

partnership, trustee, receiver, agency, public or private organization, government agency, or unit thereof representing said agency. A party who files a complaint under § 502.62 shall be designated as “complainant.” A party against whom relief or other affirmative action is sought in a proceeding commenced under § 502.62 or § 502.73 or a party named in an order of investigation issued by the Commission shall be designated as “respondent,” except that in investigations instituted under section 11(c) of the Shipping Act of 1984, 46 U.S.C. 41302(a)–(b), 41307(b), the parties to the agreement shall be designated as “proponents” and the parties protesting the agreement shall be designated as “protestants.” A person who has been permitted to intervene under § 502.68 shall be designated as “intervenor.” All parties and persons designated in this section shall be parties to the proceeding. No person other than a party or its representative may introduce evidence or examine witnesses at hearings. [Rule 41].

■ 11. Revise § 502.42 to read as follows:

**§ 502.42 Bureau of Enforcement.**

The Bureau of Enforcement shall be a party to proceedings upon designation by the Commission or upon leave to intervene granted pursuant to § 502.68. The Bureau’s representative shall be served with copies of all papers, pleadings, and documents in every proceeding in which the Bureau is a party. The Bureau shall actively participate in any proceeding to which it is a party, to the extent required in the public interest, subject to the separation of functions required by section 5(c) of the Administrative Procedure Act. [Rule 42]

■ 12. Revise § 502.43 to read as follows:

**§ 502.43 Substitution of parties.**

The Commission or presiding officer may order an appropriate substitution of parties in the event of a party’s death, incompetence, transfer of its interest, or other appropriate circumstance. [Rule 43]

**§ 502.29 [Removed and Reserved]**

■ 13. Remove § 502.44.  
 ■ 14. Revise § 502.52(b) to read as follows:

**§ 502.52 Notice of proposed rulemaking.**

\* \* \* \* \*

(b) Except where notice or hearing is required by statute, paragraph (a) of this section shall not apply to interpretative rules, general statements of policy, rules of agency organization, procedure, or practice of the Commission, or when the

Commission for good cause finds (and incorporates the findings and a brief statement of reasons therefor in the rules issued) that notice and public procedure are impracticable, unnecessary, or contrary to the public interest. [Rule 52]

■ 15. Amend § 502.53 as follows:

- a. Amend paragraph (a) by removing “to present the same orally in any manner” and adding “for oral presentation” in its place;
- b. Amend paragraph (b) by adding “rulemaking” in between “In those” and “proceedings”; and
- c. Add a new paragraph (c) to read as follows.

**§ 502.53 Participation in rulemaking.**

\* \* \* \* \*

(c) Where a formal hearing is held in a rulemaking proceeding, interested persons will be afforded an opportunity to participate through submission of relevant, material, reliable, and probative written evidence properly verified, except that such evidence submitted by persons not present at the hearing will not be made a part of the record if objected to by any party on the ground that the person who submits the evidence is not present for cross-examination.

■ 16. Revise § 502.54 to read as follows:

**§ 502.54 Contents of rules.**

The Commission will incorporate in any publication of proposed or final rules a concise and general statement of their basis and purpose. [Rule 54.]

■ 16. Revise § 502.55 to read as follows:

**§ 502.55 Effective date of rules.**

The publication or service of any substantive rule shall be made not less than thirty (30) days prior to its effective date except:

(a) As otherwise provided by the Commission for good cause found that notice and public procedure thereon are impractical, unnecessary, or contrary to the public interest;

(b) In the case of rules granting or recognizing exemption or relieving restriction; interpretative rules; or statements of policy.

(c) Interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice. [Rule 55.]

■ 17. Add new § 502.57 to subpart D to read as follows:

**§ 502.57 Service by parties of pleadings and other documents.**

Service on all prior commenters must be shown when submitting comments or replies beyond the initial round on a notice of proposed rulemaking. A list of

all participants may be obtained from the Secretary of the Commission.

■ 18. Add new § 502.79 to subpart E to read as follows:

**§ 502.79 Consolidation of proceedings.**

The Commission or the Chief Administrative Law Judge (or designee) may order two or more proceedings which involve substantially the same issues consolidated and heard together.

**§§ 502.145–502.149 [Removed and Reserved]**

■ 19. Remove and reserve § 502.145–§ 502.149.

**§ 502.201 [Amended]**

■ 20. Amend § 502.201(h) by removing “14 days,” and adding “15 days” in its place, and removing “120-day,” and adding “150-day” in its place.

By the Commission.

**Karen V. Gregory,**  
*Secretary.*

[FR Doc. 2013–17953 Filed 7–25–13; 8:45 am]

**BILLING CODE P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 54**

[WC Docket Nos. 10–90; 07–135; 05–337; 03–109; GN Docket No. 09–51; CC Docket Nos. 01–92, 96–45; WT Docket No. 10–208; FCC 11–161; FCC 12–52]

**Annual Report for Mobility Fund Phase I Support and Record Retention**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; 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 associated with the Commission’s Annual Report for Mobility Fund Phase I Support and Record Retention, adopted as part of the Connect America Fund & Intercarrier Compensation Reform Order and the Third Order on Reconsideration. 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 the rules.

**DATES:** The rules in §§ 54.1008(d) and (e), 54.1009(a) through (c) and 54.1010, published at 76 FR 73830, November 29, 2011 are effective July 26, 2013.

**FOR FURTHER INFORMATION CONTACT:** Rita Cookmeyer, Wireless

Telecommunications Bureau, 202–418–0434, via the Internet at [Rita.Cookmeyer@fcc.gov](mailto:Rita.Cookmeyer@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This document announces that on March 28, 2013, OMB approved, for a period of three years, the information collection requirements contained in 47 CFR 54.1008(d) and (e), 54.1009(a) through (c) and 54.1010 and the new FCC Form 690. The Commission publishes this document to announce the effective date of these rule sections. See, In the Matter of Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; High-Cost Universal Service Support, WC Docket Nos. 10–90, 07–135, 05–337, 03–109; GN Docket No. 09–51; CC Docket Nos. 01–92, 96–45; WT Docket No. 10–208; FCC 11–161, 76 FR 73830 and FCC 12–52, 77 FR 30904, May 24, 2012. 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 B. Herman, Federal Communications Commission, Room 1–B441, 445 12th Street SW., Washington, DC 20554. Please include the OMB Control Number, 3060–1185, in your correspondence. The Commission will also accept your comments via email at [PRA@fcc.gov](mailto:PRA@fcc.gov).

### 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 March 28, 2013, for the information collection requirements contained in 47 CFR part 54. Under 5 CFR 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 3060–1185. The foregoing notice is required by the Paperwork Reduction Act of 1995, Pub. L. 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:* 3060–1185.

*OMB Approval Date:* 03/28/2013.

*OMB Expiration Date:* 03/31/2016.

*Title:* Annual Report for Mobility Fund Phase I Support, FCC Form 690 and Record Retention Requirements.

*Form Number:* FCC Form 690.

*Respondents:* Business or other for-profit entities, not-for-profit institutions, and state, local or tribal government.

*Number of Respondents and Responses:* 70 respondents; 820 responses.

*Estimated Time per Response:* 18 hours.

*Frequency of Response:* On occasion and annual reporting requirements, third party disclosure requirements and recordkeeping requirements.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this information collection is contained in 47 U.S.C. sections 154, 254 and 303(r) of the Communications Act of 1934, as amended.

*Total Annual Burden:* 14,830 hours.

*Total Annual Cost:* N/A.

*Privacy Impact Assessment:* Impact Assessment:

*Nature and Extent of Confidentiality:* There is no need for confidentiality. The information collected on FCC Form 690 will be made available for public inspection. Applicants may request materials or information submitted to the Commission be given confidential treatment under 47 CFR 0.459 of the Commission's rules.

*Needs and Uses:* The Commission will use this information to ensure that each winning bidder is meeting its obligations for receiving Mobility Fund Phase I support. On November 18, 2011, the Federal Communications Commission released a Report and Order in the Universal Service Fund & Intercarrier Compensation Transformation Order (USF/ICC) proceeding, WC Docket Nos. 10–90, 07–135, 05–337, 03–109; GN Docket No. 09–51; CC Docket Nos. 01–92, 96–45; WT Docket No. 10–208; FCC 11–161. On May 14, 2012, the Commission released the Third Order on Reconsideration of the USF/ICC Report and Order which revised certain Mobility Fund Phase 1 rules. In adopting the rules, the Commission provided for one-time support to immediately accelerate deployment of networks for mobile broadband services in unserved areas. Thus, the information is being collected to meet the objectives of the Universal Service Fund program.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 2013–17930 Filed 7–25–13; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 87 and 90

[WT Docket No. 11–202; FCC 13–95]

### Radiolocation Operations in the 78–81 GHz Bands; Request by the Trex Enterprises Corporation for Waiver

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) amends its rules to permit the certification, licensing, and use of foreign object debris (FOD) detection radar equipment in the 78–81 GHz band. The presence of FOD on airport runways, taxiways, aprons, and ramps poses a significant threat to the safety of air travel. FOD detection radar equipment will be authorized on a licensed basis.

**DATES:** Effective August 26, 2013.

**FOR FURTHER INFORMATION CONTACT:** Tim Maguire, Mobility Division, Wireless Telecommunications Bureau, (202) 418–2155.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Report and Order (R&O)*, in WT Docket No. 11–202; FCC 13–95, adopted July 10, 2013, and released July 11, 2013. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW., Room CY–A257, Washington, DC 20554, or by downloading the text from the Commission's Web site at [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2013/db0301/FCC-13-30A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0301/FCC-13-30A1.pdf). The complete text also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street SW., Suite CY–B402, Washington, DC 20554. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format), by sending an email to [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or calling the Consumer and Government Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

### I. Background

1. Foreign object debris (FOD) at airports, including any substance, debris, or object in a location that can damage aircraft or equipment, can seriously threaten the safety of airport personnel and airline passengers, and can have a negative impact on airport logistics and operations. Trex