

similar service in urban areas. Under this approach, the supported party must offer services at rates within the range but that do not exceed one particular rate that is presumed to be a part of that range. Previously, rates for supported services in high-cost, insular and rural areas served by non-rural carriers were presumed to be reasonably comparable to urban rates nationwide if they fell below the national rate benchmark, which was set at two standard deviations above the average urban rate as reported in an annual rate survey published by the Wireline Competition Bureau. Thus, while the approaches differ, both serve to assure that rates for supported services are reasonably comparable to rates in urban areas. Urban areas are generally served by multiple and diverse providers offering a range of rates and service offerings in competition with one another.

Consequently, the Bureaus presume that even the highest rate would qualify as being within a reasonable range of rates for similar service in urban areas, because the rates for the matching urban services reflect the effects of competition in the urban area. Should the Bureaus require additional information to validate this assumption? For example, should an urban service used for matching be required to have a certain number of subscribers or percentage of the relevant market in order to demonstrate its market acceptance? A supported provider using its own urban rates would have little trouble making such a demonstration. However, would other supported providers find the range of urban plans with publicly available subscriber data by plan too limited? Are there alternative criteria that urban plans should meet before their rates may be used for comparison? Do the Bureaus need to be concerned that recipients may seek to game this standard by using an urban rate for comparison that does not reflect a true market rate? How can the Bureaus address any such concerns?

58. The Bureaus would retain discretion to consider whether and how variable rate structures should be taken into account. For example, should a supported stand-alone voice plan that offers 1,000 minutes a month for \$50 and additional minutes at \$0.08 per minute be considered more expensive than a plan in an urban area that offers 2,000 minutes a month for \$100 and additional minutes at \$0.10 per minute? There may be circumstances under which data plans with equivalent prices-per-unit match each other even if there are other differences in the plans. The Bureaus propose to address such

issues on a case-by-case basis and welcome comment on how to address such circumstances.

59. To provide recipients with flexibility to tailor their offerings to consumer demand while complying with the rule, the Bureaus propose that they deem a Tribal Mobility Fund Phase I support recipient compliant with the terms of the required certification if it can demonstrate that its rates for services satisfy the requirements, and if it provides supporting documentation. The Bureaus seek comment on all aspects of this proposal, in particular whether it meets the goal of assuring that supported services are provided at rates reasonably comparable to those in urban areas, while allowing recipients to have appropriate flexibility in structuring their offerings. The Bureaus also seek comment on any potential alternatives. For example, is there a readily available set of benchmark urban rates for mobile voice and broadband service that the Bureaus could use with respect to Tribal Mobility Fund Phase I?

60. *Urban Areas*. For purposes of this requirement, the Bureaus propose defining urban area as one of the 100 most populated CMAs in the United States. A list of the top 100 CMAs by population is included in Attachment B of the *Auction 902 Comment Public Notice*. Multiple providers currently serve these areas—99.2 percent of the population in these markets is covered by between four to six operators—offering a range of different service plans at prices generally constrained by the numerous providers. Are there other definitions of urban area that commenters believe the Bureaus should consider for purposes of this requirement?

61. The Bureaus propose to make a specific exception for supported parties serving Alaska in light of the distinct character of Alaska and the related costs of providing service, and in line with the approach adopted for Auction 901. The Bureaus propose that supported parties in Alaska may demonstrate comparability by comparison with rates offered in the CMA for Anchorage, Alaska. In this regard, the Bureaus note that the Anchorage, Alaska CMA has a population of over 250,000 and four wireless providers, which indicates that, while reflecting the particular challenges of offering service in Alaska, competition for customers there could act to keep rates for offered services reasonable.

#### V. Ex Parte Rules

62. This proceeding shall be treated as a permit-but-disclose proceeding in accordance with the Commission's *ex*

*parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda, or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with 47 CFR 1.1206(b). In proceedings governed by 47 CFR 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format. Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Federal Communications Commission.

**Gary D. Michaels,**

*Deputy Chief, Auctions and Spectrum Access Division, WTB.*

[FR Doc. 2013-08402 Filed 4-9-13; 8:45 am]

**BILLING CODE 6712-01-P**

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## FEDERAL MARITIME COMMISSION

### Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments on the agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within ten days of the date this notice appears in the **Federal Register**. Copies of the

agreements are available through the Commission's Web site ([www.fmc.gov](http://www.fmc.gov)) or by contacting the Office of Agreements at (202) 523-5793 or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov).

*Agreement No.:* 012057-009.

*Title:* CMA CGM/Maersk Line Space Charter, Sailing and Cooperative Working Agreement Asia to USEC and PNW-Suez/PNW & Panama Loops.

*Parties:* A.P. Moller-Maersk A/S and CMA CGM S.A.

*Filing Party:* Mark J. Fink, Esq.; Cozen O'Connor; 1627 I Street NW., Suite 1100; Washington, DC 20006.

*Synopsis:* The amendment would adjust the number of vessels to be provided, increase the size of those vessels, and adjust the space allocations of the parties accordingly.

*Agreement No.:* 012116-002.

*Title:* NYK/Hanjin/Yang Ming/ Evergreen Americas North South Service Vessel Sharing Agreement.

*Parties:* Evergreen Line Joint Service Agreement; Hanjin Shipping Co., Ltd; Nippon Yusen Kaisha; and Yang Ming Marine Transport Corp.

*Filing Party:* Jacob K. Lee; NYK Line (North America) Inc.; 300 Lighting Way, 5th Floor; Secaucus, NJ 07094.

*Synopsis:* The amendment adds Yang Ming Marine Transport Corp. and removes Hyundai Merchant Marine Co., Ltd from the agreement.

*Agreement No.:* 012199.

*Title:* NYK/Hanjin/Hyundai Americas North South Service Slot Charter Agreement.

*Parties:* Nippon Yusen Kaisha; Hanjin Shipping Co., Ltd.; and Hyundai Merchant Marine Co., Ltd.

*Filing Party:* Jacob K. Lee; NYK Line (North America) Inc.; 300 Lighting Way, 5th Floor; Secaucus, NJ 07094.

*Synopsis:* The agreement authorizes NYK and Hanjin to charter slots to Hyundai on the ANS service in the trade between the East Coast of North America (New York to Florida range) and the East Coast of Brazil.

*Agreement No.:* 012200.

*Title:* The G6/Zim Transpacific Vessel Sharing Agreement.

*Parties:* American President Lines, Ltd. and APL Co. Pte, Ltd. (Operating as one Party); Hapag-Lloyd AG; Hyundai Merchant Marine Co., Ltd.; Mitsui O.S.K. Lines, Ltd.; Nippon Yusen Kaisha; and Orient Overseas Container Line, Limited.; and Zim Integrated Shipping Services Limited.

*Filing Party:* David F. Smith, Esq.; Cozen O'Connor; 1627 I Street NW., Suite 1100; Washington, DC 20006.

*Synopsis:* The agreement authorizes the parties to share vessels in the trade between ports in North Asia, South

Asia, Middle East (including the Persian Gulf region), Spain, Italy, Egypt, Panama, Jamaica, and Canada, on the one hand, and U.S. East Coast ports via the Panama and Suez canals, on the other hand, as well as ports and points served via such U.S. and foreign ports.

*Agreement No.:* 012201.

*Title:* WWL/K-Line Space Charter Agreement.

*Parties:* Wallenius Wilhelmsen Logistics AS and Kawasaki Kisen Kaisha, Ltd.

*Filing Party:* John P. Meade, Esq.; General Counsel; K- Line America, Inc.; 6009 Bethlehem Road, Preston, MD 21655.

*Synopsis:* The agreement authorizes K-Line to charter space on WWL vessels in the trade between the U.S. East Coast and China.

*Agreement No.:* 012202.

*Title:* The G6/ELJSA Slot Exchange Agreement.

*Parties:* American President Lines, Ltd. and APL Co. Pte, Ltd. (Operating as one Party); Hapag-Lloyd AG; Hyundai Merchant Marine Co., Ltd.; Mitsui O.S.K. Lines, Ltd.; Nippon Yusen Kaisha; Orient Overseas Container Line, Limited.; and Evergreen Line Joint Service Agreement.

*Filing Party:* David F. Smith, Esq.; Cozen O'Connor; 1627 I Street NW., Suite 1100; Washington, DC 20006.

*Synopsis:* The agreement authorizes the parties to exchange slots in the trade between Vietnam, China (including Hong Kong), Singapore, Spain, and Sri Lanka, on the one hand, and the U.S. Atlantic Coast, on the other hand.

*Agreement No.:* 012203.

*Title:* The HMM/HLA Slot Exchange Agreement.

*Parties:* Hyundai Merchant Marine Co., Ltd. and Hapag-Lloyd Aktiengesellschaft.

*Filing Party:* David F. Smith, Esq.; Cozen O'Connor; 1627 I Street NW., Suite 1100; Washington, DC 20006.

*Synopsis:* The agreement authorizes Hyundai to charter space to Hapag-Lloyd in the trade between the U.S. West Coast on the one hand, and China and South Korea, on the other hand. The agreement also authorizes the parties to enter into arrangements related to the chartering of such space.

By Order of the Federal Maritime Commission.

Dated: April 5, 2013.

**Karen V. Gregory,**  
Secretary.

[FR Doc. 2013-08384 Filed 4-9-13; 8:45 am]

**BILLING CODE P**

## FEDERAL MARITIME COMMISSION

### Ocean Transportation Intermediary License Applicants

The Commission gives notice that the following applicants have filed an application for an Ocean Transportation Intermediary (OTI) license as a Non-Vessel-Operating Common Carrier (NVO) and/or Ocean Freight Forwarder (OFF) pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. 40101). Notice is also given of the filing of applications to amend an existing OTI license or the Qualifying Individual (QI) for a licensee.

Interested persons may contact the Office of Ocean Transportation Intermediaries, Federal Maritime Commission, Washington, DC 20573, by telephone at (202) 523-5843 or by email at [OTI@fmc.gov](mailto:OTI@fmc.gov).

American Cargocare, Inc. (NVO & OFF), 17100 Pioneer Blvd., Suite 255, Artesia, CA 90701, Officers: Nicholas L. Pullen, President (QI), Samakchai Tantisaree, Vice President, Application Type: New NVO & OFF License.

Dey Cargo Corporation dba Orient Grace Container Line (NVO & OFF), 510 Plaza Drive, Suite 1210, Atlanta, GA 30349, Officers: John J. Laird, Secretary (QI), Debra A. Watmore, President, Application Type: QI Change.

First Coast Cargo Group, Inc. (NVO & OFF), 5587 Commonwealth Avenue, Jacksonville, FL 32254, Officers: Dewey E. Painter, Chief Operations Officer (QI), Rosemary Myers, CEO, Application Type: New NVO & OFF License.

Full Hull Logistics, LLC (NVO & OFF), 17890 Cedarwood Drive, Riverside, CA 92803, Officers: Stanley J. Jozwiak, President (QI), Deborah Jozwiak, Vice President, Application Type: New NVO & OFF License.

Global Logistic Solution Center, LLC (NVO), 16520 Bake Parkway, Suite 150, Irvine, CA 92618, Officers: Mamdouh S. Mokhtar, Member (QI), Mohamed Hegazy, President, Application Type: New NVO License.

Graceworld Incorporation (NVO & OFF), 14023 Crenshaw Blvd., Suite 6, Hawthorne, CA 90250, Officers: Tracey Strine, CFO (QI), Ugochukwu O. Ene, President, Application Type: New NVO & OFF License.

ILE Global LLC (NVO & OFF), 181 S. Franklin Avenue, Suite 601, Valley Stream, NY 11581, Officers: Victor Pezzelato, Vice President (QI), Orit Horn, Managing Member, Application Type: Add NVO Service.