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**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

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
303	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
304	Implementation of the Subscriber Selection Changes Provision of the Telecommunications Act of 1996 (CC Docket No. 94-129)	3060-AG46
305	Implementation of the Telecommunications Act of 1996; Access to Telecommunications Service, Telecommunications Equipment, and Customer Premises Equipment by Persons With Disabilities	3060-AG58
306	Telecommunications Relay Services, the Americans With Disabilities Act of 1990, and the Telecommunications Act of 1996 (CC Docket No. 90-571)	3060-AG75
307	Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991 (CG Docket No. 02-278)	3060-A114
308	Rules and Regulations Implementing Section 225 of the Communications Act (Telecommunications Relay Service) (CG Docket No. 03-123)	3060-A115
309	Rules and Regulations Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CG Docket No. 04-53)	3060-A120
310	Rules and Regulations Implementing Minimum Customer Account Record Exchange (CARE) Obligations on All Local and Interexchange Carriers (CG Docket No. 02-386)	3060-A158
311	Consumer Information and Disclosure and Truth in Billing and Billing Format	3060-A161
312	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
313	Revision of the Rules Regarding Ultra-Wideband Transmission	3060-AH47
314	New Advanced Wireless Services (ET Docket No. 00-258)	3060-AH65
315	Exposure to Radiofrequency Electromagnetic Fields	3060-AI17
316	Unlicensed Operation in the TV Broadcast Bands (ET Docket No. 04-186)	3060-AI52
317	Unlicensed Devices and Equipment Approval (ET Docket No. 03-201)	3060-AI54

OFFICE OF ENGINEERING AND TECHNOLOGY—Completed Actions

Sequence Number	Title	Regulation Identifier Number
318	Transfer of the 3650 Through 3700 MHz Band From Federal Government Use (WT Docket No. 05-96; ET Docket No. 02-380)	3060-AH75
319	Unlicensed Operation of the 3650-3700 Band (ET Docket No. 04-151)	3060-AI50

INTERNATIONAL BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
320	Streamlining the Commission's Rules and Regulations for Satellite Application and Licensing Procedures (IB Docket No. 95-117)	3060-AD70
321	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
322	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
323	Streamlining Earth Station Licensing Rules (IB Docket No. 00-248)	3060-AH60
324	Space Station Licensing Reform (IB Docket No. 02-34)	3060-AH98
325	Mitigation of Orbital Debris (IB Docket No. 02-54)	3060-AI06
326	Amendment of the Commission's Rules (IB Docket No. 04-47)	3060-AI41
327	Reporting Requirements for U.S. Providers of International Telecommunications Services (IB Docket No. 04-112)	3060-AI42
328	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
329	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

MEDIA BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
330	Cable Television Rate Regulation	3060-AF41
331	Cable Television Rate Regulation: Cost of Service	3060-AF48
332	Cable Home Wiring	3060-AG02
333	Competitive Availability of Navigation Devices (CS Docket No. 97-80)	3060-AG28
334	Cable Horizontal and Vertical Ownership Limits (MM Docket No. 92-264)	3060-AH09
335	Digital Audio Broadcasting Systems (MM Docket No. 99-325)	3060-AH40
336	Second Periodic Review of Rules and Policies Affecting the Conversion to DTV	3060-AH54
337	Direct Broadcast Public Interest Obligations (MM Docket No. 93-25)	3060-AH59
338	Revision of EEO Rules and Policies (MM Docket No. 98-204)	3060-AH95
339	Broadcast Multiple and Cross-Ownership Limits	3060-AH97
340	Establishment of Rules for Digital Low Power Television, Television Translator, and Television Booster Stations (MB Docket No. 03-185)	3060-AI38
341	Joint Sales Agreements in Local Television Markets (MB Docket No. 04-256)	3060-AI55
342	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
343	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
344	Digital Television Distributed Transmission System Technologies (MB Docket No. 05-312)	3060-AI68
345	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
346	Program Access Rules—Sunset of Exclusive Contracts Prohibition and Examination of Programming Tying Arrangements (MB Docket Nos. 07-29, 07-198)	3060-AI87
347	Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (MB Docket No. 07-91)	3060-AI89
348	Broadcast Localism (MB Docket No. 04-233)	3060-AJ04
349	Creating a Low Power Radio Service (MM Docket NO. 99-25)	3060-AJ07
350	Sponsorship Identification Rules and Embedded Advertising (MB Docket No. 08-90)	3060-AJ10
351	An Inquiry Into the Commission's Policies and Rules Regarding AM Radio Service Directional Antenna Performance Verification (MM Docket No. 93-177)	3060-AJ17
352	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
353	Policies To Promote Rural Radio Service and To Streamline Allotment and Assignment Procedures (MB Docket No. 09-52)	3060-AJ23
354	Promoting Diversification of Ownership in the Broadcast Services (MB Docket No. 07-294)	3060-AJ27

MEDIA BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
355	DTV Consumer Education Initiative (MB Docket No. 07-148)	3060-AI96

OFFICE OF MANAGING DIRECTOR—Long-Term Actions

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

PUBLIC SAFETY AND HOMELAND SECURITY BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
357	Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems	3060-AG34
358	Enhanced 911 Services for Wireline	3060-AG60
359	In the Matter of the Communications Assistance for Law Enforcement Act	3060-AG74
360	Development of Operational, Technical, and Spectrum Requirements for Public Safety Communications Requirements	3060-AG85
361	1998 Biennial Regulatory Review—Review of Accounts Settlement in Maritime Mobile and Maritime Mobile-Satellite Radio Services (IB Docket No. 98-96)	3060-AH30
362	Implementation of 911 Act	3060-AH90
363	Commission Rules Concerning Disruptions to Communications	3060-AI22
364	E911 Requirements for IP-Enabled Service Providers	3060-AI62
365	Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks	3060-AI78
366	Stolen Vehicle Recovery System (SVRS)	3060-AJ01
367	Commercial Mobile Alert System	3060-AJ03
368	Emergency Alert System	3060-AJ33

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WIRELESS TELECOMMUNICATIONS BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
369	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
370	Service Rules for the 746 to 764 and 776 to 794 MHz Bands, and Revisions to the Commission's Rules	3060-AH32
371	Amendment of Parts 13 and 80 of the Commission's Rules Governing Maritime Communications	3060-AH55
372	Competitive Bidding Procedures	3060-AH57
373	2000 Biennial Regulatory Review Spectrum Aggregation Limits for Commercial Mobile Radio Services	3060-AH81
374	In the Matter of Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets	3060-AH82
375	Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers	3060-AH83
376	Amendments of Various Rules Affecting Wireless Radio Services (WT Docket No. 03-264)	3060-AI30
377	Facilitating the Provision of Spectrum-Based Services to Rural Areas	3060-AI31
378	Improving Public Safety Communications in the 800 MHz Band Industrial/Land Transportation and Business Channels	3060-AI34
379	Review of Part 87 of the Commission's Rules Concerning Aviation (WT Docket No. 01-289)	3060-AI35
380	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
381	Facilitating the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands	3060-AJ12
382	Amendment of the Rules Regarding Maritime Automatic Identification Systems (WT Docket No. 04-344)	3060-AJ16
383	Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band	3060-AJ19
384	Service Rules for Advanced Wireless Services in the 1915 to 1920 MHz, 1995 to 2000 MHz, 2020 to 2025 MHz, and 2175 to 2180 MHz Bands	3060-AJ20
385	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
386	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
387	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
388	In the Matter of Service Rules for the 698 to 746, 747 to 762 and 777 to 792 MHz Bands	3060-AJ35
389	In the Matter of Effects of Communications Towers on Migratory Birds	3060-AJ36
390	Amendment of Part 90 of the Commission's Rules	3060-AJ37

WIRELESS TELECOMMUNICATIONS BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
391	Amendment of Part 90 of the Rules To Adopt Regulations for Automatic Vehicle Monitoring Systems	3060-AH12
392	Fixed Satellite Service and Terrestrial System in the Ku-Band	3060-AH17
393	Implementation of the Communications Act of 1934 as Amended	3060-AH33
394	Year 2000 Biennial Review (WT Docket No. 01-108)	3060-AI26
395	Air-Ground Telecommunications Services	3060-AI27

WIRELINE COMPETITION BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
396	Implementation of the Universal Service Portions of the 1996 Telecommunications Act	3060-AF85
397	Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information	3060-AG43
398	Implementation of the Local Competition Provisions of the Telecommunications Act of 1996	3060-AG50
399	Local Telephone Networks That LECs Must Make Available to Competitors	3060-AH44
400	2000 Biennial Regulatory Review—Telecommunications Service Quality Reporting Requirements	3060-AH72
401	Access Charge Reform and Universal Service Reform	3060-AH74
402	Numbering Resource Optimization	3060-AH80
403	National Exchange Carrier Association Petition	3060-AI47
404	IP-Enabled Services	3060-AI48

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WIRELINE COMPETITION BUREAU—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
405	Consumer Protection in the Broadband Era	3060-AI73
406	Establishing Just and Reasonable Rates for Local Exchange Carriers (WC Docket No. 07-135)	3060-AJ02
407	Jurisdictional Separations	3060-AJ06
408	Implementation of NET 911 Improvement Act	3060-AJ09
409	Local Number Portability Porting Interval and Validation Requirements (WC Docket No 07-244)	3060-AJ32

Federal Communications Commission (FCC)
Consumer and Governmental Affairs Bureau

Long-Term Actions

303. 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

304. 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

FCC—Consumer and Governmental Affairs Bureau

Long-Term Actions

Action	Date	FR Cite
Fifth Order on Recon Order	03/23/05	70 FR 14567
Fourth R&O	02/04/08	73 FR 6444
Next Action Undetermined	03/12/08	73 FR 13144

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AG46

305. 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
R&O	08/14/96	61 FR 42181
NOI	09/26/96	61 FR 50465
R&O	11/19/99	64 FR 63235
Further NOI	11/19/99	64 FR 63277
Public Notice	01/07/02	67 FR 678
R&O	08/06/07	72 FR 43546
NPRM	11/21/07	72 FR 465494
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

306. 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	08/27/04	69 FR 52694
Petitions for Recon of Fifth R&O Denied	09/01/04	69 FR 53346
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AG75

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

Legal Authority: 47 USC 227

Abstract: 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 amending 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 3 months.

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

On January 22, 2010, the Commission released an NPRM proposing to require sellers and telemarketers to obtain written consent from recipients before making prerecorded telemarketing calls commonly known as "robocalls," even when the caller has an established business relationship with the consumer. The proposals also would require that the prerecorded telemarketing calls include an automated, interactive mechanism by which a consumer may "opt out" of receiving future prerecorded messages from a seller or telemarketer.

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
NPRM Comment Period End	01/31/03	

FCC—Consumer and Governmental Affairs Bureau

Long-Term Actions

Action	Date	FR Cite
FNPRM	04/03/03	68 FR 16250
FNPRM Comment Period End	05/05/03	
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
NPRM (release date)	01/22/10	

**Regulatory Flexibility Analysis
Required:** Yes

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RIN: 3060-AI14

**308. 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
R&O, Order on Recon	09/01/04	69 FR 53346
FNPRM	09/01/04	69 FR 53382
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
Order	03/23/05	70 FR 14568
Public Notice/ Announcement of Date	04/06/05	70 FR 17334
Order	07/01/05	70 FR 38134
Order on Recon	08/31/05	70 FR 51643
R&O	08/31/05	70 FR 51649
Order	09/14/05	70 FR 54294
Order	09/14/05	70 FR 54298
Public Notice	10/12/05	70 FR 59346
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
NPRM	02/01/06	71 FR 5221
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
Declaratory Ruling on Recon	07/06/06	71 FR 38268
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
Final Rule; Clarification	02/14/07	72 FR 6960
Order	03/14/07	72 FR 11789
R&O	08/06/07	72 FR 43546
Public Notice	08/16/07	72 FR 46060
Order	11/01/07	72 FR 61813
Public Notice	01/04/08	73 FR 863
R&O/Declaratory Ruling	01/17/08	73 FR 3197
Order	02/19/08	73 FR 9031
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
Declaratory Ruling	07/08/08	73 FR 38928
FNPRM	07/18/08	73 FR 41307
R&O	07/18/08	73 FR 41286
Public Notice	08/01/08	73 FR 45006
Public Notice	08/05/08	73 FR 45354
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

Action	Date	FR Cite
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 39699
Comment Period End	08/10/09	
Order	09/18/09	74 FR 47894
Order	10/26/09	74 FR 54913

**Regulatory Flexibility Analysis
Required:** Yes

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RIN: 3060-AI15

**309. 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

**Regulatory Flexibility Analysis
Required:** Yes

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FCC—Consumer and Governmental Affairs Bureau

Long-Term Actions

310. 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

311. CONSUMER INFORMATION AND DISCLOSURE AND 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 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.

On August 28, 2009, the Commission released a Notice of Inquiry which asks questions about information available

to consumers at all stages of the purchasing process for all communications services, including (1) choosing a provider; (2) choosing a service plan; (3) managing the service plan; and (4) deciding whether and when to switch an existing provider or plan.

Timetable:

Action	Date	FR Cite
FNPRM	05/25/05	70 FR 30044
FNPRM Comment Period End	06/24/05	
R&O	05/25/05	70 FR 29979
NOI	08/28/09	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI61

312. 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
NPRM Comment Period End	02/28/97	
R&O	09/16/97	62 FR 48487
NPRM	09/26/05	70 FR 56150
NPRM Comment Period End	11/20/05	
Comment Period Extended	11/25/05	70 FR 71077
Comment Period End	12/16/05	
Order on Recon	10/28/98	63 FR 55959
Order and Declaratory Ruling	01/13/09	74 FR 1594

FCC—Consumer and Governmental Affairs Bureau

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Action	Date	FR Cite
NPRM	01/13/09	74 FR 1654
NPRM Comment Period End	02/12/09	
Comment Period End	02/27/09	
Final Rule	02/19/10	75 FR 7370
Order	02/19/10	75 FR 7368

Order Suspending Effective Date 02/19/10 75 FR 7369
 Next Action Undetermined
Regulatory Flexibility Analysis Required: Yes
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**Federal Communications Commission (FCC)
 Office of Engineering and Technology**

Long-Term Actions

313. 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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314. 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 9190-2000 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

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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

315. 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

316. 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.

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Long-Term Actions

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**317. 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 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
NPRM Comment Period End	01/09/04	
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
FNPRM Comment Period End	10/15/07	
MO&O	08/01/07	72 FR 41937
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AI54

**Federal Communications Commission (FCC)
Office of Engineering and Technology**
Completed Actions
318. 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.

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	66 FR 16940
	02/27/02	67 FR 17038
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

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH75

319. UNLICENSED OPERATION OF THE 3650-3700 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 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.

FCC—Office of Engineering and Technology

Completed Actions

Timetable:

Action	Date	FR Cite
NPRM	05/14/04	69 FR 26790
NPRM Comment Period End	07/28/04	

Action	Date	FR Cite
R&O & MO&O	05/11/05	70 FR 24712
MO&O	07/25/07	72 FR 40767

Regulatory Flexibility Analysis Required: Yes

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Federal Communications Commission (FCC) International Bureau

Long-Term Actions

320. 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: Yes

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RIN: 3060-AD70

321. 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: Yes

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RIN: 3060-AF93

322. 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: Yes

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RIN: 3060-AH23

FCC—International Bureau

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323. STREAMLINING EARTH STATION LICENSING RULES (IB DOCKET NO. 00–248)**Legal Authority:** 47 USC 701 to 744

Abstract: The Commission has found several cases in which modifying or eliminating rules could facilitate licensing of earth stations, thereby expediting the provision of useful satellite services to the public, without unreasonably increasing the risk of harmful interference to existing earth station or space station operators, or terrestrial wireless operators in shared frequency bands.

Specifically, this Notice of Proposed Rulemaking (NPRM) considers the following rule revisions: (1) Codifying streamlined procedures for case-by-case examination of earth stations using “non-routine” antennas, non-routine power levels, or both; (2) relaxing some current requirements, such as increasing power and power density limits, and allowing some temporary fixed earth stations to begin operation sooner than is now permitted; (3) streamlining the very small aperture terminal (VSAT) rules, and revising the Commission’s power level rules to provide for various types of VSAT multiple access methods; (4) adopting a simplified license application form for “routine” earth stations; and (5) other miscellaneous rule revisions. The Commission also invites comment on extending these proposed rules to the KA-band.

On September 26, 2002, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. This Further NPRM invited comment on refinements to the proposals in the NPRM to relax some earth station technical requirements, and on an alternative to the VSAT proposals in the NPRM. The Further NPRM also seeks comment on proposals made by commenters in response to the First NPRM.

In the First Report and Order in this proceeding, the Commission extended the license term for earth station licenses from 10 to 15 years.

In the Second Report and Order in this proceeding, the Commission adopted rules allowing unlicensed receive-only earth stations to receive transmissions from non-U.S.-licensed satellites on the Permitted List.

In the Third Report and Order in this proceeding, the Commission adopted a

streamlined application form for certain earth station licenses, and adopted a mandatory electronic filing requirement for those earth station applications.

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

In the Fifth Report and Order in this proceeding, the Commission adopted the following proposals from the NPRM: (1) Codifying streamlined procedures for non-routine antennas; (2) relaxing power and power density limits, and allowing routine KU-band temporary fixed earth stations to begin operations sooner; (3) revising certain VSAT rules; and (4) other miscellaneous rule revisions. One petition for reconsideration was filed in response to this Order on July 5, 2005.

In the Sixth Report and Order in this proceeding, the Commission adopted revisions to the earth station antenna gain pattern requirements, as proposed in the Further Notice. Two petitions for reconsideration were filed in response to this Order on July 8, 2005.

In the Third Further Notice of Proposed Rulemaking, the Commission invited comment on adopting off-axis EIRP envelopes for C-band and KU-band FSS earth stations.

In the Seventh Report and Order in this proceeding, the Commission considered and rejected its proposal in the NPRM to make revisions to part 23 of its rules.

In the Eighth Report and Order in this proceeding, the Commission adopted the proposals in the Third FNPRM, in large part. This proceeding is now closed.

Timetable:

Action	Date	FR Cite
NPRM	01/08/01	66 FR 1283
First R&O	03/19/02	67 FR 12485
FNPRM	12/24/02	67 FR 78399
Second R&O (Release Date)	06/20/03	68 FR 2247
Second FNPRM	09/12/03	68 FR 53702
Third R&O	11/12/03	68 FR 63994
Fourth R&O	08/06/04	69 FR 47790
Fifth R&O	06/02/05	70 FR 32249
Sixth R&O	06/08/05	70 FR 33373
Third FNPRM	06/08/05	70 FR 33426
Seventh R&O	09/28/05	70 FR 56580
Public Notice/Petition for Recon	10/26/05	70 FR 61825
Eighth R&O	11/24/08	73 FR 70897
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060–AH60**324. 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

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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

**325. 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

**326. 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; ...

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

**327. 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	

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Action	Date	FR Cite
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

328. 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

329. 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	
R&O	11/04/09	74 FR 57092
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI90

Federal Communications Commission (FCC)

Long-Term Actions

Media Bureau

330. 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

Action	Date	FR Cite
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

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Action	Date	FR Cite
Sixth Order on Recon, Fifth R&O, and Seventh NPRM	12/06/94	59 FR 62614
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

331. 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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RIN: 3060-AF48

332. 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

333. 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

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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**334. 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 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**335. 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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Email: peter.doyle@fcc.gov**RIN:** 3060-AH40**336. 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

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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
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

337. 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

Action	Date	FR Cite
Order on Recon	04/28/04	69 FR 23155
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH59

338. 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

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

339. 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

Agency Contact: Mania K. Baghdadi, Deputy Division Chief, Industry Analysis Division, Federal Communications Commission, Media

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RIN: 3060-AH97

340. 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
NPRM Comment Period End	11/25/03	
R&O	11/29/04	69 FR 69325
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI38

341. 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
NPRM Comment Period End	09/27/04	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI55

342. 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

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
NPRM Comment Period End	04/08/05	
R&O	12/27/05	70 FR 76504
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI56

343. 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

344. 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;

...

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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
NPRM Comment Period End	02/06/06	
R&O	12/05/08	73 FR 74047
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI68

345. 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
NPRM Comment Period End	02/13/06	
R&O and FNPRM	03/21/07	72 FR 13230
FNPRM Comment Period End	04/20/07	
Second R&O	11/23/07	72 FR 65670
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI69

346. 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 October 2007 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. The associated Report and Order adopted rules to permit complainants to pursue program access claims regarding terrestrially delivered cable affiliated programming.

Timetable:

Action	Date	FR Cite
NPRM	03/01/07	72 FR 9289
NPRM Comment Period End	04/02/07	
R&O	10/04/07	72 FR 56645
NPRM	10/31/07	72 FR 61590
NPRM Comment Period End	11/30/07	
R&O (release date)	01/20/10	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI87

347. 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.

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Timetable:

Action	Date	FR Cite
NPRM	07/09/07	72 FR 37310
NPRM Comment Period End	08/08/07	
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**348. 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
NPRM Comment Period End	03/14/08	
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** Yes

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RIN: 3060-AJ04**349. 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	02/16/99	64 FR 7577
R&O	02/15/00	65 FR 7616

Action	Date	FR Cite
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**350. 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

351. 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
NPRM Comment Period End	09/10/99	
R&O	04/25/01	66 FR 20752
FNPRM	04/25/01	66 FR 20779
FNPRM Comment Period End	07/09/01	
Second R&O	10/30/08	73 FR 64558
Second FNPRM	12/11/08	73 FR 75376
Second FNPRM Comment Period End	01/12/09	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AJ17

352. 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	01/02/09	74 FR 61
NPRM Comment Period End	01/12/09	
R&O	06/02/09	74 FR 26300

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AJ18

353. 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. The accompanying Report and Order adopts rules that provide tribes a priority to obtain broadcast radio licenses in tribal communities. The Commission concurrently adopted a Further Notice of Proposed Rulemaking seeking comment on whether to extend the tribal priority to tribes that do not possess tribal land.

Timetable:

Action	Date	FR Cite
NPRM	05/13/09	74 FR 22498

Action	Date	FR Cite
NPRM Comment Period End	07/10/09	
First R&O (release date)	02/02/10	
FNPRM (release date)	02/03/10	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AJ23

354. 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 third 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 fourth 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. The Memorandum Opinion & Order addressed petitions for Reconsideration of the rules, and also sought comment on a proposal to expand the reporting requirements to non attributable interests.

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
5th NPRM (release date)	10/16/09	
MO&O	10/30/09	74 FR 56131

Next Action Undetermined

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Regulatory Flexibility Analysis**Required:** Yes**Agency Contact:** Kristi Thompson,
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RIN: 3060-AJ27**Federal Communications Commission (FCC)****Completed Actions****Media Bureau****355. 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 qualitytelevision 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
NPRM Comment Period End	09/17/07	
R&O	03/24/08	73 FR 15431
FNPRM	05/28/08	73 FR 30591
FNPRM Comment Period End	06/27/08	
Order	06/26/08	73 FR 36282

Regulatory Flexibility Analysis**Required:** Yes**Agency Contact:** Lyle Elder, Policy
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Phone: 202 418-2120
Email: lyle.elder@fcc.gov**RIN:** 3060-AI96**Federal Communications Commission (FCC)****Long-Term Actions****Office of Managing Director****356. 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
NPRM Comment Period End	02/14/06	
R&O	08/02/06	71 FR 43842

Action	Date	FR Cite
NPRM	05/02/07	72 FR 24213
NPRM Comment Period End	05/03/07	
R&O	08/16/07	72 FR 45908
FNPRM	08/16/07	72 FR 46010
FNPRM Comment Period End	09/17/07	
NPRM	05/28/08	73 FR 30563
NPRM Comment Period End	05/30/08	
R&O	08/26/08	73 FR 50201
FNPRM	08/26/08	73 FR 50285
FNPRM Comment Period End	09/25/08	
2nd R&O	05/12/09	74 FR 22104
NPRM and Order	06/02/09	74 FR 26329

Action	Date	FR Cite
NPRM Comment Period End	06/04/09	
R&O	08/11/09	74 FR 40089
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** Yes**Agency Contact:** Daniel Daly,
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**Federal Communications Commission (FCC)
Public Safety and Homeland Security Bureau**
Long-Term Actions
357. 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 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	
R&O	02/14/08	73 FR 8617
Public Notice	09/25/08	73 FR 55473
Public Notice	11/18/09	74 FR 59539
Comment Period End	12/04/09	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AG34

358. 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
Comment Period End	03/29/05	
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AG60

359. 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

360. 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	02/26/07	
Comment Period End		
R&O and FNPRM	05/02/07	72 FR 24238
R&O and FNPRM	05/23/07	
Comment Period End		
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

361. 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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RIN: 3060-AH30

362. 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
Fourth R&O, Third NPRM, and NPRM	09/18/00	65 FR 5675
Fifth R&O, First R&O, and MO&O	01/14/02	67 FR 1643
Final Rule	01/25/02	67 FR 3621
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH90

363. 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 delegated 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

364. 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	09/18/07	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AI62

365. 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 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 reviewing the impact of Hurricane Katrina on Communications Networks (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.

The wireless industry challenged the backup power rule in the U.S. Court of Appeals for the District of Columbia Circuit and, with some wireline providers, challenged the associated information collection before OMB. In February 2008, the Court issued a stay of the rule pending appeal, and, on July 8, 2008, the Court issued an order holding its decision on the challenge to the backup power rule in abeyance pending action by OMB on the information collection associated with the revised rule. In November 2008, OMB rejected the information collection.

As a result of the actions by the Court and OMB, the backup power rule has never gone into effect. In December 2008, the FCC's Office of General Counsel requested that the Court dismiss the pending appeals of the backup power rule and informed the Court that the Commission plans to issue an NPRM to develop a revised rule. On July 31, 2009, the Court dismissed the petitions for review as moot and ordered that the backup power rule by vacated and this mandate was issued until September 18, 2009.

Timetable:

Action	Date	FR Cite
NPRM	07/07/06	71 FR 38564
NPRM Comment Period End	08/07/06	
Order	07/11/07	72 FR 37655
Delay of Effective Date of Rule	08/10/07	72 FR 44978

Action	Date	FR Cite
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

366. 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

FCC—Public Safety and Homeland Security Bureau

Long-Term Actions

367. 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 to establish a commercial mobile alert system under which commercial mobile service providers may elect to transmit emergency alerts to the public. The Commission has issued three orders adopting CMAS rules as required by statute. Issues raised in an FNPRM regarding testing requirements for non-commercial educational and public broadcast television stations remain outstanding.

Timetable:

Action	Date	FR Cite
NPRM	01/03/08	73 FR 545
NPRM Comment Period End	02/04/08	
First R&O	07/24/08	73 FR 43009

Action	Date	FR Cite
Second R&O	08/14/08	73 FR 47550
FNPRM	08/14/08	73 FR 47568
FNPRM Comment Period End	09/15/08	
Third R&O	09/22/08	73 FR 54511
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060–AJ03

368. • EMERGENCY ALERT SYSTEM

Legal Authority: 47 USC 151; 47 USC 152; 47 USC 154(i); 47 USC 154(o); 47

USC 301; 47 USC 393(r); 47 USC 303(v); 47 USC 307; 47 USC 309; 47 USC 335; 47 USC 403; 47 USC 544(g); 47 USC 606; 47 USC 615

Abstract: This revision of 47 CFR part 11 provides for national-level testing of the Emergency Alert System.

Timetable:

Action	Date	FR Cite
NPRM	01/12/10	75 FR 4760
NPRM Comment Period End	03/30/10	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060–AJ33

Federal Communications Commission (FCC)

Long-Term Actions

Wireless Telecommunications Bureau

369. 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
O 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

370. SERVICE RULES FOR THE 746 TO 764 AND 776 TO 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 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

Action	Date	FR Cite
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

371. 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

FCC—Wireless Telecommunications Bureau

Long-Term Actions

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

372. 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

Action	Date	FR Cite
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
Final Rule	07/21/03	68 FR 42984
Final Rule	09/30/05	70 FR 57183
Next Action Undetermined		

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH57

373. 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.

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

374. 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

375. 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.

FCC—Wireless Telecommunications Bureau

Long-Term Actions

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**376. 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.**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
NPRM Comment Period End	12/19/05	
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**377. 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
NPRM Comment Period End	01/14/05	
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**378. 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
NPRM Comment Period End	05/06/02	
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

Action	Date	FR Cite
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**379. 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
NPRM Comment Period End	03/14/02	
R&O and FNPRM	10/16/03	
FNPRM	04/12/04	69 FR 19140
FNPRM Comment Period End	07/12/04	
R&O	06/14/04	69 FR 32577
NPRM	12/06/06	71 FR 70710
NPRM Comment Period End	03/06/07	
Final Rule	12/06/06	71 FR 70671
Next Action Undetermined		

Regulatory Flexibility Analysis**Required:** Yes

Agency Contact: Jeff Tobias, Attorney Advisor, Federal Communications

FCC—Wireless Telecommunications Bureau

Long-Term Actions

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RIN: 3060-AI35

**380. 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
NPRM Comment Period End	08/26/05	
Declaratory Ruling	06/14/05	70 FR 43322
R&O	01/24/06	71 FR 6214
FNPRM	02/03/06	71 FR 6992
FNPRM Comment Period End	02/24/06	
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
NPRM Comment Period End	08/21/06	
Reply Comment Period End	09/19/06	
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

**381. FACILITATING THE PROVISION
OF FIXED AND MOBILE BROADBAND
ACCESS, EDUCATIONAL AND OTHER
ADVANCED SERVICES IN THE
2150-2162 AND 2500-2690 MHZ
BANDS**

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.

The Commission also seeks comment on establishing a new deadline for new initial Broadband Radio Service (BRS) licensees to demonstrate substantial service.

Timetable:

Action	Date	FR Cite
NPRM	04/02/03	68 FR 34560
NPRM Comment Period End	09/08/03	
FNPRM	07/29/04	69 FR 72048
FNPRM Comment Period End	01/10/03	
R&O	07/29/04	69 FR 72020
MO&O	04/27/06	71 FR 35178
FNPRM	03/20/08	73 FR 26067
FNPRM Comment Period End	07/07/08	
MO&O	03/20/08	73 FR 26032
MO&O	09/28/09	74 FR 49335
FNPRM	09/28/09	74 FR 49356
FNPRM Comment Period End	10/13/09	

Next Action Undetermined

**Regulatory Flexibility Analysis
Required: Yes**

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RIN: 3060-AJ12

**382. 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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FCC—Wireless Telecommunications Bureau

Long-Term Actions

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RIN: 3060-AJ16

383. 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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RIN: 3060-AJ19

384. SERVICE RULES FOR ADVANCED WIRELESS SERVICES IN THE 1915 TO 1920 MHZ, 1995 TO 2000 MHZ, 2020 TO 2025 MHZ, AND 2175 TO 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

Action	Date	FR Cite
NPRM Comment Period End	01/24/05	
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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RIN: 3060-AJ20

385. 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.

FCC—Wireless Telecommunications Bureau

Long-Term Actions

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.

On January 15, 2010, the Commission released a Report and Order that prohibits the distribution and sale of wireless microphones that operate in the 700 MHz band (698-806 MHz, channels 52-69) and includes a number of provisions to clear these devices from that band. These actions help complete an important part of the digital television (DTV) transition by clearing the 700 MHz band to enable the rollout of communications services for public safety and the deployment of next generation wireless devices.

On January 15, 2010, the Commission also released a Further Notice of Proposed Rulemaking seeking comment on the operation of low power auxiliary stations, including wireless microphones, in the core TV bands (channels 2-51, excluding channel 37). Among the issues the Commission is considering in the Further Notice are revisions to its rules to expand eligibility for licenses to operate wireless microphones under part 74; the operation of wireless microphones on an unlicensed basis in the core TV bands under part 15; technical rules to apply to low power wireless audio devices, including wireless microphones, operating in the core TV bands on an unlicensed basis under Part 15 of the rules; and long term solutions to address the operation of wireless microphones and the efficient use of the core TV spectrum.

Timetable:

Action	Date	FR Cite
NPRM	09/03/08	73 FR 51406
NPRM Comment Period End	10/20/08	
R&O	01/22/10	75 FR 3622
FNPRM	01/22/10	75 FR 3682

Action	Date	FR Cite
FNPRM Comment Period End	03/15/10	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AJ21

386. 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 that retain 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 (NPSPAC) region.

Timetable:

Action	Date	FR Cite
NPRM	03/18/05	70 FR 13143
NPRM Comment Period End	06/12/05	70 FR 23080
Final Rule	12/16/08	73 FR 67794
Petition for Recon	03/12/09	74 FR 10739
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AJ22

387. 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

388. • IN THE MATTER OF SERVICE RULES FOR THE 698 TO 746, 747 TO 762 AND 777 TO 792 MHZ BANDS

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

Abstract: This is one of several docketed proceedings involved in the establishment of rules governing wireless licenses in the 698-806 MHz Band (the 700 MHz Band). This spectrum is being vacated by television broadcasters in TV Channels 52-69. It is being made available for wireless services, including public safety and commercial services, as a result of the digital television (DTV) transition. This docket has to do with service rules for the commercial services, and is known as the 700 MHz Commercial Services proceeding.

FCC—Wireless Telecommunications Bureau

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	08/03/06	71 FR 48506
NPRM	09/20/06	
FNPRM	05/02/07	72 FR 24238
FNPRM Comment Period End	05/23/07	
R&O	07/31/07	72 FR 48814
Order on Recon	09/24/07	72 FR 56015
Second FNPRM	05/14/08	73 FR 29582
Second FNPRM Comment Period End	06/20/08	
Third FNPRM	09/05/08	73 FR 57750
Third FNPRM Comment Period End	11/03/08	
Second R&O	02/20/09	74 FR 8868
Final Rule	03/04/09	74 FR 8868
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AJ35

389. • IN THE MATTER OF EFFECTS OF COMMUNICATIONS TOWERS ON MIGRATORY BIRDS

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 303(q); 47 USC 303(r); 42 USC 4321 et seq

Abstract: On April 14, 2009, American Bird Conservancy, Defenders of Wildlife, and National Audubon Society filed a Petition for Expedited Rulemaking and Other Relief. The petitioners request that the Commission adopt on an expedited basis a variety of new rules, which they assert are necessary to comply with environmental statutes and their implementing regulations. This proceeding addresses the Petition for Expedited Rulemaking and Other Relief.

Timetable:

Action	Date	FR Cite
NPRM	11/22/06	71 FR 67510
NPRM Comment Period End	02/20/07	
New NPRM Comment Period End	05/23/07	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AJ36

390. • AMENDMENT OF PART 90 OF THE COMMISSION'S RULES

Legal Authority: 47 USC 154; 47 USC 303

Abstract: This proceeding considers rule changes impacting miscellaneous part 90 Private Land Mobile Radio rules.

Timetable:

Action	Date	FR Cite
NPRM	06/13/07	72 FR 32582
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AJ37

Federal Communications Commission (FCC)
Wireless Telecommunications Bureau

Completed Actions

391. 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

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AH12

392. 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

FCC—Wireless Telecommunications Bureau

Completed Actions

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH17

393. 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

Action	Date	FR Cite
Final Rule	06/15/05	70 FR 34666
NPRM	06/15/05	70 FR 34726
Final Rule	05/11/05	70 FR 24712
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

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AH33

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

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

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

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI26

395. 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
NPRM Comment Period End	05/03/05	
Final Rule Correction	04/27/05	70 FR 21663
Final Rule	12/27/05	70 FR 76411

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI27

Federal Communications Commission (FCC)

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396. 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.

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On October 9, 2009, the Commission issued an Order and Notice of Proposed (NPRM) addressing the effect of line loss on universal service Local Switching Support (LSS) received by incumbent local exchange carriers (LECs) that are designated as eligible telecommunications carriers (ETCs). Under the Commission's rules, as an incumbent LEC ETC's access lines increase above certain thresholds, the amount of LSS it may receive decreases. The order denies the Coalition for Equity in Switching Support's petition seeking clarification

that the Commission's rules allow an incumbent LEC ETC's local switching support to increase if the carrier's access lines decrease below those thresholds. In the NPRM, the Commission tentatively concludes that the LSS rules should be modified to permit incumbent LEC ETCs that lose lines to increase their LSS; and the Commission seeks comment on these proposed rule changes.

On November 5, 2009, the Commission issued a Notice of Proposed Rulemaking that proposes to revise the Commission's rules for the schools and libraries universal service support mechanism, also known as the E-rate program, to comply with the requirements of the Protecting Children in the 21st Century Act. The Protecting Children in the 21st Century Act added a new certification requirement for elementary and secondary schools that have computers with Internet access and receive discounts under the E-rate program. The NPRM also proposes to revise related Commission rules to reflect existing statutory language more accurately.

On December 2, 2009, the Commission issued a Report and Order and Further Notice of Proposed Rulemaking (FNPRM) addressing and seeking comment on issues regarding the services eligible for funding under the schools and libraries universal service support mechanism, also known as the E-rate program. The order released the Funding Year 2010 E-rate Eligible Service List, concluding that interconnected voice over Internet protocol VoIP service is an eligible service and should continue to receive E-rate program funding. Additionally, the report and order clarifies the E-rate program eligibility of text messaging, video on-demand servers, Ethernet, web hosting, wireless local area network (LAN) controllers, and virtualization software. The FNPRM seeks comment on the eligibility of certain services in future funding years, as well as on proposed changes to the process for determining the services that will be eligible for support under the E-rate program.

On December 8, 2009, the Commission sought comment on a petition for rulemaking filed by the National Cable and Telecommunications Association (NCTA). NCTA proposes that the Commission establish procedures to reduce the amount of universal service

high-cost support provided to carriers in those areas of the country where there is extensive, unsubsidized facilities-based voice competition and where government subsidies no longer are needed to ensure that service will be made available to consumers.

On December 15, 2009, the Commission issued a Further Notice of Proposed Rulemaking responding to the decision of the United States Court of Appeals for the Tenth Circuit in *Qwest Communications International, Inc. v. FCC*, in which the court remanded the Commission's rules for providing high-cost universal service support to non-rural carriers. The Commission tentatively concluded that it should not attempt wholesale reform of the non-rural high-cost mechanism at this time, but it sought comment on certain interim changes to address the court's concerns and changes in the marketplace. Specifically, the Commission sought comment on what changes should be made to the Commission's rules regarding the rate comparability review and certification process, whether the Commission should define "reasonably comparable" rural and urban rates in terms of rates for bundled local and long distance services, and whether the Commission should require carriers to certify that they offer bundled local and long distance services at reasonably comparable rural and urban rates.

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
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

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Action	Date	FR Cite
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
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

Action	Date	FR Cite
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

397. 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)

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

398. 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

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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 (FCC 02-11) 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

399. LOCAL TELEPHONE NETWORKS THAT LECs MUST MAKE AVAILABLE TO COMPETITORS

Legal Authority: 47 USC 251

Abstract: The Commission adopted 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 rules are intended to accelerate the development of local exchange competition.

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 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	
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

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400. 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

401. 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
NPRM Comment Period End	02/26/01	
FNPRM	11/30/01	66 FR 59761
FNPRM Comment Period End	12/31/01	
R&O	11/30/01	66 FR 59719
Second FNPRM	03/23/04	69 FR 13794
Second FNPRM Comment Period End	04/23/04	
Order	05/06/04	69 FR 25325
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Yes

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RIN: 3060-AH74

402. 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 1,000, rather than 10,000, wherever possible, and established a 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

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in a particular area. That 60 percent utilization threshold increases to 75 percent over the next 3 years. The Commission also established a 5-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 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.

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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**403. 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**404. 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 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

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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 (CGB) 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). On July 29, 2009, CGB published notice in the Federal Register that it was granting another extension. (74FR 37624)

On August 7, 2009, the Commission published a notice in the Federal Register that it had amended its rules so that providers of interconnected VoIP service must comply with the same discontinuance rules as domestic non-dominant telecommunications carriers. (74 FR 39551)

Timetable:

Action	Date	FR Cite
NPRM	03/29/04	69 FR 16193
NPRM Comment	07/14/04	
Period End		
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	07/09/07	72 FR 31782
Period End		
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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RIN: 3060-AI48

405. 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	03/01/06	
Period End		

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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RIN: 3060-AI73

406. 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

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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

407. 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

408. 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

409. LOCAL NUMBER PORTABILITY PORTING INTERVAL AND VALIDATION REQUIREMENTS (WC DOCKET NO 07-244)

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

Abstract: In 2007, the Commission released a Notice of Proposed Rulemaking in WC Docket No. 07-244. The Notice sought comment on whether the Commission should adopt rules specifying the length of the porting intervals or other details of the porting process. It also tentatively concluded that the Commission should adopt rules reducing the porting interval for wireline-to-wireline and intermodal simple port requests, specifically, to a 48-hour porting interval.

In the Local Number Portability Porting Interval and Validation Requirements First Report and Order and Further Notice of Proposed Rulemaking, released on May 13, 2009, the Commission reduced the porting interval for simple wireline and simple intermodal port requests, requiring all entities subject to its local number portability (LNP) rules to complete simple wireline-to-wireline and simple intermodal port requests within one business day. In a related Further Notice of Proposed Rulemaking (FNPRM), the Commission sought comment on what further steps, if any, the Commission should take to improve the process of changing providers. In addition, the Commission directed the North American Numbering Council to develop new LNP provisioning process flows that take into account this shortened porting interval. In developing these flows, the NANC must address how a "business day" should be construed for purposes of the porting interval, and generally how the porting time should be measured.

Timetable:

Action	Date	FR Cite
NPRM	02/21/08	73 FR 9507
R&O and FNPRM	07/02/09	74 FR 31630
R&O and FNPRM Comment Period End	08/01/09	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Yes

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