

shall serve a written proposed determination on the recipient. The proposed determination shall:

(1) State the grounds and effective date for the proposed suspension;

(2) Identify, with reasonable specificity, any facts or documents relied upon as justification for the suspension;

(3) Specify what, if any, prompt corrective action the recipient can take to avoid or end the suspension;

(4) Advise the recipient that it may request, within 5 business days of receipt of the proposed determination, an informal meeting with the Corporation at which it may attempt to show that the proposed suspension should not be imposed; and

(5) Advise the recipient that, within 10 business days of its receipt of the proposed determination and without regard to whether it requests an informal meeting, it may submit written materials in opposition to the proposed suspension.

(c) If the recipient requests an informal meeting with the Corporation, the Corporation shall designate the time and place for the meeting. The meeting shall occur within 5 business days after the recipient's request is received.

(d) The informal meeting shall be conducted by the Corporation employee who issued the preliminary determination or any other Corporation employee with a seniority level at, or equivalent to, the level of an office director or higher.

(e) At the informal meeting, the Corporation and the recipient shall both have an opportunity to state their case, seek to narrow the issues, explore the possibilities of settlement or compromise including implementation of corrective actions, and submit written materials.

(f) The Corporation shall consider any written materials submitted by the recipient in opposition to the proposed suspension and any oral presentation or written materials submitted by the recipient at an informal meeting. If, after considering such materials, the Corporation determines that the recipient has failed to show that the suspension should not become effective, the Corporation may issue a written final determination to suspend financial assistance to the recipient in whole or in part and under such terms and conditions the Corporation deems appropriate and necessary. The final determination shall include a summary of the issues raised in the informal conference and presented in any written materials. The final determination need not engage in a detailed analysis of all issues raised.

(g) The final determination shall be promptly transmitted to the recipient in a manner that verifies receipt of the determination by the recipient, and the suspension shall become effective when the final determination is received by the recipient or on such later date as is specified therein.

(h) If a suspension lasts for more than 30 days, then the recipient may seek review of the suspension by the President. A request may be made in writing on the thirty-first day or any day thereafter, and shall state, in detail, the reasons for seeking review.

(1) The President may not review the suspension appeal if the President has had prior involvement in the suspension proceedings. If the President cannot review, or the President chooses not to do so, then the appeal shall be reviewed by either the individual designated to do so pursuant to § 1623.4(a) of this part, or by another senior Corporation employee designated by the President who has not had prior involvement in the suspension proceedings.

(2) The President's review shall be based on the administrative record of the proceedings, including the appeal to the President, and any additional submissions, either oral or in writing that the President may request. A recipient shall be given a copy of, and an opportunity to respond to, any additional submissions made to the President. All submissions and responses made to the President shall become part of the administrative record. Upon request, the Corporation shall provide a copy of the administrative record to the recipient.

(3) The President shall affirm, modify, or terminate the suspension through a suspension appeal decision within 15 calendar days of receipt of the appeal by the Corporation, unless the Corporation and the recipient agree to a later date.

(i) The Corporation may at any time rescind or modify the terms of the final determination to suspend and, on written notice to the recipient, may reinstate the suspension without further proceedings under this part.

(j) Except as provided in § 1623.4(k) of this part, the total time of a suspension shall not exceed 90 calendar days, unless the Corporation and the recipient agree to a continuation of the suspension without further proceedings under this part.

(k) When the suspension is based on the grounds in § 1623.3(b) of this part, a recipient's funds may be suspended until an acceptable audit is completed. No appeal to the President will be available for audit-based suspensions pursuant to § 1623.3(b).

#### § 1623.5 Time extensions and waiver.

(a) Except for the time limits in § 1623.4(i) and (j), any period of time provided in this part may be extended by the Corporation for good cause. Requests for extensions of time shall be considered in light of the overall objective that the procedures prescribed by this part ordinarily shall be concluded within 30 calendar days of the service of the proposed determination.

(b) Any other provision of this part may be waived or modified by agreement of the recipient and the Corporation for good cause.

(c) Failure by the Corporation to meet a time requirement of this part shall not preclude the Corporation from suspending a recipient's grant or contract with the Corporation.

#### § 1623.6 Interim funding.

(a) Pending the completion of suspension proceedings under this part, the Corporation shall provide the recipient with the level of financial assistance provided for under its current grant or contract with the Corporation.

(b) Funds withheld pursuant to a suspension shall be released to the recipient at the end of the suspension period.

Dated: February 6, 2013.

**Victor M. Fortuno.**

*Vice President & General Counsel.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 1

[CG Docket No. 12-129; FCC 12-129]

#### Implementation of the Middle Class Tax Relief and Job Creation Act of 2012; Establishment of a Public Safety Answering Point Do-Not-Call Registry

**AGENCY:** Federal Communications Commission.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains a correction to the final regulations of the Commission's rules, which were published in the **Federal Register** on November 29, 2012, 77 FR 71131. The final regulations establish a do-not-call registry for public safety answering points (PSAP) and prohibit the use of automatic dialing equipment to contact those registered numbers.

**DATES:** Effective February 13, 2013.

**FOR FURTHER INFORMATION CONTACT:** Richard D. Smith, Consumer and

Governmental Affairs Bureau at (717) 338-2797 or email [Richard.Smith@fcc.gov](mailto:Richard.Smith@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Communications Commission published a document amending 47 CFR 1.80 in the **Federal Register** on November 29, 2012, (77 FR 71131). The amended rules are necessary to implement the enforcement provisions of the Middle Class Tax Relief and Job Creation Act of 2012 as applicable to the PSAP Do-Not-Call registry.

#### Need for Correction

As published, the final regulations inadvertently created two § 1.80(b)(7)'s in the Commission's rules and needs to be corrected accordingly.

#### List of Subjects in 47 CFR Part 1

Administrative practice and procedure.

Federal Communications Commission.

**Marlene H. Dortch**,  
Secretary.

Accordingly, 47 CFR part 1 is corrected by making the following correcting amendments:

#### PART 1—PRACTICE AND PROCEDURE

- 1. The authority citation for part 1 is revised to read as follows:

**Authority:** 15 U.S.C. 79 *et seq.*; 47 U.S.C. 151, 154(i), 154(j), 155, 157, 225, 227, 303(r), and 309, the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. 112-96, and 47 U.S.C. 1473.

#### Subpart A—General Rules of Practice and Procedure

- 2. Amend § 1.80 by redesignating the second paragraph (b)(7) as paragraph (b)(9) and republishing the heading of newly redesignated paragraph (b)(9) to read as follows:

##### § 1.80 Forfeiture proceedings.

(b) \* \* \*

(9) *Inflation adjustments to the maximum forfeiture amount.* \* \* \*

\* \* \* \* \*

[FR Doc. 2013-03230 Filed 2-12-13; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 54

[WC Docket Nos. 10-90 and 05-337; DA 12-1777]

##### Data Specifications for Collecting Study Area Boundaries

**AGENCY:** Federal Communications Commission.

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

**SUMMARY:** In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget (OMB) has approved, until July 31, 2013, the information collection associated with the Commission's Connect America Fund; High-Cost Universal Service Support, Report and Order, (*Order*), released on November 6, 2012. The Commission submitted a request for approval of a new collection under control number 3060-1181 to the OMB for review and approval, as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520). This notice is consistent with the *Order*, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of those rules once it receives OMB approval.

**DATES:** Paragraph 16 and Appendix A of document DA 12-1777, published at 78 FR 5750, January 28, 2013, are effective February 27, 2013.

**FOR FURTHER INFORMATION CONTACT:** Chelsea Fallon, Assistant Division Chief, Wireline Competition Bureau, at (202) 418-7991.

**SUPPLEMENTARY INFORMATION:** This document announces that, on January 23, 2013, OMB approved, for a period of six months, the information collection requirements contained in the Commission's *Order*, FCC 12-1777, published at 78 FR 5750, January 28, 2013. The OMB Control Number is 3060-1181. The Commission publishes this notice as an announcement of the effective date of paragraph 16 and Appendix A of document DA 12-1777. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Judith Boley-Herman, Federal Communications Commission, Room 1-B441, 445 12th Street SW., Washington, DC 20554. Please include the OMB Control Number, 3060-1181, in your correspondence. The Commission also

will accept comments via email. Please send them to [PRA@fcc.gov](mailto:PRA@fcc.gov).

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

#### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval on January 23, 2013, for the information collection requirements contained in paragraph 16 and Appendix A of document DA 12-1777.

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 current, valid OMB Control Number. The OMB Control Number is 3060-1181.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

*OMB Control Number:* 3060-1181.

*OMB Approval Date:* January 23, 2013.

*OMB Expiration Date:* July 31, 2013.

*Title:* Study Area Boundary Data Reporting in Esri Shapefile Format, DA 12-1777.

*Form Number:* N/A.

*Respondents:* Incumbent local exchange carriers, and state regulatory entities.

*Number of Respondents and Responses:* 1,443 respondents; 1,443 responses.

*Estimated Time per Response:* 26 hours.

*Frequency of Response:* Annually if changes to study area boundaries; biannually for recertification or previously submitted data.

*Obligation to Respond:* Required. Statutory authority for this information collection is contained in 47 U.S.C. 254(b).

*Total Annual Burden:* 7,924 hours for in-house work for large incumbent local exchange carriers

*Total Annual Cost:* \$705,935.00 contracting costs for small incumbent local exchange carriers.

*Nature and Extent of Confidentiality:* The Commission is not requesting that