 03/01/06 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI73

FCC—Wireline Competition Bureau

Long-Term Actions

567. ESTABLISHING JUST AND REASONABLE RATES FOR LOCAL EXCHANGE CARRIERS (WC DOCKET NO. 07-135)

Legal Authority: Not Yet Determined

Abstract: The Federal Communications Commission (Commission) is examining whether its existing rules governing the setting of tariffed rates by local exchange carriers (LECs) provide incentives and opportunities for carriers to increase access demand endogenously with the result that the tariff rates are no longer just and reasonable. The Commission tentatively concluded that it must revise its tariff rules so that it can be confident that tariffed rates remain just and reasonable even if a carrier experiences or induces significant increases in access demand. The Commission seeks comment on the types of activities that are causing the increases in interstate access demand and the effects of such demand increases on the cost structures of LECs. The Commission also seeks comment on several means of ensuring just and reasonable rates going forward. The NPRM invites comment on potential traffic stimulation by rate-of-return LECs, price cap LECs, and competitive LECs, as well as other forms of intercarrier traffic stimulation. Comments were received on December 17, 2007, and reply comments were received on January 16, 2008.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 11/15/07 | 72 FR 64179 |
| NPRM Comment Period End | 12/17/07 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AJ02

568. JURISDICTIONAL SEPARATIONS

Legal Authority: 47 USC 151; 47 USC 154(i) and 154(j); 47 USC 205; 47 USC 221(c); 47 USC 254; 47 USC 403; 47 USC 410

Abstract: Jurisdictional separations is the process, pursuant to part 36 of the Commission's rules, by which incumbent local exchange carriers apportion regulated costs between the intrastate and interstate jurisdictions. In 1997, the Commission initiated a proceeding seeking comment on the extent to which legislative changes, technological changes, and market changes warrant comprehensive reform of the separations process. In 2001, the Commission adopted the Federal-State Joint Board on Jurisdictional Separations' recommendation to impose an interim freeze of the part 36 category relationships and jurisdictional cost allocation factors for a period of five years, pending comprehensive reform of the part 36 separations rules. In 2006, the Commission adopted an Order and Further Notice of Proposed Rulemaking, which extended the separations freeze for a period of three years and sought comment on comprehensive reform. In 2009, the Commission adopted a Report and Order extending the separations process an additional year to June, 2010.

Timetable:

| Action | Date | FR Cite |
|--|----------|-------------|
| NPRM | 11/05/97 | 62 FR 59842 |
| NPRM Comment Period End | 12/10/97 | |
| Order | 06/21/01 | 66 FR 33202 |
| Order and FNPRM | 05/26/06 | 71 FR 29882 |
| Order and FNPRM Comment Period End | 08/22/06 | |
| Report and Order | 05/15/09 | 74 FR 23955 |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AJ06

569. IMPLEMENTATION OF NET 911 IMPROVEMENT ACT

Legal Authority: PL 110-283

Abstract: On July 23, 2008, the New and Emerging Technologies Act was enacted.

On August 25, 2008, the Commission released an NPRM seeking comment on implementing the NET 911 Improvement Act.

Timetable:

| Action | Date | FR Cite |
|----------------------------|----------|-------------|
| NPRM | 08/28/08 | 73 FR 50741 |
| NPRM Comment Period End | 09/09/08 | |
| Next Action Undetermined | | |

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AJ09

[FR Doc. E9-28607 Filed 12-04-09; 8:45 am]

BILLING CODE 6712-01-S