



# Federal Register

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**Monday,  
December 20, 2010**

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**Part XIX**

**Federal  
Communications  
Commission**

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**Semiannual Regulatory Agenda**

**FEDERAL COMMUNICATIONS COMMISSION (FCC)**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Ch. I**

**Unified Agenda of Federal Regulatory and Deregulatory Actions—Fall 2010**

**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.

**ADDRESS:** 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.

**Ruth A. Dancey,**  
*Deputy Secretary, Federal Communications Commission.*

**CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU—Long-Term Actions**

Sequence Number	Title	Regulation Identifier Number
497	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
498	Implementation of the Subscriber Selection Changes Provision of the Telecommunications Act of 1996 (CC Docket No. 94-129) .....	3060-AG46
499	Implementation of the Telecommunications Act of 1996; Access to Telecommunications Service, Telecommunications Equipment, and Customer Premises Equipment by Persons With Disabilities .....	3060-AG58
500	Telecommunications Relay Services, the Americans With Disabilities Act of 1990, and the Telecommunications Act of 1996 (CC Docket No. 90-571) .....	3060-AG75
501	Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991 (CG Docket No. 02-278) .....	3060-A114
502	Rules and Regulations Implementing Section 225 of the Communications Act (Telecommunications Relay Service) (CG Docket No. 03-123) .....	3060-A115
503	Rules and Regulations Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CG Docket No. 04-53) .....	3060-A120
504	Rules and Regulations Implementing Minimum Customer Account Record Exchange (CARE) Obligations on All Local and Interexchange Carriers (CG Docket No. 02-386) .....	3060-A158
505	Consumer Information and Disclosure and Truth in Billing and Billing Format .....	3060-A161
506	Closed Captioning of Video Programming ( <b>Section 610 Review</b> ) .....	3060-A172

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## CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
507	Accessibility of Programming Providing Emergency Information .....	3060-AI75

## OFFICE OF ENGINEERING AND TECHNOLOGY—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
508	Revision of the Rules Regarding Ultra-Wideband Transmission .....	3060-AH47
509	New Advanced Wireless Services (ET Docket No. 00-258) .....	3060-AH65
510	Exposure to Radiofrequency Electromagnetic Fields .....	3060-AI17
511	Unlicensed Operation in the TV Broadcast Bands (ET Docket No. 04-186) .....	3060-AI52
512	Unlicensed Devices and Equipment Approval (ET Docket No. 03-201) .....	3060-AI54
513	Fixed and Mobile Services in the Mobile Satellite Service (ET Docket No. 10-142) .....	3060-AJ46

## INTERNATIONAL BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
514	Streamlining the Commission's Rules and Regulations for Satellite Application and Licensing Procedures (IB Docket No. 95-117) .....	3060-AD70
515	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
516	Allocate & Designate: Spectrum for Fixed-Satellite Service (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; Government Operations 37-38 & 40- .....	3060-AH23
517	Streamlining Earth Station Licensing Rules (IB Docket No. 00-248) .....	3060-AH60
518	Space Station Licensing Reform (IB Docket No. 02-34) .....	3060-AH98
519	Mitigation of Orbital Debris (IB Docket No. 02-54) .....	3060-AI06
520	Amendment of the Commission's Rules (IB Docket No. 04-47) .....	3060-AI41
521	Reporting Requirements for U.S. Providers of International Telecommunications Services (IB Docket No. 04-112) .....	3060-AI42
522	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
523	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
524	Cable Television Rate Regulation .....	3060-AF41
525	Cable Television Rate Regulation: Cost of Service .....	3060-AF48
526	Cable Home Wiring .....	3060-AG02
527	Competitive Availability of Navigation Devices (CS Docket No. 97-80) .....	3060-AG28
528	Cable Horizontal and Vertical Ownership Limits (MM Docket No. 92-264) .....	3060-AH09
529	Digital Audio Broadcasting Systems (MM Docket No. 99-325) .....	3060-AH40
530	Second Periodic Review of Rules and Policies Affecting the Conversion to DTV .....	3060-AH54
531	Direct Broadcast Public Interest Obligations (MM Docket No. 93-25) .....	3060-AH59
532	Revision of EEO Rules and Policies (MM Docket No. 98-204) .....	3060-AH95
533	Broadcast Multiple and Cross-Ownership Limits .....	3060-AH97
534	Establishment of Rules for Digital Low Power Television, Television Translator, and Television Booster Stations (MB Docket No. 03-185) .....	3060-AI38
535	Joint Sales Agreements in Local Television Markets (MB Docket No. 04-256) .....	3060-AI55
536	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
537	Digital Television Distributed Transmission System Technologies (MB Docket No. 05-312) .....	3060-AI68

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## MEDIA BUREAU—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
538	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
539	Program Access Rules—Sunset of Exclusive Contracts Prohibition and Examination of Programming Tying Arrangements (MB Docket Nos. 07-29, 07-198) .....	3060-AI87
540	Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (MB Docket No. 07-91) .....	3060-AI89
541	Broadcast Localism (MB Docket No. 04-233) .....	3060-AJ04
542	Creating a Low Power Radio Service (MM Docket No. 99-25) .....	3060-AJ07
543	Sponsorship Identification Rules and Embedded Advertising (MB Docket No. 08-90) .....	3060-AJ10
544	An Inquiry Into the Commission's Policies and Rules Regarding AM Radio Service Directional Antenna Performance Verification (MM Docket No. 93-177) .....	3060-AJ17
545	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
546	Policies To Promote Rural Radio Service and To Streamline Allotment and Assignment Procedures (MB Docket No. 09-52) .....	3060-AJ23
547	Promoting Diversification of Ownership in the Broadcast Services (MB Docket No. 07-294) .....	3060-AJ27
548	Implementation of Section 203 of the Satellite Television Extension and Localism Act of 2010 (STELA) (MB Docket No. 10-148) .....	3060-AJ43

## MEDIA BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
549	Significantly Viewed Out-of-Market Broadcast Stations (MB Docket No. 05-49) .....	3060-AI56

## OFFICE OF MANAGING DIRECTOR—Long-Term Actions

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

## PUBLIC SAFETY AND HOMELAND SECURITY BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
551	Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems .....	3060-AG34
552	Enhanced 911 Services for Wireline .....	3060-AG60
553	In the Matter of the Communications Assistance for Law Enforcement Act .....	3060-AG74
554	Development of Operational, Technical, and Spectrum Requirements for Public Safety Communications Requirements .....	3060-AG85
555	1998 Biennial Regulatory Review—Review of Accounts Settlement in Maritime Mobile and Maritime Mobile-Satellite Radio Services (IB Docket No. 98-96) .....	3060-AH30
556	Implementation of 911 Act .....	3060-AH90
557	Commission Rules Concerning Disruptions to Communications .....	3060-AI22
558	E911 Requirements for IP-Enabled Service Providers .....	3060-AI62
559	Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks .....	3060-AI78
560	Stolen Vehicle Recovery System (SVRS) .....	3060-AJ01
561	Commercial Mobile Alert System .....	3060-AJ03
562	Emergency Alert System .....	3060-AJ33

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## WIRELESS TELECOMMUNICATIONS BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
563	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
564	Service Rules for the 746 to 764 and 776 to 794 MHz Bands, and Revisions to the Commission's Rules .....	3060-AH32
565	Amendment of Parts 13 and 80 of the Commission's Rules Governing Maritime Communications .....	3060-AH55
566	Competitive Bidding Procedures .....	3060-AH57
567	2000 Biennial Regulatory Review Spectrum Aggregation Limits for Commercial Mobile Radio Services .....	3060-AH81
568	In the Matter of Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets .....	3060-AH82
569	Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers .....	3060-AH83
570	Facilitating the Provision of Spectrum-Based Services to Rural Areas .....	3060-AI31
571	Improving Public Safety Communications in the 800 MHz Band Industrial/Land Transportation and Business Channels .....	3060-AI34
572	Review of Part 87 of the Commission's Rules Concerning Aviation (WT Docket No. 01-289) .....	3060-AI35
573	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
574	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
575	Amendment of the Rules Regarding Maritime Automatic Identification Systems (WT Docket No. 04-344) .....	3060-AJ16
576	Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band .....	3060-AJ19
577	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
578	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
579	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
580	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
581	In the Matter of Service Rules for the 698 to 746, 747 to 762 and 777 to 792 MHz Bands .....	3060-AJ35
582	In the Matter of Effects of Communications Towers on Migratory Birds .....	3060-AJ36
583	Amendment of Part 90 of the Commission's Rules .....	3060-AJ37
584	Amendment of Part 101 of the Commission's Rules for Microwave Use and Broadcast Auxiliary Service Flexibility .....	3060-AJ47
585	2004 and 2006 Biennial Regulatory Reviews —Streamlining and Other Revisions of the Commission's Rules Governing Construction, Marking, and Lighting of Antenna Structures .....	3060-AJ50

## WIRELESS TELECOMMUNICATIONS BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
586	Amendments of Various Rules Affecting Wireless Radio Services (WT Docket No. 03-264) .....	3060-AI30

## WIRELINE COMPETITION BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
587	Implementation of the Universal Service Portions of the 1996 Telecommunications Act .....	3060-AF85
588	Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information .....	3060-AG43
589	Implementation of the Local Competition Provisions of the Telecommunications Act of 1996 .....	3060-AG50
590	Local Telephone Networks That LECs Must Make Available to Competitors .....	3060-AH44
591	2000 Biennial Regulatory Review—Telecommunications Service Quality Reporting Requirements .....	3060-AH72
592	Access Charge Reform and Universal Service Reform .....	3060-AH74
593	Numbering Resource Optimization .....	3060-AH80
594	National Exchange Carrier Association Petition .....	3060-AI47
595	IP-Enabled Services .....	3060-AI48
596	Consumer Protection in the Broadband Era .....	3060-AI73
597	Establishing Just and Reasonable Rates for Local Exchange Carriers (WC Docket No. 07-135) .....	3060-AJ02

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WIRELINE COMPETITION BUREAU—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identifier Number
598	Jurisdictional Separations .....	3060-AJ06
599	Implementation of NET 911 Improvement Act .....	3060-AJ09
600	Service Quality, Customer Satisfaction, Infrastructure and Operating Data Gathering (WC Docket Nos. 08-190, 07-139, 07-204, 07-273, 07-21) .....	3060-AJ14
601	Petition to Establish Procedural Requirements to Govern Proceedings for Forbearance Under Section 10 of the Communications Act of 1934, as Amended (WC Docket No.07-267) .....	3060-AJ31
602	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

**497. 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  
Phone: 202 418-2512

Email: erica.mcmahon@fcc.gov

**RIN:** 3060-AG42

**498. 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

## FCC—Consumer and Governmental Affairs Bureau

## Long-Term Actions

Action	Date	FR Cite
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	06/17/03	
Comment Period End		
First Order on Recon & Fourth Order on Recon	03/15/05	70 FR 12605
Fifth Order on Recon Order	03/23/05	70 FR 14567
	02/04/08	73 FR 6444
Fourth R&O	03/12/08	73 FR 13144
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Agency Contact:** Nancy Stevenson, Deputy Chief, Consumer Policy Div., Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554  
Phone: 202 418-2512  
Fax: 202 418-1196  
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**RIN:** 3060-AG46

**499. 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
NPRM	05/22/98	63 FR 28456
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 65494
R&O	05/07/08	73 FR 25566
R&O	06/12/08	73 FR 33324
Public Notice	08/01/08	73 FR 45008

Action	Date	FR Cite
Policy Statement, 2nd R&O and FNPRM (release date)	08/05/10	
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

**500. 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

**Agency Contact:** Thomas Chandler, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554  
Phone: 202 418-1475  
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**RIN:** 3060-AG75

**501. 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 express written consent from recipients before making prerecorded telemarketing calls, commonly known as "robocalls," even when the caller has an established business relationship

## FCC—Consumer and Governmental Affairs Bureau

## Long-Term Actions

with the consumer. The proposals also, among other things, would require that 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
FNPRM	04/03/03	68 FR 16250
Order	07/25/03	68 FR 44144
Order Effective	08/25/03	
Order on Recon	08/25/03	68 FR 50978
Order	10/14/03	68 FR 59130
FNPRM	03/31/04	69 FR 16873
Order	10/08/04	69 FR 60311
Order	10/28/04	69 FR 62816
Order on Recon	04/13/05	70 FR 19330
Order	06/30/05	70 FR 37705
NPRM	12/19/05	70 FR 75102
Public Notice	04/26/06	71 FR 24634
Order	05/03/06	71 FR 25967
NPRM	12/14/07	72 FR 71099
Declaratory Ruling	02/01/08	73 FR 6041
R&O	07/14/08	73 FR 40183
Order on Recon	10/30/08	73 FR 64556
NPRM	03/22/10	75 FR 13471

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Agency Contact:** Kurt Schroeder, Deputy Chief, Consumer Policy Div., Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554  
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**RIN:** 3060-AI14

**502. 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

Action	Date	FR Cite
Public Notice	10/10/08	73 FR 60172
Order	10/23/08	73 FR 63078
2nd R&O and Order on Recon	12/30/08	73 FR 79683
Order	05/06/09	74 FR 20892
Public Notice	05/07/09	74 FR 21364
NPRM	05/21/09	74 FR 23815
Public Notice	05/21/09	74 FR 23859
Public Notice	06/12/09	74 FR 28046
Order	07/29/09	74 FR 37624
Public Notice	08/07/09	74 FR 39699
Order	09/18/09	74 FR 47894
Order	10/26/09	74 FR 54913
Public Notice	05/12/10	75 FR 26701
Order Deying Stay Motion (release date)	07/09/10	
Order	08/13/10	75 FR 49491

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3060-AI15

**503. 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	06/15/05	70 FR 34665
Order on Recon (release date)	03/22/07	

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

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## FCC—Consumer and Governmental Affairs Bureau

## Long-Term Actions

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**RIN:** 3060-AI20

**504. 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 FNPRM Comment Period End	06/02/05	70 FR 32258
Public Notice	08/01/05	
Public Notice Comment Period End	08/29/05	70 FR 53137-01
Order on Recon R&O	12/13/06	71 FR 74819
	01/08/08	73 FR 1297
Next Action Undetermined		

**Regulatory Flexibility Analysis  
Required:** Yes

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**RIN:** 3060-AI58

**505. 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 use of 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
R&O	05/25/05	70 FR 29979
NOI	08/28/09	
Public Notice Notice	05/20/10	75 FR 28249
Public Notice	06/11/10	75 FR 33303
Next Action Undetermined		

**Regulatory Flexibility Analysis  
Required:** Yes

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**RIN:** 3060-AI61

**506. CLOSED CAPTIONING OF VIDEO  
PROGRAMMING (SECTION 610  
REVIEW)**

**Legal Authority:** 47 USC 613

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

**Timetable:**

Action	Date	FR Cite
NPRM	02/03/97	62 FR 4959
R&O	09/16/97	62 FR 48487
NPRM	09/26/05	70 FR 56150
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
Final Rule	02/19/10	75 FR 7370
Announcement of Effective Date		
Order	02/19/10	75 FR 7368
Order Suspending Effective Date	02/19/10	75 FR 7369
Final Rule Correction	09/11/09	74 FR 46703
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060-AI72

**507. ACCESSIBILITY OF PROGRAMMING PROVIDING EMERGENCY INFORMATION**

**Legal Authority:** 47 USC 613

**Abstract:** In this proceeding, the Commission adopted rules detailing how video programming distributors must make emergency information accessible to persons with hearing and visual disabilities.

**Timetable:**

Action	Date	FR Cite
FNPRM	01/21/98	63 FR 3070

Action	Date	FR Cite
NPRM	12/01/99	64 FR 67236
NPRM Correction	12/22/99	64 FR 71712
2nd R&O	05/09/00	65 FR 26757
R&O	09/11/00	65 FR 54805
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060-AI75

**Federal Communications Commission (FCC) Office of Engineering and Technology**

## Long-Term Actions

**508. 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 no 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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**RIN:** 3060-AH47

**509. 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

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and broadband services over a variety of mobile and fixed networks.

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

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

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

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

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

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

The 9th Report and Order established procedures for the relocation of Broadband Radio Service (BRS) operations from the 2150-2160/62 MHz band, as well as for the relocation of Fixed Microwave Service (FS) operations from the 2160-2175 MHz band, and modified existing relocation procedures for the 2110-2150 MHz and 2175-2180 MHz bands. It also established cost-sharing rules to identify the reimbursement obligations for Advanced Wireless Service (AWS) and Mobile Satellite Service (MSS) entrants benefiting from the relocation of incumbent FS operations in the 2110-2150 MHz and 2160-2200 MHz bands and AWS entrants benefiting from the relocation of BRS incumbents in the 2150-2160/62 MHz band. The Commission continues its ongoing efforts to promote spectrum utilization and efficiency with regard to the provision of new services, including AWS. The Order dismisses a petition for reconsideration filed by the Wireless Communications Association International, Inc. (WCA) as moot.

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

**Timetable:**

Action	Date	FR Cite
NPRM	01/23/01	66 FR 7438
NPRM Comment Period End	03/09/01	
Final Report	04/11/01	66 FR 18740

Action	Date	FR Cite
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

**510. 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

## FCC—Office of Engineering and Technology

## Long-Term Actions

**511. UNLICENSED OPERATION IN THE TV BROADCAST BANDS (ET DOCKET NO. 04–186)**

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3060–AI52

**512. 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

## FCC—Office of Engineering and Technology

## Long-Term Actions

**513. • FIXED AND MOBILE SERVICES IN THE MOBILE SATELLITE SERVICE (ET DOCKET NO. 10–142)**

**Legal Authority:** 47 USC 154 (i) and 301; 47 USC 303(c) and 303(f); 47 USC 303(r) and 303(y); 47 USC 310

**Abstract:** The Notice of Proposed Rule Making proposes to take a number of actions to further the provision of terrestrial broadband services in the MSS bands. In the 2 GHz MSS band, the Commission proposes to add co-primary Fixed and Mobile allocations to the existing Mobile-Satellite allocation. This will lay the groundwork for providing additional flexibility in use of the 2 GHz spectrum in the future. The Commission also proposes to apply the terrestrial

secondary market spectrum leasing rules and procedures to transactions involving terrestrial use of the MSS spectrum in the 2 GHz, Big LEO, and L-bands in order to create greater certainty and regulatory parity with bands licensed for terrestrial broadband service.

The Commission also asks, in a Notice of Inquiry, about approaches for creating opportunities for full use of the 2 GHz band for stand-alone terrestrial uses. The Commission requests comment on ways to promote innovation and investment throughout the MSS bands while also ensuring market-wide mobile satellite capability to serve important needs like disaster recovery and rural access.

**Timetable:**

Action	Date	FR Cite
NPRM	08/16/10	75 FR 49871
NPRM Comment Period End	09/15/10	
Reply Comment Period End	09/30/10	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060–AJ46

**Federal Communications Commission (FCC) International Bureau**

## Long-Term Actions

**514. 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

**515. 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:** In 1997, the Commission adopted service rules for the satellite digital audio radio service (SDARS) in the 2320-2345 MHz frequency band and sought further comment on proposed rules governing the use of

complementary SDARS terrestrial repeaters. The Commission released a second further notice of proposed rulemaking in January 2008 to consider new proposals for rules to govern terrestrial repeaters operations. The Commission released a Second Report and Order on May 20, 2010, which adopted rules governing the operation of SDARS terrestrial repeaters, including establishing a blanket licensing regime for repeaters operating up to 12 kilowatts average equivalent isotropically radiated power.

**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

## FCC—International Bureau

## Long-Term Actions

**516. ALLOCATE & DESIGNATE: SPECTRUM FOR FIXED-SATELLITE SERVICE (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; GOVERNMENT OPERATIONS 37–38 & 40–**

**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

**517. 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

**518. 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 adopted a Notice or Proposed Rulemaking

## FCC—International Bureau

## Long-Term Actions

(NPRM) to streamline its procedures for reviewing satellite license applications. Before 2003, the Commission used processing rounds to review those applications. In a processing round, when an application is filed, the International Bureau (Bureau) issued a public notice establishing a cut-off date for other mutually exclusive satellite applications, and then considered all those applications together. In cases where sufficient spectrum to accommodate all the application was not available, the Bureau directed the applicants to negotiate a mutually agreeable solution. Those negotiations took a long time, and delayed provision of satellite services to the public.

The NPRM invited comment on two alternatives for expediting the satellite application process. One alternative was 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 was to streamline the processing round procedure by adopting one or more of the following proposals: (1) Place a time limit on negotiations; (2) established criteria to select among competing applicants; (3) divide the available spectrum evenly among the applicants.

In the First Report and Order in this proceeding, the Commission determined that different procedures were better-suited for different kinds of satellite applications. For most geostationary orbit (GSO) satellite applications, the Commission adopted a first-come, first-served approach. For most non-geostationary orbit (NGSO) satellite applications, the Commission adopted a procedure in which the available spectrum is divided evenly among the qualified applicants. The Commission also adopted measures to discourage applicants from filing speculative applications, including a bond requirement, payable if a licensee misses a milestone. The bond amounts originally were \$5 million for each GSO satellite, and \$7.5 million for each NGSO satellite system. These were interim amounts. Concurrently with the First Report and Order, the Commission adopted an FNPRM to determine whether to revise the bond amounts on a long-term basis.

In the Second Report and Order, the Commission adopted a streamlined

procedure for certain kinds of satellite license modification requests.

In the Third Report and Order, 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, 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

**519. 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

**520. 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

## FCC—International Bureau

## Long-Term Actions

Action	Date	FR Cite
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

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

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060-AI42

**522. 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

**523. 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

**524. CABLE TELEVISION RATE REGULATION**

**Legal Authority:** 47 USC 154; 47 USC 543

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

**Timetable:**

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

Action	Date	FR Cite
NPRM and Order	09/05/02	67 FR 56882
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3060-AF41

**525. 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

**526. 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

## FCC—Media Bureau

## Long-Term Actions

**527. 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 a security element (known as a “cablecard”) 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. Also, in this proceeding, 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 the most recent FNPRM, the Commission proposed new rules to improve the operation of the CableCard regime.

**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
4th FNPRM	05/14/10	75 FR 27256
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes

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**RIN:** 3060–AG28**528. 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

Action	Date	FR Cite
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**529. 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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## FCC—Media Bureau

## Long-Term Actions

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RIN: 3060-AH40

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

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

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

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

**Timetable:**

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

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

**Legal Authority:** 47 USC 335

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

**Timetable:**

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

**Regulatory Flexibility Analysis**

**Required:** Yes

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RIN: 3060-AH59

### 532. 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

### 533. 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. An appeal of this action is before the Third Circuit.

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**Timetable:**

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

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

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RIN: 3060-AH97

**534. 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

**535. 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

**536. 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

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

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	12/07/05	70 FR 72763
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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## Long-Term Actions

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RIN: 3060-AI68

**538. 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

**539. 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	03/02/10	75 FR 9692
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

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RIN: 3060-AI87

**540. THIRD PERIODIC REVIEW OF THE COMMISSION’S RULES AND POLICIES AFFECTING THE CONVERSION TO DIGITAL TELEVISION (MB DOCKET NO. 07-91)**

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

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

**Timetable:**

Action	Date	FR Cite
NPRM	07/09/07	72 FR 37310
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

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**541. 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
Report and NPRM	02/13/08	73 FR 8255
NPRM Comment	03/14/08	
Period End		
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060–AJ04

**542. 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 need 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
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

**543. 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	09/22/08	
Period End		
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060–AJ10

**544. 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

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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

**545. 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

**546. 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
NPRM Comment Period End	07/10/09	
First R&O	03/04/10	75 FR 9797
FNPRM	03/04/10	75 FR 9856

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3060-AJ23

**547. 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

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3060-AJ27

**548. • IMPLEMENTATION OF SECTION 203 OF THE SATELLITE TELEVISION EXTENSION AND LOCALISM ACT OF 2010 (STELA) (MB DOCKET NO. 10-148)**

**Legal Authority:** 47 USC 340

**Abstract:** In this proceeding, the Commission proposes changes to its satellite television "significantly viewed" rules to implement Section 203 of the Satellite Television Extension and Localism Act of 2010 (STELA). Section 203 of the STELA

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amends section 340 of the Communications Act, which gives satellite carriers the authority to offer out-of-market but “significantly viewed” broadcast television network stations as part of their local service to subscribers.

**Timetable:**

Action	Date	FR Cite
NPRM	07/28/10	75 FR 44198
NPRM Comment Period End	08/17/10	
Reply Comment Period End	08/27/10	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060-AJ43

Federal Communications Commission (FCC)  
Media Bureau

## Completed Actions

**549. 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

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060-AI56

Federal Communications Commission (FCC)  
Office of Managing Director

## Long-Term Actions

**550. 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
NPRM	05/02/07	72 FR 24213

Action	Date	FR Cite
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
NPRM Comment Period End	06/04/09	

Action	Date	FR Cite
R&O	08/11/09	74 FR 40089
NPRM	04/26/10	75 FR 21536
NPRM Comment Period End	05/04/10	
R&O	07/19/10	75 FR 41932
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060-AI79



**Federal Communications Commission (FCC)  
Public Safety and Homeland Security Bureau**
**Long-Term Actions**
**551. 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

**552. 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 R&O	02/11/04	69 FR 6595
Public Notice	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

**553. 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

**554. 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

### 555. 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

### 556. 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

### 557. 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
Public Notice	08/02/10	
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

**558. 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

**559. 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

**560. 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

**561. 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

**562. 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)

## Wireless Telecommunications Bureau

## Long-Term Actions

**563. 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

**564. 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

**565. 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
4th R&O [release date]	06/10/10	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060-AH55

**566. 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

Action	Date	FR Cite
Second Order on Recon of Second R&O	05/18/99	64 FR 26887
Recon of Fourth R&O	03/16/00	65 FR 14213
FNPRM	06/13/00	65 FR 37092
Sixth R&O and Order on Recon	09/05/00	65 FR 53620
Order on Recon	02/12/01	66 FR 9773
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

**567. 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

**568. 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
Correction	01/29/01	66 FR 8149
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 Rule	01/26/09	74 FR 4344
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060-AH82

**569. 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 voice services for Commercial Mobile Radio Services and whether the Commission should adopt a roaming rule for mobile data services.

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**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
Final Rule	04/28/10	75 FR 22263
FNPRM	04/28/10	75 FR 22338
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes

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**RIN:** 3060-AH83**570. 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**571. 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
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

**Agency Contact:** Michael Wilhelm, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554  
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**RIN:** 3060-AI34**572. 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
3rd R&O [Release Date]	06/15/10	
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes

**Agency Contact:** Jeff Tobias, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554  
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**RIN:** 3060-AI35**573. 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

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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

**Agency Contact:** Kelly Quinn, Assistant Chief, Auctions and Spectrum Access Division, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554  
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**RIN:** 3060-A188

### 574. 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.

**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	
R&O	06/03/10	75 FR 33729
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes

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**RIN:** 3060-AJ12

### 575. AMENDMENT OF THE RULES REGARDING MARITIME AUTOMATIC IDENTIFICATION SYSTEMS (WT DOCKET NO. 04–344)

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

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

**Timetable:**

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

**Regulatory Flexibility Analysis****Required:** Yes

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**RIN:** 3060-AJ16

### 576. 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

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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

### 577. 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
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

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

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

USC 316; 47 USC 332; 47 USC 336 and 337

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

The Commission also imposes a freeze on the filing of new license applications that seek to operate on any 700 MHz Band frequencies (698-806 MHz) after the end of the DTV transition, February 17, 2009, as well as on granting any request for equipment authorization of low power auxiliary station devices that would operate in any of the 700 MHz Band frequencies. The Commission also holds in abeyance, until the conclusion of this proceeding, any pending license applications and equipment authorization requests that involve operation of low power auxiliary devices on frequencies in the 700 MHz Band after the end of the DTV transition.

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 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.



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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
FNPRM Comment Period End	03/22/10	
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes

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**RIN:** 3060-AJ21

**579. 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

**580. 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	
R&O	06/11/10	75 FR 41767
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes

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Commission, 445 12th Street SW., Washington, DC 20554  
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**RIN:** 3060-AJ28

**581. 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.

**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

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**582. 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**

**Agency Contact:** Jeff Steinberg, Deputy Chief, Spectrum and Competition Div, WTB, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554  
Phone: 202 418-0896

**RIN:** 3060-AJ36

**583. 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
FNPRM	04/14/10	75 FR 19340
Next Action Undetermined		

**Regulatory Flexibility Analysis Required: Yes**

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**RIN:** 3060-AJ37

**584. • AMENDMENT OF PART 101 OF THE COMMISSION'S RULES FOR MICROWAVE USE AND BROADCAST AUXILIARY SERVICE FLEXIBILITY**

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

**Abstract:** In this document, the Commission commences a proceeding to remove regulatory barriers to the use of spectrum for wireless backhaul and other point-to-point and point-to-multipoint communications.

**Timetable:**

Action	Date	FR Cite
NPRM	08/05/10	75 FR 52185
NPRM Comment Period End	11/22/10	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required: Yes**

**Agency Contact:** John Schauble, Deputy Chief, Broadband Division, WTB, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554  
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**RIN:** 3060-AJ47

**585. • 2004 AND 2006 BIENNIAL REGULATORY REVIEWS —STREAMLINING AND OTHER REVISIONS OF THE COMMISSION'S RULES GOVERNING CONSTRUCTION, MARKING, AND LIGHTING OF ANTENNA STRUCTURES**

**Legal Authority:** 47 USC 154(i)-(j) and 161; 47 USC 303(q)

**Abstract:** In this NPRM, the Commission seeks comment on revisions to part 17 of the Commission's rules governing construction, marking, and lighting of antenna structures. The Commission initiated this proceeding to update and modernize the part 17 rules. These proposed revisions are intended to improve compliance with these rules and allow the Commission to enforce them more effectively, helping to better ensure the safety of pilots and aircraft passengers nationwide. The proposed revisions would also remove outdated and burdensome requirements without compromising the Commission's statutory responsibility to prevent antenna structures from being hazards or menaces to air navigation.

**Timetable:**

Action	Date	FR Cite
NPRM	05/21/10	75 FR 28517
NPRM Comment Period End	08/19/10	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required: Yes**

**Agency Contact:** John Borkowski, Attorney-Advisor, Federal Communications Commission, 2025 M Street NW., Washington, DC 20554  
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**RIN:** 3060-AJ50

**Federal Communications Commission (FCC) Wireless Telecommunications Bureau****Completed Actions****586. 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

Action	Date	FR Cite
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

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## Completed Actions

Action	Date	FR Cite
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

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060–AI30

## Federal Communications Commission (FCC)

## Long-Term Actions

## Wireline Competition Bureau

**587. 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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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,

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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

Action	Date	FR Cite
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
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

Action	Date	FR Cite
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
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

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**588. 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

**589. IMPLEMENTATION OF THE LOCAL COMPETITION PROVISIONS OF THE TELECOMMUNICATIONS ACT OF 1996**

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

**Abstract:** On August 8, 1996, the Commission adopted the Local

Competition Second Report and Order (FCC 96-333), implementing the dialing parity, nondiscriminatory access, network disclosure, and numbering administration provisions of the Telecommunications Act of 1996. On July 19, 1999, the Commission released the First Order on Reconsideration (FCC 99-170), denying the petition for reconsideration of the Local Competition Second Report and Order filed by Beehive Telephone Company, Inc., which related to numbering administration.

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

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

On January 9, 2002, the Commission released the Directory Assistance NPRM (FCC 01-384), in which the Commission solicited comment on whether there is sufficient competition in the retail DA market, and if not, what if any action the Commission should take to promote such competition. The Commission sought specific comment on whether alternative dialing methods would promote competition. Proposed methods include: (1) Presubscription to

411; (2) utilizing national 555 numbers; (3) utilizing carrier access codes (1010 numbers); and (4) utilizing 411XX numbers. The Commission also sought comment on whether the 411 dialing code should be eliminated. This proceeding is pending before the Commission.

On January 29, 2002, the Commission released an Order on Reconsideration (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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## Long-Term Actions

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**RIN:** 3060-AG50

### 590. 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	

Action	Date	FR Cite
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

### 591. 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
NPRM Comment	02/16/01	
Period End		
Next Action Undetermined		

### Regulatory Flexibility Analysis

**Required:** Yes

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**RIN:** 3060-AH72

### 592. 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

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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

**593. 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 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

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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.

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

**594. 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

**595. 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"



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

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060-AI48

### 596. 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 authority 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 authority.

#### Timetable:

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

Next Action Undetermined

#### Regulatory Flexibility Analysis

**Required:** Yes

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**RIN:** 3060-AI73

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

**Legal Authority:** Not Yet Determined

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

#### Timetable:

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

Next Action Undetermined

#### Regulatory Flexibility Analysis

**Required:** Yes

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**RIN:** 3060-AJ02

### 598. 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
R&O	05/25/10	75 FR 30301

Next Action Undetermined

#### Regulatory Flexibility Analysis

**Required:** Yes

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**RIN:** 3060-AJ06

### 599. IMPLEMENTATION OF NET 911 IMPROVEMENT ACT

**Legal Authority:** PL 110-283

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

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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	
Order	07/06/09	74 FR 31860
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3060-AJ09

**600. • SERVICE QUALITY, CUSTOMER SATISFACTION, INFRASTRUCTURE AND OPERATING DATA GATHERING (WC DOCKET NOS. 08-190, 07-139, 07-204, 07-273, 07-21)**

**Legal Authority:** 47 USC 151 to 155; 47 USC 160 and 161; 47 USC 20 to 205; 47 USC 215; 47 USC 218 to 220; 47 USC 251 to 271; 47 USC 303(r) and 332; 47 USC 403; 47 USC 502 and 503

**Abstract:** This NPRM tentatively proposes to collect infrastructure and operating data that is tailored in scope to be consistent with Commission objectives from all facilities-based providers of broadband and telecommunications. Similarly, the NPRM also tentatively proposes to collect data concerning service quality and customer satisfaction from all facilities-based providers of broadband and telecommunications. The NPRM seeks comment on the proposals, on the specific information to be collected, and on the mechanisms for collecting information.

**Timetable:**

Action	Date	FR Cite
NPRM	10/15/08	73 FR 60997
NPRM Comment Period End	11/14/08	
Reply Comment Period End	12/15/08	
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3060-AJ14

**601. • PETITION TO ESTABLISH PROCEDURAL REQUIREMENTS TO GOVERN PROCEEDINGS FOR FORBEARANCE UNDER SECTION 10 OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED. (WC DOCKET NO.07-267)**

**Legal Authority:** 47 USC 151; 47 USC 154 (i); 47 USC 154 (j); 47 USC 155(c); 47 USC 160; 47 USC 201; 47 USC 303(r)

**Abstract:** This Report and Order implements procedural rules governing petitions for forbearance filed pursuant to section 10 of the Communications Act of 1934, as amended. Pursuant to section 10, the Commission shall forbear from applying any statutory provision or regulation if it determines that: (1) Enforcement of the regulation is not necessary to ensure that the telecommunications carrier's charges, practices, classifications, or regulations are just, reasonable, and not unjustly or unreasonably discriminatory; (2) enforcement of the regulation is not necessary to protect consumers; and (3) forbearance from applying such provision or regulation is consistent with the public interest. In determining whether forbearance is consistent with the public interest, the Commission also must consider whether forbearance from enforcing the provision or regulation will promote competitive market conditions. The Commission must act on forbearance petitions within one year; if the Commission fails to act the petition is deemed granted. In order to act within 1 year, and to present a stable petition for comment, this Order requires that forbearance petitions must be complete as filed. This rule requires forbearance petitioners to state with specificity all relevant provisions, rules, carriers, services, geographic areas, and other factors; to apply each statutory criterion to each rule; to identify needed data that the petitioner lacks; to meet routine filing requirements at 47 C.F.R. §1.49; and to send the petition to forbearance@fcc.gov, together with supporting data (including market data) and any supporting statements. The

Order further clarifies that whenever a petitioner files a petition for forbearance, the petitioner bears the burden of proof with respect to establishing that the statutory criteria for granting forbearance are met. The Order adopts procedures to ensure that forbearance petitions are addressed in a manner that is actively managed, transparent, and fair. Notable among these are rules restricting ex parte communications 14 days before the deadline for Commission action, and limiting unauthorized withdrawals of forbearance petitions after the reply comment date plus 10 business days.

**Timetable:**

Action	Date	FR Cite
NPRM	02/06/08	73 FR 6888
Final Action	08/06/09	74 FR 39219
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

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**RIN:** 3060-AJ31

**602. 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

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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.

**Timetable:**

Action	Date	FR Cite
NPRM	02/21/08	73 FR 9507
R&O and FNPRM	07/02/09	74 FR 31630
R&O	06/22/10	75 FR 35305

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

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**RIN:** 3060-AJ32

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