

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

respondents submit confidential information to the Commission. Also, respondents may request materials or information submitted to the Commission be withheld from public inspection under 47 CFR 0.459 of the Commission's rules.

*Needs and Uses:* In November 2012, the Wireline Competition Bureau of the Federal Communications Commission adopted a *Report and Order (Order)*, in WC Docket No. 10–90; WC Docket No. 05–337; DA 12–1777, 78 FR 5750, Connect America Fund; High-Cost Universal Service Support.

The *Order* adopts data specifications for collecting study area boundaries for purposes of implementing various reforms adopted as part of the *USF/ICC Transformation Order*, 76 FR 73830, November 29, 2011. In the *USF/ICC Transformation FNPRM*, 76 FR 78384, December 16, 2011, the Commission sought comment on a process to reduce support where such an unsubsidized competitor offers voice and broadband service to a substantial majority, but not 100 percent of the study area. Study area boundaries are needed to determine whether unsubsidized competitors offer service within all or a portion of an incumbent's study area.

The *Order* requires incumbent local exchange carriers (LECs) to submit esri shapefiles of their study area boundaries, with each submitted shapefile representing a single study area in each state that the incumbent LEC serves. The shapefile for each study area must depict each exchange within the study area as a closed, non-overlapping polygon. Each exchange-area polygon must constitute one record in the shapefile and must contain associated data with certain attributes used to identify the exchange, such as the exchange name and CLLI (Common Language Location Identifier) code. The Bureau will collect study area boundary data at the exchange level so that it can distinguish those exchanges that are subject to "frozen" support levels from those that are not, and so that the data can be updated to reflect any exchanges that have been transferred from one incumbent LEC to another.

The *Order* finds that collecting study area boundary data in an esri shapefile format best balances the need for accurate and timely data with the goal of minimizing burdens on providers. The *Order* states that the esri shapefile is the best among possible data formats. Since its introduction in the 1990s, the esri shapefile has become the industry standard for storing, depicting, and analyzing spatial data. As a result, there are multiple geographic information system (GIS) platforms capable of

creating and managing esri shapefiles, and multiple software programs can convert spatial data stored in other formats (such as MapInfo) to an esri shapefile format. Incumbent LECs that do not already have esri shapefiles of their study area boundaries may either use software and information technology, and/or rely on the expertise of consultants, to develop a shapefile based on the presumably known locations of their physical plant and their customers. Thus, the benefits gained by requiring incumbent LECs to provide and verify esri shapefiles warrant the potential burdens imposed. Incumbent LECs or other entities are not expected to conduct physical surveys in order to produce the degree of accuracy required by the data specification. Incumbent LECs reasonably can be expected to know where they offer services and thus should be able to create and submit an esri shapefile to the degree of accuracy required based largely on existing information.

State entities are well situated to assist incumbent LECs with their responsibilities under this R&O. Involvement of state entities that undertake or assist with this data collection effort could reduce the burden on incumbent LECs and on Commission staff, particularly because some states already have digitized service territory boundaries. State entities wishing to submit such data should notify the Commission in writing of their intention to do so and submit that notice to WC Docket No. 10–90 via the Commission's Electronic Comment Filing System (ECFS). The Bureau will release a Public Notice identifying the deadlines for these notices (as well as the deadlines for the shapefile submissions and incumbent LEC certifications). In cases where a state entity uploads data to the Commission-sponsored Web site on behalf of one or more incumbent LECs, each incumbent LEC whose data are submitted by the state must log into the Web site to review the shapefile. If the incumbent LEC has a reasonable basis to conclude the shapefile is correct, the incumbent LEC can certify and submit the data using the same web interface. The reporting obligation set forth in the *Order* ultimately rests with incumbent LECs; state entities may not certify as to the accuracy of the data on behalf of incumbent LECs. If the incumbent LEC cannot certify that the data submitted by the state entities are correct, the incumbent LEC must so notify the Bureau and upload corrected data, either on its own or in conjunction with the state entity that filed it. The

incumbent LEC can then certify that the study area boundary data are accurate.

After reviewing and, if necessary, correcting the study area boundary data submitted by itself or a state entity, each incumbent LEC must certify the accuracy of the data. An official of the firm, such as a corporate officer, managing partner, or sole proprietor, must provide an electronic signature certifying that he or she has examined the study area boundary shapefile and that, to the best of his or her knowledge, information, and belief, the data contained in the shapefile are accurate and correct. The certifying official may be different from the GIS specialist or other individual who developed the study area boundary shapefile, and the web interface will allow filers to enter contact information for both the certifying official and the individual most knowledgeable about the spatial data.

Once the shapefiles have been submitted and certified, the Bureau will review the study area boundaries and resolve any voids and overlaps. Overlap areas would be those shown to be served by more than one incumbent LEC, while void areas would be those shown to be served by no incumbent LEC. The Bureau will attempt to distinguish unpopulated void areas from populated void areas that are likely to be served by some incumbent LEC, in which case an error in the submitted data may need to be resolved. The Bureau may also seek help from state commissions to resolve gaps, voids, and overlap issues. During review, if boundary overlaps or void areas are found in the submitted boundary data, the Bureau will contact the filer(s) to resolve such issues. Once these issues are resolved, the Bureau will ask incumbent LECs to recertify the new, corrected boundaries. When a complete set of the reconciled boundaries has been compiled the study area boundary data will be published.

Incumbent LECs must provide updated data when their study area boundaries change. Incumbent LECs and/or state entities must submit updated data by March 15 of each year, beginning the year following the initial data submissions, showing any changes made by December 31 of the previous year. The incumbent LEC is responsible for making any necessary changes and for filing the revised shapefile. The changes cannot be made using the web interface itself; incumbent LECs will need to modify the shapefile. However, incumbent LECs can upload a revised shapefile to the same Web site used for the original filing. In addition, all incumbent LECs must recertify their

study area boundary data every two years. Filers will need to examine, through the web interface described below, the boundary data previously submitted, and then either certify that they are correct or submit revised data.

In the near future, the Bureau will issue a Public Notice providing detailed instructions and announcing the deadline for the submission of data and providing further filing information. The Commission plans to submit information required to obtain OMB review and approval to extend approval of this collection.

Federal Communications Commission.

**Lisa Gelb,**

*Deputy Bureau Chief, Wireline Competition Bureau.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 622

[Docket No. 120403249-2492-02]

RIN 0648-XC437

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; trip limit reduction.

**SUMMARY:** NMFS reduces the commercial trip limit for golden tilefish in the South Atlantic to 300 lb (136 kg), gutted weight, per trip in or from the exclusive economic zone (EEZ). This trip limit reduction is necessary to protect the South Atlantic golden tilefish resource.

**DATES:** This rule is effective 12:01 a.m., local time, February 18, 2013, through December 31, 2013, unless changed by subsequent notification in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Catherine Hayslip, telephone: 727-824-5305, or email: [Catherine.Hayslip@noaa.gov](mailto:Catherine.Hayslip@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The snapper-grouper fishery includes golden tilefish in the South Atlantic and is managed under the Fishery Management Plan for the Snapper-Grouper Resources of the South Atlantic

(FMP). The FMP was prepared by the South Atlantic Fishery Management Council and is implemented under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) by regulations at 50 CFR part 622.

Under 50 CFR 622.44(c)(2), NMFS is required to reduce the trip limit in the commercial sector for golden tilefish from 4,000 lb (1,814 kg) to 300 lb (136 kg) per trip when 75 percent of the fishing year quota is met prior to September 1, by filing a notification to that effect with the Office of the Federal Register. As implemented by the final rule for Regulatory Amendment 12 (77 FR 61295, October 9, 2012), the commercial quota for golden tilefish in the South Atlantic is 541,295 lb (245,527 kg), gutted weight, as specified in 50 CFR 622.42(e)(2). Based on current statistics, NMFS has determined that 75 percent of the available commercial quota of 541,295 lb (245,527 kg), gutted weight, for golden tilefish will be reached on or before February 18, 2013. Accordingly, NMFS is reducing the commercial golden tilefish trip limit to 300 lb (136 kg), gutted weight, in the South Atlantic EEZ from 12:01 a.m., local time, on February 18, 2013, until the quota is reached and the commercial sector closes, or through December 31, 2013, whichever occurs first.

#### Classification

The Regional Administrator, Southeast Region, NMFS, has determined this temporary rule is necessary for the conservation and management of South Atlantic golden tilefish and is consistent with the Magnuson-Stevens Act and other applicable laws.

This action is taken under 50 CFR 622.44(c)(2) and is exempt from review under Executive Order 12866.

These measures are exempt from the procedures of the Regulatory Flexibility Act because the temporary rule is issued without opportunity for prior notice and comment.

Pursuant to 5 U.S.C. 553(b)(B), the Assistant Administrator for Fisheries, NOAA, (AA), finds good cause to waive the requirements to provide prior notice and the opportunity for public comment on this temporary rule. Such procedures are unnecessary because the rule itself has already been subject to notice and comment, and all that remains is to notify the public of the trip limit reduction.

Allowing prior notice and opportunity for public comment is contrary to the public interest because of the need to immediately implement this action to protect golden tilefish

because the capacity of the fishing fleet allows for rapid harvest of the quota. Prior notice and opportunity for public comment for this trip limit reduction would require time and would potentially result in a harvest well in excess of the established quota.

For the aforementioned reasons, the AA also finds good cause to waive the 30-day delay in the effectiveness of this action under 5 U.S.C. 553(d)(3).

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: February 8, 2013.

**Kara Meckley,**

*Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2013-03311 Filed 2-8-13; 4:15 pm]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 111207737-2141-02]

RIN 0648-XC495

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Temporary rule; closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific cod by vessels using pot gear in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season allowance of the 2013 Pacific cod total allowable catch apportioned to vessels using pot gear in the Central Regulatory Area of the GOA.

**DATES:** Effective 1200 hours, Alaska local time (A.l.t.), February 10, 2013, through 1200 hours, A.l.t., September 1, 2013.

**FOR FURTHER INFORMATION CONTACT:** Obren Davis, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50