

§ 155.410 Initial and annual open enrollment periods.

\* \* \* \* \*

(e) \* \* \*

(2) For the benefit years beginning on January 1, 2016 and January 1, 2017, the annual open enrollment period begins on November 1 of the calendar year preceding the benefit year, and extends through January 31 of the benefit year.

(3) For the benefit years beginning on January 1, 2018 and beyond, the annual open enrollment period begins on November 1 and extends through December 15 of the calendar year preceding the benefit year.

\* \* \* \* \*

■ 5. Section 155.420 is amended by:

■ a. Adding paragraphs (a)(3) through (5);

■ b. Revising paragraphs (b)(5) and (d) introductory text;

■ c. Adding paragraph (d)(2)(i)(A) and reserved paragraph (d)(2)(i)(B); and

■ d. Removing and reserving paragraph (d)(7)(ii).

The additions and revisions read as follows:

§ 155.420 Special enrollment periods.

(a) \* \* \*

(3) Use of special enrollment periods by qualified individuals. The Exchange must allow a qualified individual, and when specified in paragraph (d) of this section, his or her dependent, who are not enrolled in a QHP through the Exchange, to enroll in a QHP if one of the triggering events specified in paragraph (d) of this section occur.

(4) Use of special enrollment periods by enrollees. (i) If an enrollee has gained a dependent in accordance with paragraph (d)(2)(i) of this section, the Exchange must allow the enrollee to add the dependent to his or her current QHP, or, if the QHP's business rules do not allow the dependent to enroll, the Exchange must allow the enrollee and his or her dependents to change to another QHP within the same level of coverage (or one metal level higher or lower, if no such QHP is available), as outlined in § 156.140(b) of this subchapter, or enroll the dependent in a separate QHP.

(ii) If an enrollee and his or her dependents become newly eligible for cost-sharing reductions in accordance with paragraph (d)(6)(i) or (ii) and are not enrolled in a silver-level QHP, the Exchange must allow the enrollee and his or her dependents to change to a silver-level QHP if they elect to change their QHP enrollment.

(iii) If an enrollee qualifies for a special enrollment period through another triggering event specified in paragraph (d) of this section, except for

paragraph (d)(4), (d)(8), (d)(9), and (d)(10), the Exchange must allow the enrollee and his or her dependents to make changes to their enrollment in the same QHP or to change to another QHP within the same level of coverage, as outlined in § 156.140(b) of this subchapter, provided that other QHPs at that metal level are available.

(5) Prior coverage requirement. Qualified individuals who are required to demonstrate coverage in the 60 days prior to a qualifying event can either demonstrate that they had minimum essential coverage as described in 26 CFR 1.5000A-1(b) for 1 or more days during the 60 days preceding the date of the qualifying event or that they lived outside of the United States or in a United States territory for 1 or more days during the 60 days preceding the date of the qualifying event.

(b) \* \* \*

(5) Option for later coverage effective dates due to prolonged eligibility verification. At the option of the consumer, the Exchange must provide for a coverage effective date that is no more than 1 month later than the effective date specified in this paragraph (b) if a consumer's enrollment is delayed until after the verification of the consumer's eligibility for a special enrollment period, and the assignment of a coverage effective date consistent with this paragraph (b) would result in the consumer being required to pay 2 or more months of retroactive premium to effectuate coverage or avoid termination for non-payment.

\* \* \* \* \*

(d) Triggering events. Subject to paragraphs (a)(3) through (5) of this section, the Exchange must allow a qualified individual or enrollee, and, when specified below, his or her dependent, to enroll in or change from QHP to another if one of the triggering events occur:

\* \* \* \* \*

(2) \* \* \*

(i) \* \* \*

(A) In the case of marriage, at least one spouse must demonstrate having minimum essential coverage as described in 26 CFR 1.5000A-1(b) for 1 or more days during the 60 days preceding the date of marriage.

(B) [Reserved]

\* \* \* \* \*

■ 6. Section 155.725 is amended by revising paragraph (j)(2)(i) to read as follows:

§ 155.725 Enrollment periods under SHOP.

\* \* \* \* \*

(j) \* \* \*

(2) \* \* \*

(i) Notwithstanding § 155.420(a)(3) through (5) of this subchapter, experiences an event described in § 155.420(d)(1) (other than paragraph (d)(1)(ii)), or experiences an event described in § 155.420(d)(2), (4), (5), (7), (8), (9), (10), (11), or (12);

\* \* \* \* \*

PART 156—HEALTH INSURANCE ISSUER STANDARDS UNDER THE AFFORDABLE CARE ACT, INCLUDING STANDARDS RELATED TO EXCHANGES

■ 6. The authority citation for part 156 continues to read as follows:

Authority: Title I of the Affordable Care Act, sections 1301–1304, 1311–1313, 1321–1322, 1324, 1334, 1342–1343, 1401–1402, Pub. L. 111–148, 124 Stat. 119 (42 U.S.C. 18021–18024, 18031–18032, 18041–18042, 18044, 18054, 18061, 18063, 18071, 18082, 26 U.S.C. 36B, and 31 U.S.C. 9701).

■ 7. Section 156.140 is amended by revising paragraph (c) to read as follows:

§ 156.140 Levels of coverage.

\* \* \* \* \*

(c) De minimis variation. The allowable variation in the AV of a health plan that does not result in a material difference in the true dollar value of the health plan is – 4 percentage points and + 2 percentage points, except if a health plan under paragraph (b)(1) of this section (a bronze health plan) either covers and pays for at least one major service, other than preventive services, before the deductible or meets the requirements to be a high deductible health plan within the meaning of 26 U.S.C. 223(c)(2), in which case the allowable variation in AV for such plan is – 4 percentage points and +5 percentage points.

Dated: February 9, 2017.

Patrick Conway,

Acting Administrator, Centers for Medicare & Medicaid Services.

Dated: February 9, 2017.

Norris Cochran,

Acting Secretary, Department of Health and Human Services.

[FR Doc. 2017–03027 Filed 2–15–17; 8:45 am]

BILLING CODE 4120–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[WC Docket No. 10–90; Report No. 3070]

Petition for Reconsideration of Action in Rulemaking Proceeding

AGENCY: Federal Communications Commission.

**ACTION:** Petition for reconsideration.

**SUMMARY:** A Petition for Reconsideration (Petition) has been filed in the Commission's rulemaking proceeding by Paul C. Besozzi, on behalf of Adak Eagle Enterprises, LLC.

**DATES:** Oppositions to the Petition must be filed on or before March 6, 2017. Replies to an opposition must be filed on or before March 14, 2017.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Alexander Minard, Telecommunications Access Policy Division, Wireline Competition Bureau, at (202) 418-7400 or email: [Alexander.Minard@fcc.gov](mailto:Alexander.Minard@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document, Report No. 3070, released February 1, 2017. The full text of the Petition is available for viewing and copying at the FCC Reference Information Center, 445 12th Street SW., Room CY-A257, Washington, DC 20554. It also may be accessed online via the Commission's Electronic Comment Filing System at: <https://ecfsapi.fcc.gov/file/10119227528923/AEE%20PFR%20FINAL.pdf>. The Commission will not send a copy of this document pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A), because this document does not have an impact on any rules of particular applicability.

*Subject:* Connect America Fund, FCC 16-178, released by the Commission on December 20, 2016, in WC Docket No. 10-90. This document is being published pursuant to 47 CFR 1.429(e). See also 47 CFR 1.4(b)(1) and 1.429(f), (g).

*Number of Petitions Filed:* 1.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 2017-03229 Filed 2-16-17; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 64

[WC Docket No. 16-106; Report No. 3067]

### Petitions for Reconsideration of Action in Rulemaking Proceeding

**AGENCY:** Federal Communications Commission.

**ACTION:** Petition for reconsideration.

**SUMMARY:** Petitions for Reconsideration (Petitions) have been filed in the Commission's rulemaking proceeding: Kenneth Gueck, on behalf of Oracle Corporation; Jonathan Banks, on behalf of United States Telecom Association; Thomas C. Power, on behalf of CTIA; Thomas Cohen, on behalf of American Cable Association; Stuart P. Ingis, on behalf of Association of National Advertisers *et al.*; Steven K. Berry, on behalf of Competitive Carriers Association; Julie M. Kearney, on behalf of Consumer Technology Association; Genevieve Morelli, on behalf of ITTA—The Voice of Mid-Size Communications Companies; Brita D. Strandberg, on behalf of Level 3; Rick Chessen, on behalf of NCTA—The Internet & Television Association; and Stephen E. Coran, on behalf of Wireless Internet Service Providers Association.

**DATES:** Oppositions to the Petitions must be filed on or before March 6,

2017. Replies to an opposition must be filed on or before March 14, 2017.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Sherwin Siy, Competition Policy Division, Wireline Competition Bureau, at (202) 418-2783 or email: [Sherwin.Siy@fcc.gov](mailto:Sherwin.Siy@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document, Report No. 3067, released January 17, 2017. The full text of the Petitions is available for viewing and copying at the FCC Reference Information Center, 445 12th Street SW., Room CY-A257, Washington, DC 20554. They also may be accessed online via the Commission's Electronic Comment Filing System at <http://apps.fcc.gov/ecfs/>. The Commission will not send a copy of this document pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A), because this document does not have an impact on any rules of particular applicability.

*Subject:* In the Matter of Protecting the Privacy of Customers of Broadband and Other Telecommunications Services, FCC 16-148, published at 81 FR 87274, December 2, 2016, in WC Docket No. 16-106. This document is being published pursuant to 47 CFR 1.429(e). See also 47 CFR 1.4(b)(1) and 1.429(f), (g).

*Number of Petitions Filed:* 11.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 2017-03228 Filed 2-16-17; 8:45 am]

**BILLING CODE 6712-01-P**