

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 64

[CG Docket Nos. 11–116 and 09–158; CC Docket No. 98–170; DA 13–1807]

#### Empowering Consumers To Prevent and Detect Billing for Unauthorized Charges (“Cramming”); Consumer Information and Disclosure; Truth-in-Billing Format

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Commission, via the Consumer and Governmental Affairs Bureau (Bureau) seeks comment to refresh the record in response to the Commission’s April 2012 Further Notice of Proposed Rulemaking (*Further Notice*), in which the Commission sought comment on whether it should take additional steps to prevent cramming, including “opt-in” and possible solutions to Commercial Mobile Radio Service (CMRS) cramming. The additional comments will facilitate the development of a full record given the importance of the issues in this proceeding.

**DATES:** Interested parties may file comments on or before November 18, 2013, and reply comments on or before December 2, 2013.

**ADDRESSES:** You may submit comments, identified by CG Docket No. 11–116, by any of the following methods:

Electronic Filers: Comments may be filed electronically using the Internet by accessing the Commission’s Electronic Comment Filing System (ECFS), through the Commission’s Web site <http://fjallfoss.fcc.gov/ecfs2/>. Filers should follow the instructions provided on the Web site for submitting comments. For ECFS filers, in completing the transmittal screen, filers should include their full name, U.S. Postal service mailing address, and CG Docket No. 11–116.

- Paper filers: Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although the Commission continues to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the

Commission’s Secretary must be delivered to FCC Headquarters at 445 12th St. SW., Room TW–A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

- Commercial Mail sent by overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street SW., Washington, DC 20554. In addition, parties must serve one copy of each pleading with the Commission’s duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY–B402, Washington, DC 20554, or via email to [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

#### FOR FURTHER INFORMATION CONTACT:

Lynn Follansbee, Consumer and Governmental Affairs Bureau, Consumer Policy Division, at (202) 418–1514 or email: [Lynn.Follansbee@fcc.gov](mailto:Lynn.Follansbee@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission’s Public Notice DA 13–1807, released August 27, 2013 in CG Docket Nos. 11–116 and 09–158, and CC Docket No. 98–170. The full text of document DA 13–1807 and copies of any subsequently filed documents in this matter 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. Customers may contact the Commission’s duplicating contractor at its Web site, [www.bcpiweb.com](http://www.bcpiweb.com), or by calling (202) 488–5300. Document can also be downloaded in Word or Portable Document Format (PDF) at [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2013/db0827/DA-13-1807A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0827/DA-13-1807A1.pdf).

Pursuant to 47 CFR 1.1200 *et seq.*, this matter 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 sec. 1.1206(b) of the Commission’s rules. In proceedings governed by sec. 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 (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

*People with Disabilities:* 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).

#### Initial Paperwork Reduction Act of 1995 Analysis

Document DA 13–1807 does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

#### Synopsis

In document DA 13–1807, the Bureau seeks to update the record in response to the Commission’s *Further Notice*, adopted April 27, 2012, released April 27, 2012, and published at 77 FR 30972, May 24, 2012, in which the Commission sought comment on whether it should

take additional steps to prevent cramming, including “opt-in” and possible solutions to CMRS cramming. The record in this proceeding does not fully address the developments, studies, and information that has come to light since the *Further Notice* comments and reply comments were filed, including questions as to the extent to which consumers may continue to be unaware that third-party charges can appear on their wireline and CMRS bills and about their ability to successfully resolve disputes regarding unauthorized third-party charges. Document DA 13–1807 generally seeks comment on whether additional measures to combat wireline cramming are necessary and whether any new measures to combat CMRS cramming are appropriate, as well as what those measures might be and the costs and benefits of any proposal.

Document DA 13–1807 is issued pursuant to the authority contained in §§ 0.204, 0.361, 1.415 of the Commission’s rules, 47 CFR 0.204, 0.361, 1.415.

Federal Communications Commission.

**Mark Stone,**

*Deputy Chief, Consumer and Governmental Affairs Bureau.*

[FR Doc. 2013–24295 Filed 10–2–13; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 13–207; RM–11700; DA 13–1794]

#### Radio Broadcasting Services; Heber Springs, Arkansas.

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a Petition for Rule Making filed by Sydney Allison Sugg, proposing the allotment of Channel 270C3 at Heber Springs, Arkansas, as the community’s third local service. Channel 270C3 can be allotted to Heber Springs consistent with the minimum distance separation requirements of the Rules with a site restriction 12.8 kilometers (7.9 miles) northeast of the community. The reference coordinates are 35–34–12 NL and 91–55–41 WL.

**DATES:** Comments must be filed on or before October 15, 2013, and reply comments on or before October 30, 2013.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 12th

Street SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner as follows: Frank R. Jazzo, Esq., Fletcher, Heald & Hildreth, PLC, 1300 North 17th Street 11th Floor, Arlington, Virginia 22209.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418–2700.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission’s Notice of Proposed Rule Making, MB Docket No. 13–207, adopted August 22, 2013, and released August 23, 2013. 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, CY–A257, 445 12th Street SW., Washington, DC 20554. This document may also be purchased from the Commission’s duplicating contractors, Best Copy and Printing, Inc., 445 12th Street SW., Room CY–B402, Washington, DC 20554, telephone 1–800–378–3160 or via email [www.BCPIWEB.com](http://www.BCPIWEB.com). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden “for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.  
Federal Communications Commission.  
**Nazifa Sawez,**  
*Assistant Chief, Audio Division Media Bureau.*

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR Part 73 as follows:

## PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336 and 339.

### § 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Arkansas, is amended by adding Channel 270C3 at Heber Springs.

[FR Doc. 2013–24301 Filed 10–2–13; 8:45 am]

**BILLING CODE 6712–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### 49 CFR Chapter VI

[Docket No. FTA–2013–0030]

RIN 2132–AB20; 2132–AB07

#### The National Public Transportation Safety Plan, the Public Transportation Agency Safety Plan, and the Public Transportation Safety Certification Training Program; Transit Asset Management

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** The Federal Transit Administration (FTA) is issuing this consolidated advance notice of proposed rulemaking (ANPRM) to request public comments on a wide range of topics pertaining to the new Public Transportation Safety Program (National Safety Program) and the requirements of the new transit asset management provisions (National TAM System) authorized by the Moving Ahead for Progress in the 21st Century Act. Together, the requirements of the National Safety Program and the National TAM System are intended to improve the safety of the Nation’s public transportation systems, ensure that those systems are in a state of good repair, and provide increased transparency into agencies’ budgetary decision-making process.

**DATES:** Comments must be received by January 2, 2014. Any comments filed after this deadline will be considered to the extent practicable.

**ADDRESSES:** Please submit your comments by only one of the following methods, identifying your submission by Docket Number (FTA–2013–0030) or RIN number (2132–AB20, 2132–AB07).