

further reduce the information collection burden on small business concerns with fewer than 25 employees.

*OMB Control Number:* 3060–1046.

*Title:* Part 64, Modernization of Payphone Compensation Rules, et al., WC Docket No. 17–141, et al.

*Form Number:* N/A.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit.

*Number of Respondents and Responses:* 329 respondents; 2,257 responses.

*Estimated Time per Response:* 0.50 hours–122 hours.

*Frequency of Response:* On occasion, one-time, and quarterly reporting requirements; third party disclosure requirements; and recordkeeping requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151, 154 and 276.

*Total Annual Burden:* 34,720 hours.

*Total Annual Cost:* No cost.

*Privacy Act Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:* The Commission is not requesting respondents to submit confidential information. Respondents may request confidential treatment of their information that they believe to be confidential pursuant to 47 CFR 0.459 of the Commission's rules.

*Needs and Uses:* Section 276 of the Communications Act, as amended (the Act), requires that the Federal Communications Commission (Commission or FCC) establish rules ensuring that payphone service providers or PSPs are “fairly compensated” for each and every completed payphone-originated call. The Commission's Payphone Compensation Rules satisfy section 276 by identifying the party liable for compensation and establishing a mechanism for PSPs to be paid. A 2003 Report and Order (FCC 03–235) established detailed rules (Payphone Compensation Rules) ensuring that payphone service providers or PSPs are “fairly compensated” for each and every completed payphone-originated call pursuant to section 276 of the Communications Act, as amended (the Act). The Payphone Compensation Rules satisfy section 276 by identifying the party liable for compensation and establishing a mechanism for PSPs to be paid. The Payphone Compensation Rules: (1) Place liability to compensate PSPs for payphone-originated calls on the facilities-based long distance

carriers or switch-based resellers (SBRs) from whose switches such calls are completed; (2) define these responsible carriers as “Completing Carriers” and require them to develop their own system of tracking calls to completion; (3) require Completing Carriers to file with PSPs a quarterly report and also submit an attestation by the chief financial officer (CFO) that the payment amount for that quarter is accurate and is based on 100% of all completed calls; (4) require quarterly reporting obligations for other facilities-based long distance carriers in the call path, if any, and define these carriers as “Intermediate Carriers;” and (5) give parties flexibility to agree to alternative compensation arrangements (ACA) so that small Completing Carriers may avoid the expense of instituting a tracking system. and undergoing an audit. On February 22, 2018, the Commission adopted a Report and Order, FCC 18–21 (*2018 Payphone Order*), that: (1) Eliminated the payphone call tracking system audit and associated reporting requirements; (2) permitted a company official, including but no longer limited to, the chief financial officer (CFO), to certify that a Completing Carrier's quarterly compensation payments to PSPs are accurate and complete; and (3) eliminated expired interim and intermediate per-payphone compensation rules that no longer apply to any entity. We believe that the revisions adopted in the *2018 Payphone Order* significantly decrease the paperwork burden on carriers.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

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**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

[WTB Docket No. 18–133; DA 18–454]

### Metro Two-Way, LLC; Notice of Hearing

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document commences a hearing to determine whether Metro Two-Way, LLC (Metro) is qualified to be and to remain a Federal Communications Commission (Commission) licensee, and as a consequence thereof, whether any or all of its licenses should be revoked, and whether its pending application should

be denied. As discussed more fully below, based on the totality of the evidence, there are substantial and material questions of fact as to whether Metro repeatedly made misrepresentations to and lacked candor with the Commission in its submission of several applications in connection with various Wireless Radio Service authorizations.

**DATES:** Each party to the proceeding (except for the Chief, Enforcement Bureau), in person or by counsel, shall file with the Commission, by May 23, 2018, a written appearance stating that the party will appear on the date fixed for hearing and present evidence on the issues specified herein.

**FOR FURTHER INFORMATION CONTACT:** Pamela Kane, Special Counsel, Enforcement Bureau, (202) 418–2393.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order to Show Cause, Hearing Designation Order and Notice of Opportunity for Hearing (Order) in WTB Docket No. 18–133, DA 18–454, adopted on May 2, 2018, and released on May 3, 2018. The full text of the Order is available for inspection and copying during regular business hours in the FCC Reference Center, 445 12th Street SW, Room CY–A257, Portals II, Washington, DC 20554. This document is available in alternative formats (computer diskette, large print, audio record, and Braille). Persons with disabilities who need documents in these formats may contact the FCC by email: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202–418–0530 or TTY: 202–418–0432.

### Synopsis

1. In this Order, the Commission commences a hearing proceeding before a Commission Administrative Law Judge to determine whether the pending application of Metro Two-Way, LLC should be granted, and whether Metro's licenses should be revoked. Metro represented to the Commission in five license applications that no party directly or indirectly controlling Metro has ever been convicted of a felony by any state or federal court. The information before us indicates that Hector Manuel Mosquera, a party directly or indirectly controlling Metro, was convicted of a felony by a state court in California.

2. Accordingly, it is ordered, pursuant to sections 309(e), 312(a)(1), 312(a)(2), 312(a)(4), and 312(c) of the Act, 47 U.S.C. 309(e), 312(a)(1), 312(a)(2), 312(a)(4), 312(c), that Metro Two-Way, LLC shall show cause why the authorizations for which it is the licensee set forth in Attachment A should not be revoked, and that the

above-captioned application filed by Metro Two-Way, LLC is designated for a hearing in a consolidated proceeding before an FCC Administrative Law Judge, at a time and place to be specified in a subsequent Order, upon the following issues:

(a) To determine whether Hector Manuel Mosquera directly or indirectly controls Metro.

(b) To determine whether Metro engaged in misrepresentation and/or lack of candor in its applications with the Commission.

(c) To determine whether Metro failed to amend its pending application, in willful and/or repeated violation of section 1.65 of the Commission's rules.

(d) To determine, in light of the evidence adduced pursuant to the foregoing issues, whether Metro is qualified to be and remain a Commission licensee.

(e) To determine, in light of the foregoing issues, whether the authorizations for which Metro is the licensee should be revoked.

(f) To determine, in light of the foregoing issues, whether the captioned application filed by or on behalf of Metro should be granted.

3. It is further ordered that, in addition to the resolution of the foregoing issues, it shall be determined, pursuant to section 503(b)(1) of the Act, 47 U.S.C. 503(b)(1), whether an order of forfeiture should be issued against Metro in an amount not to exceed the statutory limit for the willful and/or repeated violation of each rule section above for which the statute of limitations in section 503(b)(6) of the Act, 47 U.S.C. 503(b)(6), has not lapsed.

4. It is further ordered that, pursuant to section 312(c) of the Act and sections 1.91(c) and 1.221 of the rules, 47 U.S.C. 312(c) and 47 CFR 1.91(c), 1.221, to avail itself of the opportunity to be heard and to present evidence at a hearing in this proceeding, Metro, in person or by an attorney, shall file with the Commission, within 20 calendar days of the release of this Order, a written appearance stating that it will appear at the hearing and present evidence on the issues specified above.

5. It is further ordered that, pursuant to section 1.91 of the rules, 47 CFR 1.91, if Metro fails to file a timely appearance, its right to a hearing shall be deemed to be waived. In the event the right to a hearing is waived, the Chief Administrative Law Judge (or presiding officer if one has been designated) shall, at the earliest practicable date, issue an order reciting the events or circumstances constituting a waiver of hearing, terminating the hearing proceeding, and certifying the case to

the Commission. In addition, pursuant to section 1.221 of the Commission's rules, 47 CFR 1.221, if any applicant to the captioned application fails to file a timely written appearance, the captioned application shall be dismissed with prejudice for failure to prosecute.

6. It is further ordered that the Chief, Enforcement Bureau, shall be made a party to this proceeding without the need to file a written appearance.

7. It is further ordered that pursuant to section 312(d) of the Act, 47 U.S.C. 312(d), and section 1.91(d) of the Commission's rules, 47 CFR 1.91(d), the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Enforcement Bureau as to the issues at 15(a)–(e), above, and that, pursuant to section 309(e) of the Act, 47 U.S.C. 309(e), and section 1.254 of the Commission's rules, 47 CFR 1.254, the burden of proceeding with the introduction of evidence and the burden of proof shall be upon Metro as to the issue at 15(f), above.

8. It is further ordered that Mobile Relay Associates shall be made a party to this hearing in its capacity as a petitioner to the captioned application.

9. It is further ordered that a copy of this document, or a summary thereof, shall be published in the **Federal Register**.

Federal Communications Commission.

**Scot Stone**,

*Deputy Chief, Mobility Division.*

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**BILLING CODE 6712-01-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

**[OMB 3060-1186]**

### **Information Collection Being Reviewed by the Federal Communications Commission**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the

Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid Office of Management and Budget (OMB) control number.

**DATES:** Written PRA comments should be submitted on or before July 23, 2018. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicole Ongele, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Nicole.Ongele@fcc.gov](mailto:Nicole.Ongele@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Nicole Ongele at (202) 418-2991.

**SUPPLEMENTARY INFORMATION:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

*OMB Control Number: 3060-1186.*