

states and U.S. off-shore points or report separately the traffic between U.S. off-shore points and foreign points will reduce the burden of the annual traffic and revenue report and the circuit-status reports for both large and small carriers. Further, the decision to eliminate the large-carrier report under 47 CFR 43.61(b), the foreign-affiliated-carrier quarterly reports under 47 CFR 43.61(c), the circuit-addition report under 47 CFR 63.23(e), and the telegraph division-of-tolls report under 47 CFR 43.51 will also reduce the burden of the international reporting requirements on both large and small carriers. As such, we believe that the policies adopted in the First Report and Order will not significantly increase any burdens on small carriers. Because this First Report and Order does not adopt additional regulations for service providers, the Commission does not need to consider any alternative approaches that would minimize the economic impact of the reporting requirements on small businesses.

#### Report to Congress

36. The Commission will send a copy of this First Report and Order and Further Notice of Proposed Rulemaking, including this FRFA, in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional review Act.<sup>29</sup> In addition, the Commission will send a copy of the First Report and Order and Further Notice of Proposed Rulemaking, including a copy of this FRFA, to the Chief Counsel for Advocacy of the SBA. A copy of the First Report and Order and Further Notice of Proposed Rulemaking and FRFA (or summaries thereof) will also be published in the **Federal Register**.<sup>30</sup>

#### Ordering Clauses

37. Accordingly, *it is ordered* that, pursuant to sections 1, 4(i)–4(j), 11, 201–205, 211, 214, 219, 220, 303(r), 309 and 403 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i)–154(j), 161, 201–205, 211, 214, 219–220, 303(r), 309, 403, the policies, rules and requirements discussed in this Report and Order *are adopted* and Parts 43 and 63 of the Commission's rules, 47 CFR parts 43 and 63 *are amended* as set forth below.

38. *It is further ordered* that the Motion for Leave to File Reply Comments One Day Late filed by Kelley Drye & Warren LLP *is granted*.

39. *It is further ordered* that the Commission's Consumer and

Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this Report and Order, including the Final Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with section 603(a) of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*

40. *It is further ordered* that the Commission *shall send* a copy of this First Report and Order in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

#### List of Subjects in 47 CFR Part 43 and 63

Communications common carriers, Reporting and recordkeeping requirements, Telegraph, Telephone.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

#### Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 43 and 63 as follows:

#### PART 43—REPORTS OF COMMUNICATION COMMON CARRIERS, PROVIDERS OF INTERNATIONAL INTERCONNECTED VOICE OVER INTERNET PROTOCOL SERVICES AND CERTAIN AFFILIATES

■ 1. The authority citation for part 43 continues to read as follows:

**Authority:** 47 U.S.C. 154; Telecommunications Act of 1996, Pub. L. 104–104, sec. 402(b)(2)(B), (c), 110 Stat. 56 (1996) as amended unless otherwise noted. 47 U.S.C. 211, 219, 220 as amended.

#### § 43.53 [Removed]

■ 2. Remove § 43.53.

■ 3. Section 43.61 is amended by revising paragraph (a) introductory text, removing and reserving paragraph (b), and removing paragraph (c).

The revision reads as follows:

#### § 43.61 Reports of international telecommunications traffic.

(a) Each common carrier engaged in providing international telecommunications service between the United States (as defined in the Communications Act, as amended, 47 U.S.C. 153) and any country or point outside that area shall file a report with the Commission not later than July 31 of each year for service actually provided in the preceding calendar year.

\* \* \* \* \*

■ 4. § 43.82 is amended by revising paragraph (a) to read as follows:

#### § 43.82 International circuit status reports.

(a) Each facilities-based common carrier engaged in providing international telecommunications service between the United States (as defined in the Communications Act, as amended, 47 U.S.C. 153) and any country or point outside that area shall file a circuit-status report with the Chief, International Bureau, not later than March 31 each year showing the status of its circuits used to provide international services as of December 31 of the preceding calendar year.

\* \* \* \* \*

#### PART 63—EXTENSION OF LINES, NEW LINES, AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS

■ 5. The authority citation for part 63 continues to read as follows:

**Authority:** Sections 1, 4(i), 4(j), 10, 11, 201–205, 214, 218, 403 and 651 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 160, 201–205, 214, 218, 403, and 571, unless otherwise noted.

#### § 63.23 [Amended]

■ 6. Section 63.23 is amended by removing paragraph (e) and redesignating paragraph (f) as paragraph (e).

[FR Doc. 2011–18156 Filed 7–18–11; 8:45 am]

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#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[FCC 11–73; MM Docket No. 00–148; RM–9939, RM–10198]

#### Radio Broadcasting Services; Oklahoma and Texas

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; application for review.

**SUMMARY:** This document denies the Application for Review filed by Rawhide Radio, LLC, Capstar TX Limited Partnership, Clear Channel Broadcasting Licenses, Inc., and CCB Texas Licenses, L.P. (“Joint Petitioners”) of the dismissal of a second alternative proposal to their Counterproposal in this proceeding because it was technically defective.

<sup>29</sup> See 5 U.S.C. 801(a)(1)(A).

<sup>30</sup> See 5 U.S.C. 604(b).

**FOR FURTHER INFORMATION CONTACT:** Peter H. Doyle, Chief, Audio Division, Media Bureau, (202) 418-2700, or Andrew J. Rhodes, Audio Division, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Memorandum Opinion and Order*, MM Docket No. 00-148, adopted May 5, 2011, and released May 6, 2011. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>.

A *Notice of Proposed Rule Making* ("NPRM") in this proceeding proposed the allotment of a new FM channel at Quanah, Texas. See 65 FR 53689 (September 5, 2000). In response to the NPRM, the Joint Petitioners filed a mutually exclusive Counterproposal involving 22 communities in Texas and Oklahoma, as well as two alternative proposals. The staff dismissed the original Counterproposal and the first alternative proposal for technical defects, and these actions are not contested by the Joint Petitioners. See 68 FR 26557 (May 16, 2003). The Joint Petitioners seek review of the dismissal of the second alternative proposal in the *Memorandum Opinion and Order* in this proceeding on the grounds that it was a technically acceptable proposal and that the staff should have made it the subject of a separate Notice of Proposed Rule Making. See 69 FR 29242 (May 21, 2004).

The document reasons that, contrary to the Joint Petitioners' contention, the second alternative proposal had two fatal defects that prevented its consideration as either a rule making petition or a counterproposal. Specifically, one of the proposed allotments conflicted with a previously filed, cut-off allotment proposal in another proceeding and was impermissibly contingent upon the staff's approval of a request to withdraw that proposal. Another proposed reallocation had an unsuitable transmitter site located in or near the Colorado River. Because counterproposals must be technically correct and substantially complete when filed, the second alternative proposal was properly dismissed. To the extent that curative amendments have been

allowed in some cases, the document finds that this practice has been inconsistently applied and the public interest is better served by no longer entertaining curative amendments for counterproposals or FM allotment rule making proposals.

The Commission will not send a copy of this *Memorandum Opinion and Order* to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because the Application for Review was denied.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding. See 46 FR 11549 (February 9, 1981).

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 2011-17103 Filed 7-18-11; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 73 and 74

[MB Docket No. 09-52; FCC 11-28]

#### Policies To Promote Rural Radio Service and To Streamline Allotment and Assignment Procedures

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rules; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, the information collection requirements contained in 47 CFR 73.7000, FCC Forms 301 and 340 and the AM Auction Section 307(b) Submissions. The information collection requirements were approved on July 5, 2011 and July 11, 2011 by OMB.

**DATES:** The amendments to 47 CFR 73.7000, FCC Forms 301 and 340 and the AM Auction Section 307(b) Submissions, published at 76 FR 18942, April 6, 2011, are effective on July 19, 2011.

**FOR FURTHER INFORMATION CONTACT:** For additional information contact Cathy Williams on (202) 418-2918 or via e-mail to: [cathy.williams@fcc.gov](mailto:cathy.williams@fcc.gov) (<mailto:cathy.williams@fcc.gov>).

**SUPPLEMENTARY INFORMATION:** This document announces that on July 5, 2011 and July 11, 2011, OMB approved, for a period of three years, the information collection requirements contained in 47 CFR 73.7000, FCC

Forms 301 and 340 and the AM Auction Section 307(b) Submissions. The Commission publishes this document to announce the effective date of this rule section and form revisions. See, In the Matter of Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures, MB Docket No. 09-52; FCC 11-28, 76 FR 18942, April 6, 2011.

### Synopsis

As required by the Paperwork Reduction Act of 1995, (44 U.S.C. 3507), the Commission is notifying the public that it received OMB approval on July 5 and July 11, 2011, for the information collection requirement contained in 47 CFR 73.7000, Forms 301 and 340 and the AM Auction Section 307(b) Submissions. Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a valid OMB Control Number.

The OMB Control Numbers are 3060-0027, 3060-0029 and 3060-0996 and the total annual reporting burdens for respondents for this information collection are as follows:

*OMB Control Number:* 3060-0027.

*Title:* Application for Construction Permit for Commercial Broadcast Station, FCC Form 301.

*OMB Approval Date:* July 5, 2011.

*OMB Expiration Date:* July 31, 2014.

*Form Number:* FCC Form 301.

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

*Respondents:* Business or other for-profit entities; Not-for-profit entities; State, local or Tribal governments.

*Number of Respondents and Responses:* 4,544 respondents; 7,980 responses.

*Estimated Time per Response:* 1- 6.25 hours (average).

*Frequency of Response:* On occasion reporting requirement; Third-party disclosure requirement.

*Obligation To Respond:* Required to obtain or retain benefits. Statutory authority for the information collection requirements is contained in Sections 154(i), 303 and 308 of the Communications Act of 1934, as amended.

*Total Annual Burden:* 20,257 hours.

*Total Annual Costs:* \$88,116,793.

*Nature and Extent of Confidentiality:* There is no need for confidentiality with this collection of information.

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