

Authority: 39 U.S.C. 503; 3622; 3631; 3642; 3682.

■ 2. Revise subpart E to read as follows:

**Subpart E—Requests Initiated by the Postal Service To Make Material Changes or Minor Corrections to the Mail Classification Schedule**

Sec.

3020.80 Material changes to product descriptions.

3020.81 Supporting justification for material changes to product descriptions.

3020.82 Docket and notice of material changes to product descriptions.

3020.83 Commission review of material changes to product descriptions.

3020.84–3020.89 [Reserved]

3020.90 Minor corrections to product descriptions.

3020.91 Docket and notice of minor corrections to product descriptions.

3020.92 Commission review of minor corrections to product descriptions.

**Subpart E—Requests Initiated by the Postal Service To Make Material Changes or Minor Corrections to the Mail Classification Schedule**

**§ 3020.80 Material changes to product descriptions.**

(a) Whenever the Postal Service proposes material changes to a product description in the Mail Classification Schedule, no later than 30 days prior to implementing the proposed changes, it shall submit to the Commission a request to change the product description in the Mail Classification Schedule.

(b) The request shall:

(1) Include a copy of the applicable sections of the Mail Classification Schedule and the proposed changes therein in legislative format; and

(2) Provide all supporting justification for the changes upon which the Postal Service proposes to rely.

**§ 3020.81 Supporting justification for material changes to product descriptions.**

(a) Supporting justification for changes to a product description in the Mail Classification Schedule shall include a description of, and rationale for, the proposed changes to the product description; and the additional material in paragraphs (b) and (c) of this section.

(b)(1) As to market dominant products, explain why the changes are not inconsistent with each requirement of 39 U.S.C. 3622(d) and part 3010 of this chapter; or

(2) As to competitive products, explain why the changes will not result in the violation of any of the standards of 39 U.S.C. 3633 and part 3015 of this chapter.

(c) Describe the likely impact that the changes will have on users of the product and on competitors.

**§ 3020.82 Docket and notice of material changes to product descriptions.**

(a) The Commission shall take the actions identified in paragraphs (b) through (e) of this section.

(b) Establish a docket for each request to change a product description in the Mail Classification Schedule;

(c) Publish notice of the request on its Web site;

(d) Designate an officer of the Commission to represent the interests of the general public in the docket; and

(e) Provide interested persons with an opportunity to comment on whether the proposed changes are consistent with title 39 and applicable Commission regulations.

**§ 3020.83 Commission review of material changes to product descriptions.**

(a) The Commission shall review the request and any comments filed. The Commission shall take one of the actions identified in paragraphs (b) through (g) of this section.

(b) Approve the proposed changes, subject to editorial corrections, and change the Mail Classification Schedule to coincide with the effective date of the proposed change;

(c) Reject the proposed changes;

(d) Provide the Postal Service with an opportunity to amend the proposed changes;

(e) Direct the Postal Service to make an appropriate filing under a different section;

(f) Institute further proceedings; or

(g) Direct other action that the Commission considers appropriate.

**§§ 3020.84–3020.89 [Reserved]**

**§ 3020.90 Minor corrections to product descriptions.**

(a) The Postal Service shall ensure that product descriptions in the Mail Classification Schedule accurately represent the current offerings of the Postal Service.

(b) The Postal Service shall submit minor corrections to product descriptions in the Mail Classification Schedule by filing notice with the Commission no later than 15 days prior to the effective date of the proposed corrections.

(c) The notice shall:

(1) Explain why the proposed corrections do not constitute material changes to the product description for purposes of § 3020.80;

(2) Explain why the proposed corrections are consistent with any applicable provisions of title 39; and

(3) Include a copy of the applicable sections of the Mail Classification Schedule and the proposed corrections therein in legislative format.

**§ 3020.91 Docket and notice of minor corrections to product descriptions.**

(a) The Commission shall take the actions identified in paragraphs (b) through (e) of this section.

(b) Establish a docket for each proposal to correct a product description in the Mail Classification Schedule;

(c) Publish notice of the proposal on its Web site;

(d) Designate an officer of the Commission to represent the interests of the general public in the docket; and

(e) Provide interested persons with an opportunity to comment on whether the proposed corrections are consistent with title 39 and applicable Commission regulations.

**§ 3020.92 Commission review of minor corrections to product descriptions.**

(a) The Commission shall review the notice and any comments filed. The Commission shall take one of the actions identified in paragraphs (b) through (g) of this section.

(b) Approve the proposed corrections, subject to editorial corrections, and change the Mail Classification Schedule to coincide with the effective date of the proposed change;

(c) Reject the proposed corrections;

(d) Provide the Postal Service with an opportunity to amend the proposed corrections;

(e) Direct the Postal Service to make an appropriate filing under a different section;

(f) Institute further proceedings; or

(g) Direct other action that the Commission considers appropriate.

By the Commission.

**Ruth Ann Abrams,**

*Acting Secretary.*

[FR Doc. 2015–15198 Filed 6–19–15; 8:45 am]

**BILLING CODE 7710–FW–P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 54**

[WC Docket No. 11–42; DA 15–398]

**Lifeline and Link Up Reform**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Wireline Competition Bureau (Bureau) clarifies rules regarding subscriber usage of Lifeline-supported service established in the *Lifeline Reform Order*. The Bureau clarifies that, pursuant to the *Lifeline Reform Order*, an eligible

telecommunications carrier (ETC) must both assess and collect a monthly fee from a subscriber in order to avoid the Lifeline usage requirements, including the requirement to de-enroll inactive subscribers who fail to use the service within any consecutive 60-day period.

**DATES:** Effective July 22, 2015.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Lechter, Wireline Competition Bureau, (202) 418-7400 or TTY: (202) 418-0484.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Wireline Competition Bureau's Lifeline Non-Usage Clarification Order (Order) in WC Docket No. 11-42; DA 15-398, released on March 31, 2015. The complete text of this document is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY-A257, Washington, DC 20554. The document is also available on the Commission's Web site at: <https://www.fcc.gov/document/clarification-lifeline-supported-service-rules>.

## I. Introduction

1. In this Order, the Wireline Competition Bureau (Bureau) clarifies rules regarding subscriber usage of Lifeline-supported service established in the *Lifeline Reform Order*. The Bureau clarifies that, pursuant to the *Lifeline Reform Order*, 77 FR 12952, March 2, 2012, an eligible telecommunications carrier (ETC) must both assess and collect a monthly fee from a subscriber in order to avoid the Lifeline usage requirements, including the requirement to de-enroll inactive subscribers who fail to use the service within any consecutive 60-day period.

## II. Discussion

2. The Bureau clarifies that in order to obtain Lifeline support, Lifeline ETCs who assess a monthly fee for service from their Lifeline subscribers must also collect the monthly fee from the subscriber, or follow the requisite procedures to de-enroll any inactive subscribers who have not used the service during any consecutive 60-day period. While the Order makes clear that ETCs who do not both assess and collect a monthly fee for service are prohibited from receiving Lifeline support for inactive subscribers, the related Commission rules require pre-paid ETCs to "assess or collect" a monthly fee in order to exempt itself from the non-usage de-enrollment requirements.

3. The usage requirements as described in the *Lifeline Reform Order*

are clear. As discussed in the Order, the consumer usage requirement applies only to "pre-paid" services—or services for which subscribers do not receive monthly bills and do not have a regular billing relationship with the ETC—because the lack of regular contact with the subscriber does not provide a reasonable opportunity for the ETC to ascertain a subscriber's continued intent to receive Lifeline benefits. Merely assessing a monthly fee on a subscriber does not provide sufficient contact with the subscriber to ascertain the subscriber's intent to use the service. Similarly, failing to actually collect the assessed fee does not provide the subscriber a sufficient incentive to place a value on the service. In such a situation, the consumer has little to lose by obtaining service that she may not use. Providing support for subscriber lines that are not used wastes limited funds. In contrast, actually collecting some monthly amount from subscribers is sufficient to ascertain subscriber intent and ensures that subscribers will continue to subscribe to the service only to the extent that they value and use the service.

4. In the *Lifeline Reform Order*, the Bureau was delegated the authority to revise rules as necessary to ensure the reforms adopted through the Order are properly reflected in the rules. Pursuant to this authority, the Bureau clarifies that pre-paid ETCs must both assess and collect a charge for service on a monthly basis, or proceed to follow the procedures to de-enroll inactive subscribers who have not used the service during any consecutive 60-day period. The Bureau amends the rule language to reflect this clarification.

## III. Procedural Matters

### A. Congressional Review Act

5. The Commission will send a copy of this in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act.

### B. Final Regulatory Flexibility Act Certification

6. The Regulatory Flexibility Act of 1980, as amended (RFA), requires agencies to prepare a regulatory flexibility analysis for rulemaking proceedings, unless the agency certifies that "the rule will not have a significant economic impact on a substantial number of small entities." The RFA generally defines "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction." In addition, the term "small business"

has the same meaning as the term "small business concern" under the Small Business Act. A small business concern is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies additional criteria established by the Small Business Administration (SBA).

7. The Bureau hereby certifies that the rule revisions adopted in this Order will not have a significant economic impact on a substantial number of small entities. This Order clarifies rules adopted in the *Lifeline Reform Order* by correcting conflicts between the language of Order and the codified rules. These revisions do not create any burdens, benefits, or requirements that were not addressed in the Final Regulatory Flexibility Analysis attached to the *Lifeline Reform Order*. The Commission will send a copy of this Order, including a copy of this final certification, to the Chief Counsel for Advocacy of the Small Business Administration. In addition, the Order (or a summary thereof) and certification will be published in the **Federal Register**.

### C. Paperwork Reduction Act Analysis

8. This Order modifies information collection requirements adopted in the *Lifeline Reform Order* and is therefore subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. It has been submitted to the Office of Management and Budget (OMB) for review under Section 3507 of the PRA. The Commission notes that pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-108, the Commission previously sought specific comment on how it might further reduce the information collection burden on small business concerns with fewer than 25 employees.

## IV. Ordering Clauses

9. Accordingly, *it is ordered* that, pursuant to the authority contained in sections 1, 2, 4(i), 5(c), 10, 201 through 206, 214, 218 through 220, 251, 252, 254, 256, 303(r), 332, and 403 of the Communications Act of 1934, as amended, and section 706 of the Telecommunications Act of 1996, 47 U.S.C. 151, 152, 154(i), 155(c), 160, 201 through 206, 214, 218 through 220, 251, 252, 254, 256, 303(r), 332, 403, 1302, §§ 0.91, 0.291, 1.1, and 1.427 of the Commission's rules, 47 CFR 0.91, 0.291, 1.1, 1.427, and the delegation of authority in paragraph 507 of FCC 12-11, this Order is *adopted*.

10. *It is further ordered* that, pursuant to Section 1.102(b)(1) of the Commission's rules, 47 CFR 1.102(b)(1),

this Order *shall be effective* July 22, 2015, except to the extent expressly addressed below.

11. *It is further ordered* that the relevant rules are amended as set forth below. Those rules contain modified information collection requirements that are subject to the PRA and shall become effective July 22, 2015.

12. *It is further ordered* that the Commission *shall send* a copy of this Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act.

13. *It is further ordered* that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this Order, including the Final Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

#### List of Subjects in 47 CFR Part 54

Communications common carriers, Reporting and recordkeeping requirements, Telecommunications, Telephone.

Federal Communications Commission.

**Ryan B. Palmer,**

*Chief, Telecommunication Access Policy Division, Wireline Competition Bureau.*

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 54 to read as follows:

#### PART 54—UNIVERSAL SERVICE

■ 1. The authority citation for part 54 continues to read as follows:

**Authority:** 47 U.S.C. 151, 154(i), 155, 201, 205, 214, 219, 220, 254, 303(r), 403, and 1302 unless otherwise noted.

■ 2. Amend § 54.405 by revising paragraph (e)(3) to read as follows:

#### § 54.405 Carrier obligation to offer Lifeline.

\* \* \* \* \*

(e) \* \* \*

(3) *De-enrollment for non-usage.*

Notwithstanding paragraph (e)(1) of this section, if a Lifeline subscriber fails to use, as "usage" is defined in § 54.407(c)(2), for 60 consecutive days a Lifeline service that does not require the eligible telecommunications carrier to assess and collect a monthly fee from its subscribers, an eligible telecommunications carrier must provide the subscriber 30 days' notice, using clear, easily understood language, that the subscriber's failure to use the Lifeline service within the 30-day notice period will result in service termination for non-usage under this paragraph. If the subscriber uses the Lifeline service

with 30 days of the carrier providing such notice, the eligible telecommunications carrier shall not terminate the subscriber's Lifeline service. Eligible telecommunications carriers shall report to the Commission annually the number of subscribers de-enrolled for non-usage under this paragraph. This de-enrollment information must be reported by month and must be submitted to the Commission at the time an eligible telecommunications carrier submits its annual certification report pursuant to § 54.416.

\* \* \* \* \*

■ 3. Amend § 54.407 by revising the paragraph (c) introductory text to read as follows:

#### § 54.407 Reimbursement for offering Lifeline.

\* \* \* \* \*

(c) An eligible telecommunications carrier offering a Lifeline service that does not require the eligible telecommunications carrier to assess and collect a monthly fee from its subscribers:

\* \* \* \* \*

[FR Doc. 2015-15295 Filed 6-19-15; 8:45 am]

**BILLING CODE 6712-01-P**

#### DEPARTMENT OF TRANSPORTATION

##### Federal Motor Carrier Safety Administration

#### 49 CFR Parts 383, 384 and 391

[Docket No. FMCSA-2012-0178]

RIN 2126-AB40

#### Medical Examiner's Certification Integration; Correction

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Final rule; correction.

**SUMMARY:** FMCSA makes corrections to a rule that appeared in the **Federal Register** on April 23, 2015 (80 FR 22790). In that rule, FMCSA amended the Federal Motor Carrier Safety Regulations (FMCSRs) to require certified medical examiners (MEs) performing physical examinations of commercial motor vehicle (CMV) drivers to use a newly developed Medical Examination Report (MER) Form, MCSA-5875, in place of the current MER Form and to use Form MCSA-5876 for the Medical Examiner's Certificate (MEC); and report results of all CMV drivers' physical examinations performed (including the results of examinations where the driver was

found not to be qualified) to FMCSA by midnight (local time) of the next calendar day following the examination. That final rule was a follow-on rule to the Medical Certification Requirements as Part of the CDL rule final rule, published on December 1, 2008, and the National Registry of Certified Medical Examiners final rule, published on April 20, 2012.

**DATES:** Effective June 22, 2015.

#### FOR FURTHER INFORMATION CONTACT:

Charles A. Horan, III, Director, Carrier, Driver, & Vehicle Safety Standards, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue SE., Washington, DC 20590-0001, by telephone at (202) 366-4001 or via email at [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov).

**SUPPLEMENTARY INFORMATION:** In FR Doc. 2015-09053, published on Thursday, April 23, 2015 80 FR (22790) the following corrections are made.

#### Corrections to the Preamble

1. On page 22798, in the third column, in FMCSA's response to comment number 8. Voiding the MEC, the first sentence under the heading "FMCSA Response" is corrected to read as follows:

As explained in both the National Registry final rule (77 FR at 24108) and in the NPRM in this rulemaking (78 FR at 27348), under the authority granted by 49 U.S.C. 31149(c)(2), FMCSA may void an MEC issued to a CMV driver if it finds either that a Medical Examiner has issued a certificate to a driver "who fails to meet the applicable standards at the time of the examination" or "that a Medical Examiner has falsely claimed to have completed training in physical and medical examination standards."

2. Beginning on page 22810, in the third column, and continuing on page 22811, in the first column, in § 383.73, paragraphs (a)(2)(vii), (b)(5), (o)(1)(i)(A), and (o)(1)(ii)(A) are corrected to read as follows:

#### § 383.73 State procedures

(a) \* \* \*

(2) \* \* \*

(vii)(A) Before June 22, 2018, for drivers who certified their type of driving according to § 383.71(b)(1)(i) (non-excepted interstate) and, if the CLP applicant submits a current medical examiner's certificate, date-stamp the medical examiner's certificate, and post all required information from the medical examiner's certificate to the CDLIS driver record in accordance with paragraph (o) of this section.

(B) On or after June 22, 2018, for drivers who certified their type of driving according to § 383.71(b)(1)(i) (non-excepted interstate) and, if FMCSA provides current medical examiner's