



# Federal Register

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**Thursday,  
November 30, 2000**

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**Part LII**

## **Federal Communications Commission**

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**Semiannual Regulatory Agenda**

**FEDERAL COMMUNICATIONS COMMISSION (FCC)**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Ch. I**

**Unified Agenda of Federal Regulatory and Deregulatory Actions — October 2000**

**AGENCY:** Federal Communications Commission.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** Twice a year, in April and October, the Commission publishes in the **Federal Register** a list in the Unified Agenda of those major items and other significant proceedings under development or review that pertain to the Regulatory Flexibility Act. *See* 5 U.S.C. 602. The Unified Agenda also provides the Code of Federal Regulations citations and legal authorities that govern these proceedings.

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

**FOR FURTHER INFORMATION CONTACT:** Helen G. Hillegass, Attorney Advisor, Office of Communications Business Opportunities, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, (202) 418-0990.

**SUPPLEMENTARY INFORMATION:**

**Unified Agenda of Major and Other Significant Proceedings**

The Commission encourages public participation in its rulemaking process. To help keep the public informed of significant rulemaking proceedings, the Commission has prepared a list of important proceedings now in progress. The General Services Administration publishes the Unified Agenda in the **Federal Register** in April and October of each year.

The following terms may be helpful in understanding the status of the proceedings included in this report:

*Docket Number* — assigned to a proceeding if the Commission has issued either a Notice of Proposed Rulemaking or a Notice of Inquiry concerning the matter under consideration. The Commission has used docket numbers since January 1, 1978. Docket numbers consist of the last two digits of the calendar year in which the docket was established plus a sequential number that begins at 1 with the first docket initiated during a calendar year (e.g., Docket No. 96-1 or Docket No. 99-1). The abbreviation for the responsible bureau usually precedes the docket number, as in “MM Docket No. 96-222,” which indicates that the responsible bureau is the Mass Media Bureau. A docket number consisting of only five digits (e.g., Docket No. 29622) indicates that the docket was established before January 1, 1978.

*Notice of Inquiry (NOI)* — issued by the Commission when it is seeking information on a broad subject or trying to generate ideas on a given topic. A comment period is specified during which all interested parties may submit comments.

*Notice of Proposed Rulemaking (NPRM)* — issued by the Commission when it is proposing a specific change to Commission rules and regulations. Before any changes are actually made, interested parties may submit written comments on the proposed revisions.

*Further Notice of Proposed Rulemaking (FNPRM)* — issued by the Commission when additional comment in the proceeding is sought.

*Memorandum Opinion and Order (MO&O)* — issued by the Commission to deny a petition for rulemaking, conclude an inquiry, modify a decision, or address a petition for reconsideration of a decision.

*Rulemaking (RM) Number* — assigned to a proceeding after the appropriate bureau or office has reviewed a petition for rulemaking, but before the Commission has taken action on the petition.

*Report and Order (R&O)* — issued by the Commission to state a new or amended rule or state that the Commission rules and regulations will not be revised.

**Magalie Roman Salas,**  
*Secretary,*  
Federal Communications Commission.

**CABLE SERVICES BUREAU—Long-Term Actions**

Sequence Number	Title	Regulation Identification Number
4459	Cable Television Rate Regulation .....	3060-AF41
4460	Cable Television Rate Regulation: Cost of Service .....	3060-AF48
4461	Customer Service Standards .....	3060-AF69
4462	Cable Home Wiring .....	3060-AG02
4463	Closed Captioning .....	3060-AG26
4464	Cable Act Reform .....	3060-AG27
4465	Competitive Availability of Navigation Devices .....	3060-AG28
4466	Pole Attachment Provisions .....	3060-AG71
4467	Digital Must Carry .....	3060-AG91
4468	Horizontal Ownership Limits .....	3060-AH09
4469	Application of Network Nonduplication, Syndicated Exclusivity, and Sports Blackout Rules to Satellite Retransmission - SHVIA .....	3060-AH35
4470	Retransmission Consent Issues - SHVIA .....	3060-AH36
4471	Satellite Broadcasting Signal Carriage Requirements .....	3060-AH45

## FCC

## CABLE SERVICES BUREAU—Completed Actions

Sequence Number	Title	Regulation Identification Number
4472	Over-the-Air Reception Devices .....	3060-AG24

## COMMON CARRIER BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4473	Administration of the North American Numbering Plan .....	3060-AF50
4474	Use of N11 Codes and Other Abbreviated Dialing Arrangements .....	3060-AF51
4475	Implementation of the Universal Service Portions of the 1996 Telecommunications Act .....	3060-AF85
4476	Toll-Free Service Access Codes .....	3060-AG11
4477	Implementation of Section 273 of the Telecommunications Act of 1996 .....	3060-AG36
4478	Implementation of Non-Accounting Safeguards, Sec. 271 & 272 of Communications Act of 1996 & Regulatory Treatment of LEC Provisions of Interexchange Svcs. Orig. in LEC Local Exch. Area .....	3060-AG37
4479	Policies and Rules Governing Interstate Pay-Per-Call and Other Information Services Pursuant to the Telecommunications Act of 1996 .....	3060-AG42
4480	Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information	3060-AG43
4481	Telemessaging, Electronic Publishing, and Alarm Monitoring Services .....	3060-AG44
4482	Policy and Rules Concerning the Interstate, Interexchange Marketplace; Implementation of Section 254(g) of the Communications Act of 1934, As Amended .....	3060-AG45
4483	Implementation of the Subscriber Selection Changes Provision of the Telecommunications Act of 1996 .....	3060-AG46
4484	Implementation of Section 402(b)(1)(a) of the Telecommunications Act of 1996; LEC Tariff Streamlining Provisions .....	3060-AG47
4485	Regulatory Treatment of LEC Provision of Interexchange Service Originating in the LEC's Local Exchange Area ..	3060-AG48
4486	Access Charge Reform .....	3060-AG49
4487	Implementation of the Local Competition Provisions of the Telecommunications Act of 1996 .....	3060-AG50
4488	Implementation of Section 255 and Section 251(a)(2) of the Telecommunications Act of 1996; Access to Telecommunications Services Equipment and Customer Premise Equipment for Persons With Disabilities .....	3060-AG58
4489	Enhanced 911 Services for Wireline .....	3060-AG60
4490	Administration of the North American Numbering Plan, Carrier Identification Codes .....	3060-AG61
4491	In the Matter of Inside Wire .....	3060-AG63
4492	Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services .....	3060-AG72
4493	Detariffing of Interstate Exchange Access Services for Non-Incumbent Local Exchange Carriers .....	3060-AG73
4494	In the Matter of the Telecommunications Relay Services, the Americans With Disabilities Act of 1990, and the Telecommunications Act of 1996 .....	3060-AG75
4495	In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities .....	3060-AG76
4496	Toll Fraud .....	3060-AG77
4497	1998 Biennial Regulatory Review - Review of Accounting and Cost Allocation Requirements .....	3060-AG98
4498	Biennial Regulatory Review of ARMIS Reporting Requirements .....	3060-AG99
4499	Performance Measurements and Reporting Requirements for Operations Support Systems, Interconnection, Operator Services, and Directory Assistance .....	3060-AH00
4500	Access Charge Reform for Rate-of-Return Local Exchange Carriers .....	3060-AH01
4501	Deployment of Wireline Services Offering Advanced Telecommunications Capability .....	3060-AH03
4502	Prescribing the Authorized Rate of Return for Interstate Services of Local Exchange Carriers .....	3060-AH18
4503	1998 Biennial Regulatory Review - Review of Depreciation Requirements for Incumbent Local Exchange Carriers	3060-AH20
4504	Comprehensive Review of Accounting Requirements and ARMIS Reporting Requirements, Phase 1 .....	3060-AH43
4505	Local Telephone Networks That LECs Must Make Available to Competitors .....	3060-AH44

## COMMON CARRIER BUREAU—Completed Actions

Sequence Number	Title	Regulation Identification Number
4506	Rules and Policies Regarding Calling Number Identification Services .....	3060-AF07
4507	SBC Communications, Inc. Petition for Biennial Review .....	3060-AH19

## FCC

## CONSUMER INFORMATION BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4508	Internet Telephony Report .....	3060-AH56

## ENFORCEMENT BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4509	In the Matter of Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Alert System .....	3060-AF21
4510	Amendment of Rules Governing Procedures To Be Followed When Formal Complaints Are Filed Against Common Carriers .....	3060-AG65

## OFFICE OF ENGINEERING AND TECHNOLOGY—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4511	Revision of the Rules Regarding Ultra-Wideband Transmission .....	3060-AH47

## OFFICE OF ENGINEERING AND TECHNOLOGY—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4512	Wind Profiler Radar Systems .....	3060-AF45
4513	Millimeter Wave Spectrum Allocation .....	3060-AF61
4514	MSS Spectrum Allocation .....	3060-AF75
4515	Unlicensed National Information Infrastructure at 5 GHz .....	3060-AG19
4516	Allocation of 455-456 MHz and 459-460 MHz .....	3060-AG89
4517	Dedicated Short Range Communications of Intelligent Transportation Services .....	3060-AG94
4518	Regulations for RF Lighting Devices .....	3060-AG95
4519	Equipment Authorization Streamline II/Mutual Recognition Agreements and the GMPCS MOU .....	3060-AG96
4520	Uniden Scanners/Cellular Radio Signals .....	3060-AG97
4521	Industry Coordination Committee System for Broadcast Digital Television Service .....	3060-AH13
4522	3650-3700 Government Transfer Band .....	3060-AH14
4523	Radionavigation Service at 31.8-32.2 GHz .....	3060-AH15
4524	Certification of Equipment in the 24.05-24.25 GHz Band at Field Strengths Up to 2500 mV/m .....	3060-AH16
4525	Fixed Satellite Service and Terrestrial System in the KU-Band .....	3060-AH17
4526	Closed Captioning for DTV Receivers .....	3060-AH24
4527	Spread Spectrum Devices .....	3060-AH25
4528	50-71 GHz Realignment .....	3060-AH26
4529	Wireless Medical Telemetry Service .....	3060-AH27
4530	Establishment of an Improved Model for Predicting the Broadcast Television Field Strength Received at Individual Locations .....	3060-AH37
4531	Conducted Emission Limits .....	3060-AH46

## OFFICE OF ENGINEERING AND TECHNOLOGY—Completed Actions

Sequence Number	Title	Regulation Identification Number
4532	Digital Equipment Deregulation .....	3060-AF73
4533	Medical Care Telemetry Devices .....	3060-AG18

## FCC

## OFFICE OF GENERAL COUNSEL—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4534	Amendment of the Ex Parte Rules in Joint Board Proceedings .....	3060-AH02

## INTERNATIONAL BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4535	Streamlining the Commission's Rules and Regulations for Satellite Application and Licensing Procedures; IB Docket No. 95-117 .....	3060-AD70
4536	Satellite Communications — NGO Mobile Satellite Service; CC Docket No. 92-166 .....	3060-AF42
4537	Establishing Rules and Policies for the Use of Spectrum for Mobile Satellite Service in the L-Band; IB Docket No. 96-132 .....	3060-AF89
4538	Preemption of Local Zoning Regulation of Satellite Earth Stations; IB Docket No. 95-59 .....	3060-AF92
4539	Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band; IB Docket No. 95-91; GEN Docket No. 90-357 .....	3060-AF93
4540	Redesignation of the 27.5-29.5 GHz Frequency Band; CC Docket No. 92-297 .....	3060-AF94
4541	Amendment of Policy To Allow Non-U.S. Licensed Space Stations To Provide Service in the United States; IB Docket No. 96-111; CC Docket No. 93-23 .....	3060-AG31
4542	Streamlining Regulations Related to International Common Carriers; IB Docket No. 98-118 .....	3060-AG84
4543	Redesignation of the 17.7-19.7 GHz Band, Blanket Licensing of Sat Earth Stations (17.7-20.2 GHz & 27.5-30 GHz) & Allocation in the 17.3-17.8 & 24.75-25.25 GHz Bands for Broadcast Satellite-Service Use .....	3060-AH21
4544	Allocate & Designate: Spec for Fixed-Sat Srv (37.5-38.5, 40.5-41.5 & 48.2-50.2 GHz Bands). Allocate: Fixed & Mobile 40.5-42.5 GHz; Wireless 46.9-47 GHz; Gov Oper 37-38 & 40-40.5 GHz; IB Doc No. 97-95. ....	3060-AH23
4545	The Establishment of Policies and Service Rules for the Mobile Satellite Service in the 2 GHz Band; IB Docket No. 99-81 .....	3060-AH28
4546	In the Matter of Policies for the Direct Broadcast Satellite Service; IB Docket No. 98-21 .....	3060-AH29
4547	1998 Biennial Regulatory Review - Review of Accounts Settlement in Maritime Mobile Maritime Mobile-Satellite Radio Services and Withdrawal of the Commission as Accounting Authority; IB Docket No. 98-96 .....	3060-AH30
4548	Amendment to Regulatory Policies Governing Domestic Fixed Satellites and Separate International Satellite Systems; IB Docket No. 95-41 .....	3060-AH48
4549	Global Mobile Personal Communications by Satellite; IB Docket No. 99-67 .....	3060-AH49
4550	Consideration of Applications Under the Cable Landing License Act; IB Docket No. 00-106 .....	3060-AH50

## MASS MEDIA BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4551	Transfer of Control of Non-Stock Entities (MM Docket No. 89-77) .....	3060-AE31
4552	Local Television Ownership Rule (MM Docket No. 91-221) .....	3060-AF79
4553	Filing of Television Network Affiliation Contracts (MM Docket No. 95-40) .....	3060-AF80
4554	Rules Governing Broadcast Television Advertising (MM Docket No. 95-90) .....	3060-AF81
4555	Attribution of Broadcast Interests (MM Docket Nos. 94-150, 92-51, 87-154) .....	3060-AF82
4556	Minor Modifications of Broadcast Licenses Without Prior Construction Permit .....	3060-AG30
4557	Newspaper/Broadcast Cross-Ownership .....	3060-AG53
4558	National Television Ownership Rules (MM Docket Nos. 96-222, 91-221, 87-8) .....	3060-AG54
4559	1998 Biennial Review of Broadcast Ownership (MM Docket No. 98-35) .....	3060-AG79
4560	Review of Technical Rules in Parts 73 and 74 .....	3060-AG81
4561	Review of Broadcast and Cable EEO Rules and Policies .....	3060-AH10
4562	Low Power FM Radio .....	3060-AH11
4563	Establishment of a Class A Television Service (MM Docket Nos. 00-10, 99-292) .....	3060-AH39
4564	Digital Audio Broadcasting Systems (MM Docket No. 99-325) .....	3060-AH40
4565	Dual Network Rule (MM Docket No. 00-108) .....	3060-AH51
4566	Experimental Broadcast Station Multiple Ownership Rule (MM Docket No. 00-105) .....	3060-AH52
4567	Ancillary or Supplemental Use of DTV Capacity by Non-Commercial Licensees (MM Docket No. 98-203) .....	3060-AH53
4568	Periodic Review of Rules and Policies Affecting the Conversion to DTV (MM Docket No. 00-39) .....	3060-AH54

## FCC

## MASS MEDIA BUREAU—Completed Actions

Sequence Number	Title	Regulation Identification Number
4569	Competitive Bidding for Broadcast Services .....	3060-AG78

## OFFICE OF MANAGING DIRECTOR—Completed Actions

Sequence Number	Title	Regulation Identification Number
4570	Assessment and Collection of Regulatory Fees for FY 2000 .....	3060-AH38

## WIRELESS TELECOMMUNICATIONS BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4571	Amendment of the Commission's Rules Concerning Maritime Communications .....	3060-AF14
4572	Rulemaking To Amend Part 1 and Part 21 To Redesignate the 27.5-29.5 GHz Band and To Establish Rules and Policies for Local Multi-Point Distribution Service .....	3060-AF26
4573	Refarming .....	3060-AF35
4574	Future Development of 800 MHz SMR; Competitive Bidding Wide Area .....	3060-AF47
4575	Resale and Roaming Obligations Pertaining to Commercial Mobile Radio Services .....	3060-AF58
4576	Implementation of Section 309(j) of the Communications Act, Competitive Bidding; Narrowband PCS Competitive Bidding Rules .....	3060-AF99
4577	Implementation of Section 309(j) of the Communications Act, Competitive Bidding; 218-219 MHz Competitive Bidding Rules .....	3060-AG00
4578	39 GHz Channel Plan .....	3060-AG16
4579	Implementation of 309(j) of the Communications Act, Amendment of Parts 20 and 24 of the Commission's Rules - Broadband PCS Competitive Bidding and the Commercial Mobile Radio Service Spectrum Cap .....	3060-AG21
4580	Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems .....	3060-AG34
4581	In the Matter of the Communications Assistance for Law Enforcement Act .....	3060-AG74
4582	Development of Operational, Technical, and Spectrum Requirements for Public Safety Communications Requirements .....	3060-AG85
4583	Multiple Access Systems .....	3060-AG86
4584	Amendment of Part I of the Commission's Rules — Competitive Bidding Procedures .....	3060-AG87
4585	Amendment to Part 27 of the Rules To Revise Rules for Services in the 2.3 GHz Band and To Include Licensing of Services in the 47 GHz Band .....	3060-AG93
4586	Amendment of Part 90 of the Rules To Adopt Regulations for Automatic Vehicle Monitoring Systems .....	3060-AH12
4587	Calling Party Pays Service Offering in the Commercial Mobile Radio Services .....	3060-AH31
4588	Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission's Rules .....	3060-AH32
4589	Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended .....	3060-AH33
4590	1998 Biennial Regulatory Review Spectrum Aggregation Limits for Wireless Telecommunications Carriers .....	3060-AH34
4591	Amendment to Parts 1, 2, 87 and 101 of the Rules to License Fixed Services at 24 GHz .....	3060-AH41
4592	Part 101 — Terrestrial Microwave Fixed Radio Services .....	3060-AH42
4593	Amendment of Parts 13 and 80 Governing Maritime Communications .....	3060-AH55
4594	Amendment of the Rules Regarding Installment Payment Financing for Personal Communications Services Licensees .....	3060-AH57

## WIRELESS TELECOMMUNICATIONS BUREAU—Completed Actions

Sequence Number	Title	Regulation Identification Number
4595	Amendment of Part 90 of the Rules To Provide for the Use of the 220-222 MHz Band .....	3060-AG23

**Federal Communications Commission (FCC)**  
**Cable Services Bureau**
**Long-Term Actions**
**4459. CABLE TELEVISION RATE REGULATION**
**Priority:** Other Significant

**Legal Authority:** 47 USC 154; 47 USC 543

**CFR Citation:** 47 CFR 76

**Legal Deadline:** None

**Abstract:** The Commission has adopted rate regulations to implement Section 623 of the 1992 Cable Act to ensure that cable subscribers nationwide enjoy the rates that would be charged by cable systems operating in a competitive environment. Reconsideration was requested. The 14th Order on Reconsideration addresses petitions on issues governing regulated services by cable systems.

**Timetable:**

Action	Date	FR Cite
NPRM	01/04/93	58 FR 48
7th Order on Recon	01/25/95	60 FR 4863
9th Order on Recon	02/27/95	60 FR 10512
8th Order on Recon	03/17/95	60 FR 14373
6th R&O and 11th Order on Recon	07/12/95	60 FR 35854
13th Order on Recon	10/05/95	60 FR 52106
12th Order on Recon	10/26/95	60 FR 54815
10th Order on Recon	04/08/96	61 FR 15388
Order on Recon of the 1st R&O and Further NPRM	04/15/96	61 FR 16447
MO&O	02/12/97	62 FR 6491
Report on Cable Industry Prices	02/24/97	62 FR 8245
R&O and FNPRM	05/21/93	58 FR 29736
R&O	03/31/97	62 FR 15118
14th Order on Recon	10/15/97	62 FR 53572
MO&O and FNPRM	08/18/93	58 FR 43816
3rd R&O	11/30/93	58 FR 63087
Order on Recon, 4th R&O, and 5th NPRM	04/15/94	59 FR 17943
3rd Order on Recon	04/15/94	59 FR 17961
5th Order on Recon and FNPRM	10/13/94	59 FR 51869
4th Order on Recon	10/21/94	59 FR 53113
6th Order on Recon, 5th R&O, and 7th NPRM	12/06/94	59 FR 62614
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Agency Contact:** Nancy Stevenson, Federal Communications Commission,

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**RIN:** 3060-AF41

**4460. CABLE TELEVISION RATE REGULATION: COST OF SERVICE**
**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 543

**CFR Citation:** 47 CFR 76

**Legal Deadline:** None

**Abstract:** The Commission has established rules pursuant to which cable operators may set rates for regulated cable service in accordance with traditional cost-of-service principles, as modified to take account of unique characteristics of the cable industry. These rules are the subject of pending petitions for reconsideration. In addition, the Commission is considering comments received in response to a Further Notice of Proposed Rulemaking concerning the rate of return that should be applied in cost-of-service cases.

**Timetable:**

Action	Date	FR Cite
NPRM	07/30/93	58 FR 40762
R&O	04/15/94	59 FR 17975
2nd NPRM	04/15/94	59 FR 18066
MO&O	10/14/94	59 FR 52087
2nd R&O/1st Order on Recon/FNPRM	03/08/96	61 FR 9361
Correction in FR	03/22/96	61 FR 11749
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local

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 Fax: 202 418-1196  
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**RIN:** 3060-AF48

**4461. CUSTOMER SERVICE STANDARDS**
**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i) to 154(j); 47 USC 303; 47 USC 552

**CFR Citation:** 47 CFR 76

**Legal Deadline:** NPRM, Statutory, April 3, 1993.

**Abstract:** The Commission has adopted customer service standards for cable operators nationwide to implement the provisions of the Cable Act of 1992. Such standards shall include, at a minimum, cable systems office hours, telephone availability, installations, outages, service calls, and communication between the cable operator and subscriber, including billing and refunds.

**Timetable:**

Action	Date	FR Cite
NPRM	12/23/92	57 FR 61038
R&O	04/19/93	58 FR 21107
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Agency Contact:** Nancy Stevenson, Federal Communications Commission, Cable Services Bureau, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AF69

**4462. CABLE HOME WIRING**
**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 544(i)

**CFR Citation:** 47 CFR 76

**Legal Deadline:** None

**Abstract:** On October 6, 1997, the FCC adopted a Report and Order and Second Notice of Proposed Rulemaking (FCC 97-7360) that amends its cable inside wiring rules to enhance competition in the video distribution marketplace. The Second FNPRM seeks comment on, among other things,

## FCC—Cable Services Bureau

## Long-Term Actions

whether there are circumstances where the FCC should adopt restrictions on exclusive contracts in order to further promote competition in the MDU marketplace. A Petition for Review was filed in the U.S. Circuit Court of Appeals for the 8th Circuit on November 24, 1997. The FCC has received petitions for reconsideration and has requested the 8th Circuit to hold the pending court case in abeyance until the Commission takes action on the pending petitions. The Court granted the Commission's request.

**Timetable:**

Action	Date	FR Cite
NPRM	11/17/92	57 FR 54209
R&O	03/02/93	58 FR 11970
NPRM	02/01/96	61 FR 3657
1st Order on Recon & FNRPM	02/16/96	61 FR 6210
FNRPM	09/03/97	62 FR 46453
R&O and 2d FNRPM	11/14/97	62 FR 60165
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Carl Kandutsch, Federal Communications Commission, Cable Services Bureau, 445 12th Street SW., Washington, DC 20554  
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**RIN:** 3060-AG02**4463. CLOSED CAPTIONING****Priority:** Other Significant**Legal Authority:** 47 USC 613**CFR Citation:** 47 CFR 79.1; 47 CFR 79.2**Legal Deadline:** None

**Abstract:** The FCC adopted regulations to ensure that video programming is accessible to persons with hearing disabilities through closed captioning. The rules were adopted in August 1997 and modified in response to petitions for reconsideration in September 1998. In April 2000, the FCC adopted rules to ensure the accessibility of televised emergency information to persons with hearing disabilities through closed captioning or another method of visual presentation.

**Timetable:**

Action	Date	FR Cite
NOI	12/15/95	60 FR 65052
Order	01/29/96	61 FR 2781
Order	03/12/96	61 FR 9963
Report	08/14/96	61 FR 42249
NPRM	02/03/97	62 FR 4959
Order	03/24/97	62 FR 13853
R&O	09/16/97	62 FR 48487
FNRPM	01/21/98	63 FR 3070
Order	10/20/98	63 FR 55959
Order	06/23/99	64 FR 33424
2nd R&O	05/09/00	65 FR 26757
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Additional Bureau: Consumer Information

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**RIN:** 3060-AG26**4464. CABLE ACT REFORM****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154; 47 USC 522; 47 USC 543; 47 USC 544; 47 USC 548; 47 USC 552**CFR Citation:** 47 CFR 76**Legal Deadline:** None

**Abstract:** This proceeding implements the cable reform section of the Telecommunications Act of 1996. It addresses several issues, including the cable rate complaint process, effective competition and subscriber notifications.

**Timetable:**

Action	Date	FR Cite
Order & NPRM	04/30/96	61 FR 19013
Report & Order	07/02/99	64 FR 35948
Correction in FR	08/06/99	64 FR 42855
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local

**Agency Contact:** Nancy Stevenson, Federal Communications Commission, Cable Services Bureau, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AG27**4465. COMPETITIVE AVAILABILITY OF NAVIGATION DEVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 549**CFR Citation:** 47 CFR 76**Legal Deadline:** None

**Abstract:** The Commission has adopted rules to address the mandate expressed in Section 629 of the Communications Act to ensure the commercial availability of "navigation devices," the equipment used to access video programming and other services from multichannel video programming systems. Petitions for reconsideration were resolved in a recent order.

**Timetable:**

Action	Date	FR Cite
NPRM	03/05/97	62 FR 10011
R&O	07/15/98	63 FR 38089
Order on Reconsideration	06/02/99	64 FR 29599

Next Action Undetermined

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AG28**4466. POLE ATTACHMENT PROVISIONS****Priority:** Other Significant**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 224; 47 USC 303; 47 USC 403**CFR Citation:** 47 CFR 1.1401 to 1.1418**Legal Deadline:** Final, Statutory, February 8, 1998.

**Abstract:** In this proceeding, the Commission established rules relating

## FCC—Cable Services Bureau

## Long-Term Actions

to pole attachments. The Telecommunications Act of 1996 required that within two years the Commission prescribe regulations governing the charges for pole attachments. These regulations were to be used by cable operators and telecommunications carriers to provide telecommunications services when the utility and attaching entity parties fail to resolve a dispute over such charges. The Report and Order released in 1998, prescribed regulations to govern these charges.

Petitions for reconsideration of the 1998 Report and Order are pending in which the parties seek to modify the rules for access and charges for pole attachments. The 11th Circuit Court of Appeals released a decision in April of 2000 which challenged the Commission's authority over some aspects of the pole attachment rules. The Commission has filed a Petition for Rehearing.

**Timetable:**

Action	Date	FR Cite
NPRM	08/18/97	62 FR 43963
R&O	03/12/98	63 FR 12013
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State

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**RIN:** 3060-AG71

**4467. DIGITAL MUST CARRY**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 534

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** Section 614(b)(4)(B) of the Communications Act requires that, at the time the Commission prescribes standards for advanced television, it should "initiate a proceeding to establish any changes in the signal

carriage requirements of cable television systems necessary to ensure cable carriage of those broadcast signals of local commercial television stations which have been changed to conform with such modified standards." In August of 1998, the FCC issued a Notice of Proposed Rulemaking seeking comments on the requirements of that section. In June 2000, based on responses to the Notice of Proposed Rulemaking, the Commission clarified that DTV-only television stations, in the context of auctioning analog channels 59-69, will ultimately have must carry rights.

**Timetable:**

Action	Date	FR Cite
NPRM	08/07/98	63 FR 42330
MO&O and FNPRM	07/12/00	65 FR 42879
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

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**RIN:** 3060-AG91

**4468. HORIZONTAL OWNERSHIP LIMITS**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 303; 47 USC 533

**CFR Citation:** 47 CFR 76

**Legal Deadline:** None

**Abstract:** Section 613 of the Communications Act requires the Commission to "prescribe rules and regulations establishing reasonable limits on the number of cable subscribers a person is authorized to reach through cable systems owned by such person, or in which such person has an attributable interest." On October 8, 1999, the Commission issued a Third Report and Order, FCC 99-289, in this matter. The Commission revised the horizontal ownership rules as follows: (1) all multichannel video subscribers will be counted when

calculating the 30 percent ownership limit; (2) actual subscriber numbers, rather than potential subscriber numbers will be used for calculating an owner's share; and (3) the minority exception which allowed a 35 percent ownership limit for minority-owned entities under certain circumstances was eliminated. The Order provided that the new rules would go into effect when the horizontal ownership statute was upheld by the U.S. Court of Appeal, which occurred on May 19, 2000. Petitions for reconsideration are pending.

**Timetable:**

Action	Date	FR Cite
Second MO&O on Recon and FNPRM	07/14/98	63 FR 37790
Third R&O	12/01/99	64 FR 67198
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH09

**4469. APPLICATION OF NETWORK NONDUPLICATION, SYNDICATED EXCLUSIVITY, AND SPORTS BLACKOUT RULES TO SATELLITE RETRANSMISSION - SHVIA**

**Priority:** Other Significant

**Legal Authority:** 47 USC 339

**CFR Citation:** 47 CFR 73; 47 CFR 76

**Legal Deadline:** None

**Abstract:** The FCC proposed rules on its implementation of certain aspects of the Satellite Home Viewer Improvement Act of 1999 (SHVIA). Specifically, the FCC sought comment on the adoption of implementing regulations that apply network nonduplication, syndicated program exclusivity, and sports blackout requirements to satellite carriers.

## FCC—Cable Services Bureau

## Long-Term Actions

**Timetable:**

Action	Date	FR Cite
NPRM	02/02/00	65 FR 4927
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Eloise Gore, Attorney, Federal Communications Commission, Cable Services Bureau, 445 12th Street, S.W., Washington, DC 20554

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**RIN:** 3060-AH35**4470. RETRANSMISSION CONSENT ISSUES - SHVIA****Priority:** Other Significant**Legal Authority:** 47 USC 325**CFR Citation:** 47 CFR 76.64(m); 47 CFR 76.65**Legal Deadline:** None

**Abstract:** The Commission sought public comment on its implementation of certain aspects of the Satellite Home Viewer Improvement Act of 1999 (SHVIA). Among other things, the new legislation requires broadcasters, until the year 2006, to negotiate in good faith with satellite carriers and other multichannel video programming distributors (MVPDs) with respect to their transmission of the broadcasters' signals, and prohibits broadcasters from entering into exclusive retransmission agreements.

The First Report and Order (Order) determined that the statute does not intend to subject retransmission consent negotiation to detailed substantive oversight by the Commission. Instead, the Order concludes that Congress intended that the Commission follow established

precedent, particularly in the field of labor law, in implementing the good faith retransmission consent negotiation requirement. Consistent with this conclusion, the Order adopts a two-part test for good faith. The first part of the test consists of a brief, objective list of negotiation standards. The second part of the good faith test is based on a totality of the circumstances standard. Under this standard, an MVPD may present facts to the Commission which, even though they do not allege a violation of the specific standards enumerated above, given the totality of the circumstances constitute a failure to negotiate in good faith. The Commission's rules regarding the good faith negotiation requirement sunset on January 1, 2006. An MVPD believing itself to be aggrieved may file a complaint with the Commission.

**Timetable:**

Action	Date	FR Cite
NPRM	12/29/99	64 FR 72985
1st R&O	03/23/00	65 FR 23805
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Steven Broeckaert, Attorney, Federal Communications Commission, Cable Services Bureau, 445 12th Street, S.W., Washington, DC 20554

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**RIN:** 3060-AH36**4471. • SATELLITE BROADCASTING SIGNAL CARRIAGE REQUIREMENTS****Priority:** Economically Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 47 USC 338; 47 USC 534; 47 USC 535**CFR Citation:** Not Yet Determined**Legal Deadline:** Final, Statutory, November 29, 2000.

**Abstract:** The Satellite Home Viewer Improvement Act of 1999 (SHVIA) requires satellite carriers, by January 1, 2002, to carry upon request all local broadcast stations' signals. These signals must be carried in all local markets in which the satellite carriers carry at least one broadcast station signal, assuming this signal is licensed pursuant to Section 122 of the Copyright Act. The SHVIA requires the Commission to issue rules implementing the Act's mandatory carriage requirements within one year of the SHVIA's enactment. A Report and Order is due from the Commission no later than November 29, 2000. Congress has indicated that the rules should be comparable to those applicable to cable systems. The applicable statutory provisions are found in Section 1008 of the SHVIA and codified at Section 338 of the Communications Act.

**Timetable:**

Action	Date	FR Cite
NPRM	06/30/00	65 FR 40564
NPRM Comment	08/04/00	
Period End		
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** Ben Golant, Senior Attorney, Federal Communications Commission, Cable Services Bureau, 445 12th Street, S.W., Washington, DC 20554

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**RIN:** 3060-AH45

## Federal Communications Commission (FCC)

## Completed Actions

## Cable Services Bureau

**4472. OVER-THE-AIR RECEPTION DEVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 104-104, sec 207**CFR Citation:** 47 CFR 1; 47 CFR 251**Legal Deadline:** Final, Statutory, August 8, 1996.**Abstract:** The FCC has prescribed regulations that prohibit restrictions impairing a viewer's ability to receive

video programming services through antennas designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, or direct broadcast satellite service.

## FCC—Cable Services Bureau

## Completed Actions

## Timetable:

Action	Date	FR Cite
R&O and FNPRM	03/15/96	61 FR 10710
NPRM	04/18/96	61 FR 16890
R&O, MO&O, and FNPRM	09/04/96	61 FR 46557
Order on Recon	12/07/98	63 FR 67422
Second Report and Order	12/23/98	63 FR 71027
Order on Recon	12/15/99	64 FR 69926

## Regulatory Flexibility Analysis

Required: Yes

**Small Entities Affected:** Governmental Jurisdictions**Government Levels Affected:** State, Local**Agency Contact:** Eloise Gore, Attorney, Federal Communications Commission,

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**RIN:** 3060-AG24

## Federal Communications Commission (FCC)

## Common Carrier Bureau

## Long-Term Actions

**4473. ADMINISTRATION OF THE NORTH AMERICAN NUMBERING PLAN****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 3 to 4; 47 USC 151; 47 USC 152 to 155; 47 USC 154(i); 47 USC 201 to 205; 47 USC 207 to 209; 47 USC 218; 47 USC 225 to 227; 47 USC 251 to 252; 47 USC 271; 47 USC 332; 47 USC 403**CFR Citation:** 47 CFR 52.1 to 52.99; 47 CFR 151; 47 CFR 154; 47 CFR 201 to 205; 47 CFR 403**Legal Deadline:** None

**Abstract:** The Report and Order lays the foundation for the fair and effective administration of numbering in the United States. The Report and Order establishes a model for administration of numbering resources in a competitive environment. In this model, the FCC will set broad policy objectives, be the final arbiter of domestic numbering disputes and work closely with other members of the North American Numbering Plan (NANP), the States, industry and consumers to ensure fair and effective number administration. The Report and Order creates the North American Number Council (NANC) under the Federal Advisory Committee Act. In the Third Report and Order, released on October 9, 1997, the Commission affirmed the NANC's selection of Lockheed Martin IMS as the new NANP administrator. The NANP administrator is a nongovernmental entity that is not aligned with any particular telecommunications industry segment, and upon selection and following a transition period, assumed Bellcore's current NANP administrator functions and the central office code administration functions currently handled by the dominant local

exchange carrier in each area code. The rules were expanded to accommodate the requirements of the Telecommunications Act of 1996. See FCC 96-337, released August 8, 1996.

## Timetable:

Action	Date	FR Cite
NOI	11/10/92	57 FR 53462
NPRM	05/10/94	59 FR 24103
R&O	07/28/95	60 FR 58737
2d R&O	09/06/96	61 FR 47284
3rd R&O	10/09/97	62 FR 55179

Next Action Undetermined

## Regulatory Flexibility Analysis

Required: No

**Government Levels Affected:** None**Agency Contact:** Jeannie Grimes, Senior Paralegal, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554  
Phone: 202 418-2313  
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Email: jgrimes@fcc.gov**RIN:** 3060-AF50**4474. USE OF N11 CODES AND OTHER ABBREVIATED DIALING ARRANGEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 201 to 205; 47 USC 251(e)**CFR Citation:** Not Yet Determined**Legal Deadline:** None

**Abstract:** In 1992, the FCC released a Notice of Proposed Rulemaking in CC Docket 92-105 proposing that local exchange carriers (LECs) be required to make N11 codes available for access to information service providers. In this proposal, LECs could establish any reasonable assignment criteria for such allocation, including "first come, first

served." The FCC's General Counsel released a letter indicating it found no regulatory or legal obstacles to assignment of N11 codes for information services. On February 19, 1997, the FCC released a First Report and Order and Further Notice of Proposed Rulemaking in that Docket (FCC 97-51) which allows incumbent LECs, in addition to the states and Bell Communications Research (Bellcore), to continue to perform the N11 code administration functions that they performed at the time of enactment of the 1996 Act amendments to the 1934 Act, until further FCC action. The FCC concluded that: (1) 311 should be assigned as a national number for access to non-emergency police calls; (2) 711 should be assigned as a national number for access to telecommunications relay services (TRS); (3) all providers of telephone exchange service must be able to have their customers call 611 and 811 to reach their repair and business service offices; and (4) a LEC may not itself offer enhanced services using a 411 code or any other N11 code, unless that LEC offers access to the code on a reasonable nondiscriminatory basis to competing enhanced service providers in the local service area for which it is using the code to facilitate distribution of their enhanced services. In the FNPRM, the FCC asked for comment on: (1) the technical feasibility of implementing 711 for TRS access; (2) the possibility of developing an N11 gateway offering access to multiple TRS providers; (3) whether with such access, TRS calls would still be answered within mandatory minimum answer times; (4) whether such a gateway would be consistent with section 255; and (5) whether other important disability services could be accessed thereby; (6) the possibility of

## FCC—Common Carrier Bureau

## Long-Term Actions

providing both voice and text TRS services through the same abbreviated TRS code; (7) the proprietary nature of N11 codes; and (8) an FCC proposal to transfer administration of N11 codes at the local level from incumbent LECs to the North American Numbering Plan (NANP) administrator. Petitions for reconsideration or clarification on the order have been filed. Comments and replies were filed on March 31 and April 30, 1997, respectively. On June 16, 1999, the Commission released a Public Notice announcing that it will hold a public forum on September 8, 1999, on 711 access to TRS. The goal of the forum was to identify steps that must be taken to implement 711 access to TRS as well as obstacles to implementation and how those obstacles can be resolved.

On August 9, 2000, the Commission released a Second Report and Order (FCC 00-257) that addresses issues related to the deployment of 711 for access to TRS. The Commission required a nationwide rollout of 711 access to TRS and established an implementation framework. On July 31, 2000, the Commission released a Third Report and Order (FCC 00-256) that granted the petition of the United Way of America, and others, for nationwide assignment of the 211 abbreviated dialing code for access to community information and referral services. The Commission also granted the petition of the U.S. Department of Transportation for nationwide assignment of the 511 abbreviated dialing code for access to travel and traffic information. The Commission further addressed issues raised in petitions for reconsideration of the N11 First Report and Order and resolved outstanding issues from the N11 Further Notice of Proposed Rulemaking.

**Timetable:**

Action	Date	FR Cite
NPRM	05/29/92	57 FR 22681
First R&O	02/26/97	62 FR 8633
FNPRM	02/26/97	62 FR 8671
Third R&O	07/31/00	
Second R&O	08/09/00	
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Additional Information:** Additional Bureau: Consumer Information

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**RIN:** 3060-AF51

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**4475. IMPLEMENTATION OF THE UNIVERSAL SERVICE PORTIONS OF THE 1996 TELECOMMUNICATIONS ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151 et seq.

**CFR Citation:** 47 CFR 54

**Legal Deadline:** NPRM, Statutory, March 8, 1996.

Other, Statutory, November 8, 1996, Recommended decision.

Final, Statutory, May 8, 1997, Federal-State Joint Board R&O released May 8, 1997.

**Abstract:** As required by the Telecommunications Act of 1996, the Commission sought comment on proposals for reforming universal service. On November 8, 1996, the Federal-State Joint Board on Universal Service issued a recommended decision on changes to the universal service support mechanisms. In addition, on January 10, 1997, the Commission issued an NPRM and NOI on changes to the Board of Directors of the National Exchange Carrier Association (NECA), regarding the administration of universal service. On May 8, 1997, the Commission, at the direction of Congress, released its order implementing the universal service portions of the 1996 Act. On December 30, 1997, the Commission issued the 4th Order on Reconsideration which made changes and clarifications to the May 8 Order. On June 22, 1998, the Commission issued the 5th Order on Reconsideration which revised the collection levels for the schools and libraries support mechanism through June 30, 1999, and revised the collection levels for the rural health care support mechanism through December 31, 1998. The 5th Order on Reconsideration also revised the priority with which schools and libraries and rural health care providers will receive support. On October 28, 1998, the Commission issued the 5th Report and Order, in which it adopted the model platform for its forward-looking economic cost methodology,

which will be used to determine support for non-rural carriers beginning July 1, 1999. On November 21, 1998, the Commission issued the 8th Order on Reconsideration in which it consolidated the administration of universal service into a single entity known as the Universal Service Administrative Company or USAC. On November 25, 1998, the Federal-State Joint Board on Universal Service issued its Second Recommended Decision in which the Joint Board made certain recommendations to the Commission regarding the high cost support mechanism.

On May 28th, 1999, the Commission issued the 13th Order on Reconsideration in which it adopted the principles of a Federal high-cost support mechanism that conformed to the Second Recommended decision and in which it sought further comment on specific elements of the support methodology. In the 13th Order on Reconsideration, the Commission also decided to implement the new high-cost support mechanism on January 1, 2000 instead of July 1, 1999, as previously planned. On May 28, 1999, the Commission also issued a Further Notice of Proposed Rulemaking in which it sought comment on proposed input values to be used in the forward-looking model to determine non-rural LECs' cost of providing supported services in high cost areas. On August 5, 1999, the Commission adopted a Further Notice of Proposed Rulemaking in which it sought comment to ascertain the availability of, and to understand the possible impediments to, deployment and subscribership in unserved and underserved areas of the Nation, including tribal lands and other insular areas.

On November 1, 1999, the Commission issued the Fourteenth Order on Reconsideration, in which it eliminated the requirement that only carriers that have been certified as eligible telecommunications carriers may receive credit against their universal service contributions for providing telecommunications services to rural health care providers at the lower urban rates. On November 1, 1999, the Commission also issued the Fifteenth Order on Reconsideration, in which it authorized support for any commercially available telecommunications service regardless of the bandwidth, and simplified the method for determining how much

## FCC—Common Carrier Bureau

## Long-Term Actions

support a rural health care provider can receive. On November 2, 1999, the Commission issued the Ninth Report and Order and Eighteenth Order on Reconsideration in which it adopted a new forward-looking high-cost support mechanism that will enable states to ensure the reasonable comparability of non-rural carriers' intrastate rates. On November 2, 1999, the Commission also issued the Tenth Report and Order in which it completed the selection of a cost model to estimate forward-looking cost by adopting input values for the previously adopted cost model.

On June 30, 2000, the Commission issued the Twelfth Report and Order, Memorandum Opinion and Order, and Further Notice of Proposed Rule Making, in response to the Further Notice of Proposed Rule Making it adopted on August 5, 1999. In the Twelfth Report and Order, the Commission adopted measures to promote telecommunications subscribership and infrastructure deployment within American Indian and Alaska Native tribal communities.

**Timetable:**

Action	Date	FR Cite
NPRM Comment Period End	03/08/96	61 FR 10499
Recommended Decision Federal-State Joint Board, Universal Service	11/08/96	61 FR 63778
1st R&O	05/08/97	62 FR 32862
2nd R&O	05/08/97	62 FR 32862
Order on Recon	07/10/97	62 FR 40742
R&O and 2nd Order on Recon	07/18/97	62 FR 41294
nd R&O, and FNPRM	08/15/97	62 FR 47404
3rd R&O	10/14/97	62 FR 56118
2nd Order on Recon	11/26/97	62 FR 65036
4th Order on Recon	12/30/97	62 FR 2093
5th Order on Recon	06/22/98	63 FR 43088
5th R&O	10/28/98	63 FR 63993
8th Order on Recon	11/21/98	
2nd Recommended Decision	11/25/98	63 FR 67837
14th Order on Recon	11/16/99	64 FR 62120
15th Order on Recon	11/30/99	64 FR 66778
10th R&O	12/01/99	64 FR 67372
9th R&O and 18th Order on Recon	12/01/99	64 FR 67416
19th Order on Recon	12/30/99	64 FR 73427
20th Order on Recon	05/08/00	65 FR 26513
Public Notice	07/18/00	65 FR 44507
12th R&O, MO&O and FNPRM	08/04/00	65 FR 47883

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Undetermined

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**RIN:** 3060-AF85

**4476. TOLL-FREE SERVICE ACCESS CODES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 201 et seq; 47 USC 251(e)

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** This proceeding assures that toll-free numbers are allocated on an efficient, fair, and orderly basis.

**Timetable:**

Action	Date	FR Cite
NPRM	10/05/95	60 FR 57157
Second R&O	04/25/97	62 FR 20126
Third R&O	10/09/97	62 FR 55179
Fourth R&O and MO&O	03/30/98	63 FR 16440
Fifth R&O	07/05/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

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**RIN:** 3060-AG11

**4477. IMPLEMENTATION OF SECTION 273 OF THE TELECOMMUNICATIONS ACT OF 1996**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 153; 47 USC 154; 47 USC 157; 47 USC 201 to 209; 47 USC 218; 47 USC 251; 47 USC 273; 47 USC 403

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** This rulemaking implements provisions of the Telecommunications

Act of 1996 relating to the manufacturing of telecommunications equipment and customer premises equipment by the Bell Operating Companies and their affiliates.

**Timetable:**

Action	Date	FR Cite
NPRM	01/24/97	62 FR 3638

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

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**RIN:** 3060-AG36

**4478. IMPLEMENTATION OF NON-ACCOUNTING SAFEGUARDS, SEC. 271 & 272 OF COMMUNICATIONS ACT OF 1996 & REGULATORY TREATMENT OF LEC PROVISIONS OF INTEREXCHANGE SVCS. ORIG. IN LEC LOCAL EXCH. AREA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 152; 47 USC 154; 47 USC 201 to 205; 47 USC 215; 47 USC 218; 47 USC 220; 47 USC 271; 47 USC 272; 47 USC 303(r)

**CFR Citation:** 47 CFR 1.720; 47 CFR 1.721; 47 CFR 1.735; 47 CFR 61.41; 47 CFR 61.58; 47 CFR 63.71; 47 CFR 64.702

**Legal Deadline:** None

**Abstract:** On December 24, 1996, the Commission adopted the Non-Accounting Safeguards Order in its proceeding implementing the non-accounting safeguards provision of the Communications Act of 1934, as amended by the Telecommunications Act of 1996. These provisions prescribe the manner in which the Bell Operating Companies (BOCs) may enter certain markets, including the provisions of in-region interLATA services. On October 1, 1999, the Commission denied several petitions for reconsideration of its initial Order and, on its own motion, clarified certain language in the Order relating to so-called "teaming arrangements."

## FCC—Common Carrier Bureau

## Long-Term Actions

**Timetable:**

Action	Date	FR Cite
NPRM	07/29/96	61 FR 39392
First R&O	01/21/97	62 FR 2927
FNPRM	01/21/97	62 FR 2991
Second Order on Recon	07/07/97	62 FR 36216
Order	04/06/98	63 FR 16696
Second R&O	04/24/98	63 FR 20326
Erratum	06/25/98	63 FR 34603
Third O on Recon	10/01/99	64 FR 61527
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

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**RIN:** 3060-AG37

**4479. POLICIES AND RULES GOVERNING INTERSTATE PAY-PER-CALL AND OTHER INFORMATION SERVICES PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 228**CFR Citation:** 47 CFR 64.1501; 47 CFR 64.1504; 47 CFR 64.1510**Legal Deadline:** None

**Abstract:** The Commission has received comments on proposed rules designed to implement the 1996 Telecommunications Act with respect to information services to prevent abusive and deceptive practices by entities that might try to circumvent the statutory requirements. The proposed rules address generally the use of dialing sequences other than the 900 service access code to provide information services.

**Timetable:**

Action	Date	FR Cite
NPRM	06/20/96	61 FR 31481
NPRM Comment Period End	09/16/96	
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AG42

**4480. TELECOMMUNICATIONS CARRIERS' USE OF CUSTOMER PROPRIETARY NETWORK INFORMATION AND OTHER CUSTOMER INFORMATION**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 222; 47 USC 275; 47 USC 303(r)**CFR Citation:** 47 CFR 64.2001; 47 CFR 64.2003; 47 CFR 64.2005; 47 CFR 64.2007; 47 CFR 64.2009**Legal Deadline:** None

**Abstract:** The Commission adopted rules implementing the new statutory framework governing carrier use and disclosure of customer proprietary network information (CPNI) created by Section 222 of the Communications Act of 1934, as amended. CPNI includes, among other things, to whom, where, and when a customer places a call, as well as the types of service offerings to which the customer subscribes and the extent to which the service is used.

**Timetable:**

Action	Date	FR Cite
NPRM	05/28/96	61 FR 26483
Public Notice	02/25/97	62 FR 8414
2d R&O and FNPRM	04/24/98	63 FR 20364
Order on Reconsideration	10/01/99	64 FR 53242
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AG43

**4481. TELEMESSAGING, ELECTRONIC PUBLISHING, AND ALARM MONITORING SERVICES**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 260; 47 USC 274; 47 USC 275; 47 USC 303(r)**CFR Citation:** 47 CFR 1; 47 CFR 64**Legal Deadline:** None

**Abstract:** On February 7, 1997, the Commission released an Order that implements the telemessaging and electronic publishing provisions of the Telecommunications Act of 1996 (1996 Act), sections 260 and 274, respectively. Section 260 delineates the conditions under which incumbent local exchange carriers (LECs) may offer telemessaging services. Section 274 permits Bell Operating Companies (BOCs) to provide electronic publishing services only through a "separated affiliate" or an "electronic publishing joint venture" that meets certain separation, nondiscrimination, and joint marketing requirements. On March 25, 1997, the Commission released a Second Report and Order implementing the alarm monitoring service provisions set forth in section 275 of the 1996 Act. Among other things, the Order concludes that Ameritech is the only BOC that qualifies for grandfathering treatment under section 275(a)(2) of the 1996 Act, and also finds that incumbent LECs, including BOCs, that provide basic telecommunications services or information services that are used by third parties to provide alarm monitoring services are not engaged in the provision of alarm monitoring service. The Order also finds that the Computer III/ONA requirements continue to govern the provision of alarm monitoring services and telemessaging. The Order also concludes that section 260(a) of the 1996 Act imposes nondiscrimination requirements on incumbent LEC provision of telemessaging services that are in addition to those found in sections 201 and 202.

In 1999, the Commission adopted an Order on Reconsideration, which addressed a petition for reconsideration/clarification of the March 1997 Second Report and Order. In the Order on Reconsideration, the Commission affirmed its previous finding that the availability of sales agency or other marketing arrangements

## FCC—Common Carrier Bureau

## Long-Term Actions

on a nondiscriminatory basis is relevant to whether a BOC is engaged in the provision of alarm monitoring services.

**Timetable:**

Action	Date	FR Cite
NPRM	07/29/96	61 FR 39385
1st R&O	02/20/97	62 FR 7690
FNPRM	02/20/97	62 FR 7744
2nd R&O	04/04/97	62 FR 16093
Order on Reconsideration	02/03/00	65 FR 5267

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

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**RIN:** 3060-AG44

**4482. POLICY AND RULES CONCERNING THE INTERSTATE, INTEREXCHANGE MARKETPLACE; IMPLEMENTATION OF SECTION 254(G) OF THE COMMUNICATIONS ACT OF 1934, AS AMENDED**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 201 to 205; 47 USC 214(e); 47 USC 215; 47 USC 218; 47 USC 220

**CFR Citation:** 47 CFR 61; 47 CFR 64.702(e)

**Legal Deadline:** None

**Abstract:** On March 25, 1996, the Commission released an NPRM seeking comment on its proposal that nondominant interexchange carriers should no longer file tariffs. On October 29, 1996, the Commission adopted the Second Report and Order in which it determined that the statutory forbearance criteria in section 10 of the Communications Act were met for complete detariffing of the interstate, domestic, interexchange services offered by nondominant interexchange carriers. The Commission determined that such carriers would no longer be allowed to file tariffs pursuant to section 203 of the Communications Act for such services, with limited exceptions. The Commission maintained the tariffing requirement for the international portion of bundled domestic and international service offerings. It further required nondominant interexchange carriers to:

(1) file an annual certification stating that they are in compliance with the requirements of section 254(g); (2) maintain supporting documentation on the rates, terms, and conditions of their interstate, domestic, interexchange services that they could submit to the Commission within ten business days upon request; and (3) make publicly available information concerning current rates, terms, and conditions for all of their interstate, domestic interexchange services. Several parties appealed, requesting a stay of the Second Report and Order pending review by the D.C. Circuit. On February 13, 1997, the D.C. Circuit granted certain motions, including a motion for a stay of the Commission's detariffing order. The result was that nondominant interexchange carriers were required to file tariffs for their interstate, domestic, interexchange service. On August 20, 1997, the Commission released an Order on Reconsideration in which it modified the Second Report and Order by: (1) adopting permissive detariffing for interstate, domestic, interexchange direct-dial services to which end users obtain access by dialing an access code; (2) adopting permissive detariffing for the first 45 days of service to new customers that contact the local exchange carrier to choose their primary interexchange carrier; and (3) eliminating the requirement that nondominant interexchange carriers make publicly available information concerning current rates and terms for most interstate, domestic interexchange services.

In the Second Order on Reconsideration, the Commission considered again whether nondominant interexchange carriers (IXCs) should be required to make available to the public information concerning the rates, terms and conditions for all their interstate, domestic, interexchange services. Like other common carriers, IXCs historically have been required to file tariffs with the appropriate regulatory body (this Commission, in the case of interstate services) establishing the rates, terms, and conditions of service. The tariff does not simply serve as a public source of such information; under the judicially created "filed-rate" doctrine, the tariffed rate for a service is the only lawful rate that the carrier may charge for that service. Even if a carrier intentionally misrepresents its rate and a customer relies on the misrepresentation, the carrier cannot be

held to the promised rate if it conflicts with the tariffed rate. When a single carrier dominated the interstate interexchange market, tariffing was an effective tool for ensuring compliance with various common carrier requirements, including rules that require nondiscrimination among customers.

On April 28, 2000, the Court of Appeals upheld the Commission's orders requiring detariffing of domestic, interexchange services and lifted the stay on May 1, 2000. The Common Carrier Bureau issued a Public Notice on May 9, 2000 requesting comment on the nine-month transition plan set out in the Second Report and Order. The Bureau requested comment on (1) whether permissive detariffing should be permitted during all or part of the nine-month transition period for bundled domestic and international service offerings; (2) how quickly the IXCs can come into full compliance with the Web posting requirement; and (3) whether any other modifications should be made to the transition plan. Comments were filed on May 31, 2000, and reply comments were filed on June 9, 2000. A Memorandum Opinion and Order on the transition period is pending.

**Timetable:**

Action	Date	FR Cite
NPRM	04/03/96	61 FR 14717
R&O	08/16/96	61 FR 42558
2nd R&O	11/22/96	61 FR 59340
Order on Reconsideration	11/04/97	62 FR 59583
Second Order on Reconsideration	04/22/99	64 FR 19722
Public Notice	05/09/00	
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

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**RIN:** 3060-AG45

## FCC—Common Carrier Bureau

## Long-Term Actions

**4483. IMPLEMENTATION OF THE SUBSCRIBER SELECTION CHANGES PROVISION OF THE TELECOMMUNICATIONS ACT OF 1996****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154; 47 USC 201; 47 USC 258**CFR Citation:** 47 CFR 64.1100; 47 CFR 64.1150; 47 CFR 64.1160; 47 CFR 64.1170; 47 CFR 64.1180; 47 CFR 64.1190**Legal Deadline:** None

**Abstract:** In December 1998, the Commission established new rules and policies implementing section 258 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, which makes it unlawful for any telecommunications carrier to “submit or execute a change in a subscriber’s selection of a provider of telecommunications exchange service or telephone toll service except in accordance with such verification procedures as the Commission shall prescribe.” The rules provide, among other things, that any telecommunications carrier that violates such verification procedures and that collects charges for telephone exchange service or telephone toll service from a subscriber, shall be liable to the carrier previously selected by the subscriber in an amount equal to all charges paid by the subscriber after such violation. In the FNPRM, we sought comment on several proposals to further strengthen our slamming rules, including a proposal to require unauthorized carriers to remit to authorized carriers certain amounts in addition to the amount paid by slammed subscribers, as well as proposals for preventing the confusion and slamming that results from resellers using the same carrier identification codes as their facilities-based carriers. In April 2000, the Commission modified the slamming liability rules by giving victims of slamming adequate redress, ensuring that carriers that slam do not profit from their fraud, and allowing states to act as the primary administrator of slamming complaints.

In July 2000, the Commission took further action to improve the existing carrier change process for both consumers and carriers, protect the right of consumers to exercise choice among carriers, and ensure that consumers’ choices are honored.

**Timetable:**

Action	Date	FR Cite
MO&O on Recon and FNPRM	08/14/97	62 FR 43493
FNPRM Comment Period End	09/30/97	
Second Report & Order and Second FNPRM	02/16/99	64 FR 7745
First O on Recon	04/13/00	65 FR 47678
Third Report & Order	07/21/00	
Second O on Recon	07/21/00	
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AG46**4484. IMPLEMENTATION OF SECTION 402(B)(1)(A) OF THE TELECOMMUNICATIONS ACT OF 1996; LEC TARIFF STREAMLINING PROVISIONS****Priority:** Other Significant**Legal Authority:** 47 USC 151; 47 USC 154**CFR Citation:** 47 CFR 1.773(a); 47 CFR 61.58

**Legal Deadline:** Final, Statutory, February 8, 1997, the Act of 1996 provides that streamlining provisions apply to any charge, classification, regulation, or practice filed on or after one year after date of enactment of the Act (i.e., 2/8/97).

**Abstract:** In this Report and Order, the FCC adopted rules to implement the specific streamlining requirements of the Telecommunications Act of 1996. Petitions for reconsideration were filed.

**Timetable:**

Action	Date	FR Cite
NPRM	09/24/96	61 FR 49987
NPRM Comment Period End	10/24/96	
R&O	02/07/97	62 FR 5757
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AG47**4485. REGULATORY TREATMENT OF LEC PROVISION OF INTEREXCHANGE SERVICE ORIGINATING IN THE LEC’S LOCAL EXCHANGE AREA****Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 152; 47 USC 154; 47 USC 201 to 205; 47 USC 215; 47 USC 218; 47 USC 220; 47 USC 271; 47 USC 272; 47 USC 303(r)

**CFR Citation:** 47 CFR 61.3(o); 47 CFR 61.3(t)**Legal Deadline:** None

**Abstract:** On April 18, 1997, the Commission released a Second Report and Order in CC Docket No. 96-149 and a Third Report and Order in CC Docket No. 96-61 (Classification Order), in which the Commission revised its regulatory treatment of BOCs’ and independent LECs’ provision of domestic, interstate, long distance services and international services. The Classification Order revises the Commission’s approach to defining product and geographic markets so as to be more in accord with the 1992 Department of Justice/Federal Trade Commission Horizontal Merger Guidelines; classifies the BOCs’ long distance affiliates as “non-dominant” in the provision of long distance services that originate in the areas in which a BOC provides local telephone services; and also classifies independent LECs as non-dominant in the provision of in-region long distance services, but requires independent LECs to provide their in-region long distance services through separate affiliates that satisfy certain separation requirements. Finally, the Classification Order classifies the BOCs and independent LECs as non-dominant in the provision of interstate, domestic, and long distance services that originate outside of the areas in which they provide local telephone services, and it eliminates the requirement that the BOCs and independent LECs provide those out-of-region services through separate affiliates. On June 27, 1997, the Commission released an Order on

## FCC—Common Carrier Bureau

## Long-Term Actions

Reconsideration, which made minor modifications to the Classification Order, including changing the effective date of the Classification Order to 70 days after its publication in the Federal Register. On March 24, 1998, the FCC released an Order staying the provision for the April 18, 1998 deadline by which independent LECs that provide in-region, interstate, interexchange services on an integrated basis must comply with the FCC's requirement that they provide these services through a separate affiliate. To ensure that separate LECs do not incur compliance costs while the possibility of changes to the requirement still exists, the Order stays the portion of the rule that provides the deadline for compliance until 60 days after the release of an FCC reconsideration order addressing this issue. The Second Order on Reconsideration amended the Commission's rules to allow independent LECs that provide in-region, long distance services solely on a resale basis to do so through a separate corporate division rather than a separate legal entity.

**Timetable:**

Action	Date	FR Cite
NPRM	07/29/96	61 FR 39379
Order on Recon	07/03/97	62 FR 35974
2nd R&O	07/03/97	62 FR 35974
Order	04/06/98	63 FR 16696
2nd Order on Reconsideration & MO&O	08/16/99	64 FR 44423

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

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**RIN:** 3060-AG48

**4486. ACCESS CHARGE REFORM**

**Priority:** Economically Significant

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 201 to 205; 47 USC 403; 47 USC 553

**CFR Citation:** 47 CFR 61.41 to 61.49; 47 CFR 69

**Legal Deadline:** None

**Abstract:** On December 24, 1996, the Commission initiated a rulemaking to revise its access charge rules to make them compatible with a competitive market envisioned by the Telecommunications Act of 1996. On May 7, 1997, the Commission adopted revised access charge rate structure rules and adjusted the price cap productivity factor. The Commission also adopted a market-based approach to reducing overall access charge levels and moving such levels toward forward-looking economic costs. The Commission adopted a Further Notice of Proposed Rulemaking seeking comment on proposals to allow presubscribed interexchange carrier charges on special access lines and to adjust the allocation of General Support Facilities costs recovered through interstate access charges.

On July 10, 1997, on its own motion, and on October 9, 1997, in response to reconsideration petitions, the Commission revised or clarified certain parts of the rules adopted in the May 1997 Access Charge Reform Order. On November 26, 1997, the Commission adopted rules requiring price cap carriers to adjust the allocation of General Support Facilities costs and to reduce their price cap indices to ensure that regulated access rates do not recover those costs which are related to nonregulated services.

Reconsideration petitions filed in response to the Access Charge Reform Order, if not yet addressed, will be addressed in future reconsideration orders. On May 27, 1999, the Commission initiated a further rulemaking, seeking comment on how to adjust interstate access charges in conjunction with the removal from access charges of implicit universal service support for non-rural local exchange carriers. On August 5, 1999, the Commission adopted rules implementing the market-based approach to access charge reform, pursuant to which incumbent price cap local exchange carriers receive progressively greater pricing flexibility as competition develops. The Commission also initiated a Further Notice of Proposed Rulemaking, seeking comment on additional pricing flexibility, proposed changes to the rate structure for local switching and tandem-switched transport, and the need to constrain access charges imposed by competitive local exchange carriers. Reconsideration petitions filed

in response to the November 1977 General Support Facilities Order will be addressed in a future reconsideration order. On May 31, 2000, the Commission adopted an industry proposal establishing a 5-year plan for price cap local exchange carriers and resolving many outstanding issues concerning interstate access charges and interstate universal service. On June 16, 2000, the Commission issued a Public Notice inviting parties to update and refresh the record regarding the mandatory detariffing of competitive local exchange carriers' interstate access services.

**Timetable:**

Action	Date	FR Cite
NPRM	01/31/97	62 FR 04670
FNPRM	06/06/97	62 FR 31040
R&O	06/11/97	62 FR 31868
Second Report & Order	06/11/97	62 FR 31939
Order on Reconsideration	07/29/97	62 FR 40460
Second Order on Reconsideration	10/29/97	62 FR 56121
Third Report & Order	12/15/97	62 FR 65619
Public Notice	10/09/98	63 FR 54430
Third Order on Reconsideration	10/15/98	63 FR 55334
Fourth Report & Order and FNPRM	06/09/99	64 FR 30949
Fifth Report & Order and FNPRM	09/22/99	64 FR 51258
NPRM	10/04/99	64 FR 53648
Sixth Report & Order	06/21/00	65 FR 38684
Public Notice	06/26/00	65 FR 39335

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

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**RIN:** 3060-AG49

**4487. IMPLEMENTATION OF THE LOCAL COMPETITION PROVISIONS OF THE TELECOMMUNICATIONS ACT OF 1996**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151 to 155; 47 USC 157; 47 USC 201 to 205; 47 USC 207 to 209; 47 USC 218

**CFR Citation:** 47 CFR 51; 47 CFR 52

## FCC—Common Carrier Bureau

## Long-Term Actions

**Legal Deadline:** Final, Statutory, August 8, 1996.

**Abstract:** The Second Report and Order and Memorandum Opinion and Order implemented the dialing parity, nondiscriminatory access, network disclosure, and number administration provisions of the Telecommunications Act of 1996. The Order also denied the Petition for Expedited Declaratory Ruling on the area code relief plan for Dallas and Houston filed with the FCC by the Texas Public Utilities Commission on May 9, 1996. Finally, this Order addressed petitions for clarification or reconsideration in the matters of proposed 708 Relief Plan and 630 Numbering Plan Area Code by Ameritech and the Administration of the North American Numbering Plan. On July 19, 1999, the Commission released an order denying the petition for reconsideration of the Local Competition Second Report and Order and Memorandum Opinion and Order filed by Beehive Telephone Company, Inc., Local Competition Second Report and Order, First Order on Reconsideration, CC Docket No. 96-98, FCC 99-170, 1999 WL 507245 (1999). On August 17, 1999, Beehive filed a Notice of Appeal of this order with the U.S. Court of Appeals for the D.C. Circuit. On May 18, 2000, the Court affirmed the Commission's decision without a published opinion. On June 30, 2000, Beehive filed a Petition for Rehearing with the Court. That petition was denied on July 18, 2000.

On September 9, 1999, the Commission released the Second Order on Reconsideration of the Local Competition Second Report and Order, FCC 99-227, resolving petitions for reconsideration of rules adopted in the Local Competition Second Report and Order to implement the requirement of Section 251(b)(3), 47 U.S.C. Section 251(b)(3), that LECS provide non-discriminatory access to directory assistance, directory listing and operator services. On October 21, 1999, the Commission released the Third Order on Reconsideration of the Local Competition Second Report and Order, FCC 99-243, resolving the petitions for reconsideration regarding numbering administration under Section 251(e)(1) of the Act, 47 U.S.C. Section 251(e)(1). Other petitions for reconsideration or clarification of the Local Competition Second Report and Order and Memorandum Opinion and Order regarding dialing parity under section

251(b)(3) of the Act, 47 U.S.C. section 251(b)(3), and network disclosure under section 251(c)(1) of the Act, 47 U.S.C. section 251(c)(1), are currently pending before the Commission.

**Timetable:**

Action	Date	FR Cite
NPRM	04/25/96	61 FR 18311
NPRM Comment Period End	06/03/96	
Order	09/06/96	61 FR 47284
Second Order on Recon	09/27/99	64 FR 51910
Third Order on Recon	11/18/99	64 FR 62983
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal, State

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**RIN:** 3060-AG50

#### 4488. IMPLEMENTATION OF SECTION 255 AND SECTION 251(A)(2) OF THE TELECOMMUNICATIONS ACT OF 1996; ACCESS TO TELECOMMUNICATIONS SERVICES EQUIPMENT AND CUSTOMER PREMISE EQUIPMENT FOR PERSONS WITH DISABILITIES

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 255

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** This proceeding is initiated to implement the provisions of sections 251(a)(2) and 255 of the Communications Act and related sections of the Telecommunications Act of 1996 regarding the accessibility of telecommunications equipment and services to persons with disabilities.

**Timetable:**

Action	Date	FR Cite
NOI	09/26/96	61 FR 50465
NPRM	05/22/98	63 FR 28456
NPRM Comment Period End	08/14/98	
First Report & Order	11/19/99	64 FR 63277

Action	Date	FR Cite
Public Notice	07/13/00	65 FR 43372
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** Federal, State, Local

**Additional Information:** Additional Bureau: Consumer Information

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**RIN:** 3060-AG58

#### 4489. ENHANCED 911 SERVICES FOR WIRELINE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 201; 47 USC 222; 47 USC 251

**CFR Citation:** 47 CFR 64.706; 47 CFR 64.708; 47 CFR 68.2; 47 CFR 68.3; 47 CFR 68.3(a); 47 CFR 68.228; 47 CFR 68.308; 47 CFR 68.310

**Legal Deadline:** None

**Abstract:** The rules generally will assist state governments in drafting legislation that will ensure that multi-line telephone systems are compatible with the enhanced 911 network.

**Timetable:**

Action	Date	FR Cite
NPRM	10/11/94	59 FR 54878
Next Action	Undetermined	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** Federal, State, Local, Tribal

## FCC—Common Carrier Bureau

## Long-Term Actions

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**RIN:** 3060-AG60

#### 4490. ADMINISTRATION OF THE NORTH AMERICAN NUMBERING PLAN, CARRIER IDENTIFICATION CODES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 201 to 205; 47 USC 251(e)

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** In 1994, the FCC released a Notice of Proposed Rulemaking (NPRM) in CC Docket No.92-237 addressing various issues relating to NANP administration, including carrier identification codes (CICs). On April 30, 1996, the FCC issued a Public Notice to refresh the record in this Docket. On April 11, 1997, the FCC released a Second Report and Order affirming its tentative conclusion in the NPRM of the industry's plan to convert 3-digit Feature Group D (FGD) Carrier Identification Codes (CICs) to 4-digit. On October 9, 1997, the FCC released the CICs' Further Notice of Proposed Rulemaking seeking comments on the definition of "entity" used to determine who may receive a CIC, and on CIC conservation issues. On October 22, 1997, the Commission released CIC's Order on Reconsideration, Order on Application For Review, and Second FNPRM. The Order on Application For Review denied VarTec Telecom Inc.'s Application for Review of the Common Carrier Bureau's (CCB's) decision to deny VarTec's Motion for Stay of the CIC's Second Report and Order. The Second Further Notice of Proposed Rulemaking tentatively concludes that eventually all Local Exchange Carriers (LEC) end offices should be required to provide equal access. In December 1997 and January 1998, the CCB's Network Service Division released five Orders addressing petitions for waiver filed by small LECs, requesting extension of the January 1, 1998 deadline for conversion of switches to 4-digit. On January 28, 1998, the Network Services Division released an Order addressing a petition filed by a LEC seeking a waiver of 5-digit CIC

dialing during the permissive dialing period. Several petitions were received in the first half of calendar year 2000 that may require the issuance of a Public Notice to refresh the record of the FNPRM.

#### Timetable:

Action	Date	FR Cite
Second R&O	04/18/97	62 FR 19056
FNPRM	10/22/97	62 FR 54817
Order on Recon	10/28/97	62 FR 55762
Next Action Undetermined		

#### Regulatory Flexibility Analysis Required: No

**Government Levels Affected:** None

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**RIN:** 3060-AG61

#### 4491. IN THE MATTER OF INSIDE WIRE

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 155

**CFR Citation:** 47 CFR 68.3; 47 CFR 68.213(c)

**Legal Deadline:** None

**Abstract:** This action addressed a proposal for enhanced wire quality standards for simple inside telephone wiring. The action also addressed whether the demarcation point rule should apply to complex wiring and whether the demarcation point may be located away from a building.

The issues on the definition of the demarcation point have been included in the Wireless Telecommunications Bureau's Docket No. 99-217 (Competitive Networks). A Notice of Proposed Rulemaking addressing these issues was released in July 1999. Comments were due on August 13, 1999, and reply comments were due on September 3, 1999.

The issues with regard to inside wiring were addressed in a Report and Order released January 10, 2000. The Report and Order, released in CC Docket No. 88-57, amended Part 68 to establish minimum quality requirements for inside wire.

#### Timetable:

Action	Date	FR Cite
NPRM	06/17/97	62 FR 36476
NPRM Comment Period End	08/01/97	
Third Report and Order	01/26/00	65 FR 4137
Next Action Undetermined		

#### Regulatory Flexibility Analysis

**Required:** No

**Government Levels Affected:** None

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**RIN:** 3060-AG63

#### 4492. COMPUTER III FURTHER REMAND PROCEEDINGS: BELL OPERATING COMPANY PROVISION OF ENHANCED SERVICES

**Priority:** Other Significant

**Legal Authority:** 47 USC 151; 47 USC 152; 47 USC 154; 47 USC 160; 47 USC 161; 47 USC 202 to 205; 47 USC 251; 47 USC 271; 47 USC 272; 47 USC 274 to 276

**CFR Citation:** 47 CFR 51; 47 CFR 53; 47 CFR 64

**Legal Deadline:** None

**Abstract:** On January 30, 1998, the FCC released a Further Notice of Proposed Rulemaking (FNPRM) proposing to streamline the safeguards under which the Bell Operating Companies (BOCs) provide information (or enhanced) services, such as voice mail and electric messaging. The FCC sought comment on tentative conclusions relating to nonstructural safeguards, Comparably Efficient Interconnection (CEI) plans, and network information disclosure rules, among other things. Finally, the FNPRM sought to build a record on which to respond to a partial remand of certain orders by the Court of Appeals for the Ninth Circuit. On February 25, 1999, the Commission adopted a Report and Order which streamlined the Commission's CEI and network information disclosure rules. Although the BOCs must continue to comply with their CEI obligations, they are no longer required to obtain pre-approval of their CEI plans and amendments from the Commission before initiating or altering an intra-

## FCC—Common Carrier Bureau

## Long-Term Actions

LATA information service. Instead, the Commission requires the BOCs to post their CEI plans on their publicly accessible Internet sites, and to notify the Common Carrier Bureau upon such posting. The Commission removed the network information disclosure rules set forth in the Computer II and Computer III proceedings, with the narrow exception of the Computer II rules that require carriers to disclose changes that could affect how customer premises equipment (CPE) is attached to the network.

**Timetable:**

Action	Date	FR Cite
NPRM	02/26/98	63 FR 9749
Order	03/24/99	64 FR 14141
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Undetermined**Government Levels Affected:** Undetermined

**Agency Contact:** Jon Reel, Attorney Advisor, Federal Communications Commission, Common Carrier Bureau, 445 12th Street, S.W., Washington, DC 20554  
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Phone: 202 418-1580

**RIN:** 3060-AG72

**4493. DETARIFFING OF INTERSTATE EXCHANGE ACCESS SERVICES FOR NON-INCUMBENT LOCAL EXCHANGE CARRIERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151 to 154; 47 USC 160

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Commission proposes to establish mandatory detariffing for non-incumbent local exchange carrier providers of interstate exchange access services or some form of regulation of non-incumbent local exchange carrier providers' access rates pursuant to a Notice of Proposed Rule Making and Further Notice of Proposed Rule Making issued by the Commission on June 19, 1997, and August 27, 1999, respectively.

**Timetable:**

Action	Date	FR Cite
NPRM	06/19/97	62 FR 38244
FNPRM	09/22/99	64 FR 51280
Public Notice	06/26/00	65 FR 39335
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** Lenworth Smith, Legal Branch Chief, Federal Communications Commission, Common Carrier Bureau, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AG73

**4494. IN THE MATTER OF THE TELECOMMUNICATIONS RELAY SERVICES, THE AMERICANS WITH DISABILITIES ACT OF 1990, AND THE TELECOMMUNICATIONS ACT OF 1996**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 225

**CFR Citation:** 47 CFR 64.604

**Legal Deadline:** None

**Abstract:** This item will address the requirement that telecommunications relay services be capable of handling any type of call normally provided by common carriers, including coin-sent paid calls.

**Timetable:** Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Additional Information:** Additional Bureau: Consumer Information

**Agency Contact:** Staci L. Pies, Deputy Division Chief, Network Services Division, Federal Communications Commission, Common Carrier Bureau, 445 12th Street, S.W., Washington, DC 20554  
Phone: 202 418-2320

**RIN:** 3060-AG75

**4495. IN THE MATTER OF TELECOMMUNICATIONS RELAY SERVICES AND SPEECH-TO-SPEECH SERVICES FOR INDIVIDUALS WITH HEARING AND SPEECH DISABILITIES**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 225; 47 USC 255; 47 USC 610

**CFR Citation:** 47 CFR 64.601; 47 CFR 64.603; 47 CFR 64.604; 47 CFR 64.605

**Legal Deadline:** None

**Abstract:** In the Report and Order, released on March 6, 2000, the FCC adopted additional rules to increase the availability and usefulness of the telecommunications system for Americans with hearing and speech disabilities. Specifically, the FCC required that speech to speech and Spanish language relay services be provided. The FCC also encouraged the provision of video relay interpreting service by making it eligible for reimbursement from the telecommunications relay service (TRS) fund. In addition, the FCC revised its minimum standards in accordance with the statutory mandate that TRS must be "functionally equivalent" to voice telecommunications service to the extent possible. Among other things, these rules will improve the speed at which calls are answered and conversations relayed.

In the Further Notice of Proposed Rulemaking (FNPRM), the FCC asked for comment on how to further improve TRS. Specifically, the FNPRM asked what changes are necessary to increase public awareness of TRS among all callers, not just those with disabilities, including how a national awareness education campaign can be established; and whether other technologies, services, and features should be made available to TRS users.

**Timetable:**

Action	Date	FR Cite
NPRM	05/20/98	63 FR 32798
NPRM Comment Period End	09/14/98	63 FR 32798
Report and Order	03/06/00	65 FR 38432
FNPRM	03/06/00	65 FR 38490
O on Recon	06/21/00	65 FR 38432
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** State

## FCC—Common Carrier Bureau

## Long-Term Actions

**Additional Information:** Additional Bureau: Consumer Information

**Agency Contact:** Marilyn Jones, Attorney, Federal Communications Commission, Common Carrier Bureau, 445 12th Street, S.W., Washington, DC 20554

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**RIN:** 3060-AG76

**4496. TOLL FRAUD**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 201 to 205; 47 USC 258; 47 USC 403

**CFR Citation:** 47 CFR 64.1900

**Legal Deadline:** None

**Abstract:** The NPRM proposed to address issues related to the prevention of toll fraud. Due to the fact that instances of toll fraud have declined dramatically since the inception of the NPRM, the Commission is considering termination of the proceeding.

**Timetable:**

Action	Date	FR Cite
NPRM	12/02/93	58 FR 65163
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** David Ward, Attorney, Federal Communications Commission, Common Carrier Bureau, 445 12th Street, S.W., Washington, DC 20554

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**RIN:** 3060-AG77

**4497. 1998 BIENNIAL REGULATORY REVIEW - REVIEW OF ACCOUNTING AND COST ALLOCATION REQUIREMENTS**

**Priority:** Other Significant

**Legal Authority:** 47 USC 151; 47 USC 152; 47 USC 154; 47 USC 161; 47 USC 220

**CFR Citation:** 47 CFR 32.11; 47 CFR 32.16; 47 CFR 32.2000(b); 47 CFR 32.2114; 47 CFR 32.2115; 47 CFR 32.2116; 47 CFR 32.5280; 47 CFR

32.6114; 47 CFR 32.6115; 47 CFR 32.6116; 47 CFR 64.903; 47 CFR 64.904

**Legal Deadline:** Final, Statutory, December 31, 1998.

**Abstract:** This Report and Order modifies the FCC's cost allocation and accounting rules as part of the biennial regulatory review process. Specifically, it (1) raises the threshold significantly for Class A accountings, thus allowing mid-sized carriers currently required to use Class A accounts to use the more streamlined Class B accounts; (2) establishes less burdensome cost allocation manual (CAM) procedures for the mid-sized incumbent local exchange carriers (LECs) and reduces the frequency with which independent audits of the cost allocations are required; and (3) makes several changes to the uniform system of accounts to reduce accounting requirements and to eliminate or consolidate accounts.

**Timetable:**

Action	Date	FR Cite
NPRM	06/17/98	63 FR 45208
NPRM Comment Period End	09/04/98	
Report & Order	06/30/99	64 FR 50002
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Timothy Peterson, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554

Phone: 202 418-1575

**RIN:** 3060-AG98

**4498. BIENNIAL REGULATORY REVIEW OF ARMIS REPORTING REQUIREMENTS**

**Priority:** Other Significant. Major under 5 USC 801.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 161; 47 USC 201; 47 USC 202; 47 USC 203; 47 USC 204; 47 USC 205; 47 USC 215; 47 USC 218; 47 USC 219; 47 USC 220; 47 USC 403

**CFR Citation:** 47 CFR 43.21

**Legal Deadline:** Final, Statutory, December 31, 1998.

**Abstract:** This Report and Order reduces reporting requirement for incumbent local exchange carriers with annual operating revenues in excess of

the annual indexed revenue threshold. These modifications are designed to minimize the reporting burden on carriers, improve the quality and use of the reported financial and operating data, and reduce the costs of collection, verification, and distribution of the data.

**Timetable:**

Action	Date	FR Cite
NPRM	07/17/98	63 FR 44220
NPRM Comment Period End	09/04/98	
Report & Order	06/30/99	
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Mika Savir, Attorney, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554

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Email: msavir@fcc.gov

**RIN:** 3060-AG99

**4499. PERFORMANCE MEASUREMENTS AND REPORTING REQUIREMENTS FOR OPERATIONS SUPPORT SYSTEMS, INTERCONNECTION, OPERATOR SERVICES, AND DIRECTORY ASSISTANCE**

**Priority:** Other Significant

**Legal Authority:** 47 USC 151; 47 USC 152; 47 USC 154; 47 USC 201; 47 USC 202; 47 USC 251; 47 USC 303

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** On April 17, 1998, the FCC released an NPRM seeking comment on a set of model performance measurements and reporting requirements for OSS, interconnection, and access to operator services and to directory assistance.

**Timetable:**

Action	Date	FR Cite
NPRM	04/17/98	63 FR 27021
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** John Stanley, Attorney-Advisor, Federal

## FCC—Common Carrier Bureau

## Long-Term Actions

Communications Commission, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AH00

#### 4500. ACCESS CHARGE REFORM FOR RATE-OF-RETURN LOCAL EXCHANGE CARRIERS

**Priority:** Economically Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 5 USC 553; 47 USC 151; 47 USC 152; 47 USC 153; 47 USC 154; 47 USC 201; 47 USC 202; 47 USC 203; 47 USC 204; 47 USC 205; 47 USC 251; 47 USC 254(g); 47 USC 303(r); 47 USC 403

**CFR Citation:** 47 CFR 36.111; 47 CFR 36.372; 47 CFR 61.1; 47 CFR 69.2; 47 CFR 69.4; 47 CFR 69.110; 47 CFR 69.112; 47 CFR 69.120; 47 CFR 69.125; 47 CFR 69.153(c); 47 CFR 69.307(c)

**Legal Deadline:** None

**Abstract:** In order to make the access charge rules compatible with a competitive marketplace as envisioned by the Telecommunications Act of 1996, the FCC on May 26, 1998, initiated a rulemaking to revise interstate access charge rules applicable to incumbent local exchange carriers subject to rate-of-return regulation. The NPRM proposes to permit rate-of-return LECs to adjust their subscriber line charge ceilings on non-primary residential and multi-line business lines to the level necessary to recover their average per-line interstate-allocated common line costs, subject to an inflation-adjusted \$9.00 ceiling. The NPRM also proposes to permit rate-of-return LECs to recover common line revenues through a presubscribed interexchange carrier charge. The NPRM also proposes that per-minute residual carrier common line and residual transport interconnection charges will be eliminated as the presubscribed interexchange carrier charge ceilings increase. The NPRM seeks comment on proposals to allow presubscribed interexchange carrier charges on special access lines and to adjust the allocation of General Support Facilities costs recovered through interstate access charges to ensure that regulated access rates do not recover costs related to nonregulated services. The NPRM proposes that rate-of-return local exchange carriers recover marketing costs allocated to the interstate jurisdiction from end users

on a per-line basis. In addition, to establish a new switched access rate element to accommodate a new service offering, the streamlined petition provisions of section 69.4(g) are proposed.

#### Timetable:

Action	Date	FR Cite
NPRM	07/20/98	63 FR 38774
Next Action Undetermined		

#### Regulatory Flexibility Analysis Required: Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal, State

**Agency Contact:** Lynne Milne, Attorney, Federal Communications Commission, Common Carrier Bureau, 445 12th Street, S.W., Washington, DC 20554  
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TDD Phone: 202 418-0484  
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**RIN:** 3060-AH01

#### 4501. DEPLOYMENT OF WIRELINE SERVICES OFFERING ADVANCED TELECOMMUNICATIONS CAPABILITY

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 152; 47 USC 153; 47 USC 154; 47 USC 157; 47 USC 160; 47 USC 201; 47 USC 202; 47 USC 203; 47 USC 204; 47 USC 205; 47 USC 251; 47 USC 252; 47 USC 253; 47 USC 254; 47 USC 256; 47 USC 271; 47 USC 303(r)

**CFR Citation:** 47 CFR 51.5; 47 CFR 51.230; 47 CFR 51.231; 47 CFR 51.232; 47 CFR 51.233; 47 CFR 51.319; 47 CFR 51.321; 47 CFR 51.323; 47 CFR 51.605; 47 CFR 51.607

**Legal Deadline:** None

**Abstract:** On March 31, 1999, the Commission released a First Report and Order and Further Notice of Proposed Rulemaking (NPRM), in CC Docket No. 98-147, adopting several measures to enable competitive providers of advanced services such as high-speed internet access, to deploy new technologies on a faster, more cost-effective basis to consumers. This order is intended to create marketplace conditions conducive to the nationwide deployment of advanced telecommunications services consistent with the goals of section 706. Because

the Commission concluded that the record does not sufficiently address long-term spectrum compatibility issues, the Commission adopted a companion Further NPRM that seeks comment on issues related to developing long-term standards and practices for spectrum compatibility and management. In the Further NPRM, the Commission also tentatively concludes that it is technically feasible for two different carriers sharing a single line to provide traditional voice service and advanced services. The Further Notice seeks comment on the operational, pricing, legal and policy ramifications of mandating such line sharing at the Federal level.

On November 9, 1999, the Commission released a Second Report and Order in CC Docket No. 98-147, which addressed whether the discounted resale obligation of Section 251(c)(4) applies to incumbent Local Exchange Carrier (LEC) provision of advanced services without regard to their classification as telephone exchange or exchange access. The Commission determined that analysis of Section 251(c)(4) requires a fact-specific evaluation of the features and characteristics of a particular transaction, and concluded that advanced services sold at retail by incumbent LECs to residential and business end-users are subject to the Section 251(c)(4) discounted resale obligation, without regard to their classification as telephone exchange service or exchange access service. The Commission, however, reached a different result as to advanced services sold to Internet Service Providers for inclusion in a high-speed Internet service offering, concluding that these advanced services are inherently different from advanced services made available directly to business and residential end-users, and as such, are not subject to the discounted resale obligations of Section 251(c)(4).

On December 9, 1999, the Commission released a Third Report and Order in CC Docket No. 98-147 and Fourth Report and Order in CC Docket No. 96-98 (Third R&O). In the Third R&O, the Commission adopted measures to promote the availability of competitive broadband Digital Subscriber Line (DSL) services, especially to residential and small business customers. The Third R&O amends the Commission's unbundling rules to require incumbent LECs to provide unbundled access to a new network element, the high

## FCC—Common Carrier Bureau

## Long-Term Actions

frequency portion of the local loop. This will enable competitive LECs to compete with incumbent LECs to provide access to consumers' DSL services through telephone lines that the competitive LECs can share with incumbent LECs. In addition, the Third R.O adopts spectrum management policies and rules to facilitate the competitive deployment of advanced services. These rules will significantly benefit the rapid and efficient deployment of DSL technologies.

On December 23, 1999, the Commission released an Order on Remand in CC Docket Nos. 98-147, 98-11, 98-26, 98-32, 98-78, and 98-91, in which the Commission determined that US West may not avoid the obligations placed on incumbent LECs under Section 251 (c) of the Act in connection with the provision of advanced services. The Commission found that when xDSL-based advanced services both originate and terminate "within a telephone exchange," and provide subscribers with the capability of communicating with other subscribers in that same exchange, they are properly classified as "telephone exchange service." The Commission found that xDSL-based advanced services constitute "exchange/access" when exchange boundaries for the purposes of originating or terminating telephone toll services.

**Timetable:**

Action	Date	FR Cite
NPRM	08/24/98	63 FR 45140
Order	08/24/98	63 FR 45133
R&O and Further NPRM	04/30/99	64 FR 23229
Third R&O	01/10/00	65 FR 1331
Second R&O	02/11/00	65 FR 6912
Order on Remand	02/16/00	65 FR 7744
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Margaret Egler, Assistant Chief, Policy and Program Planning Division, Federal Communications Commission, Common Carrier Bureau, 445 12th Street, S.W., Washington, DC 20554  
Phone: 202 418-1580

**RIN:** 3060-AH03**4502. PRESCRIBING THE AUTHORIZED RATE OF RETURN FOR INTERSTATE SERVICES OF LOCAL EXCHANGE CARRIERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 201(b); 47 USC 202 to 205; 47 USC 218 to 220; 47 USC 303(r); 47 USC 403**CFR Citation:** 47 CFR 65.301**Legal Deadline:** None

**Abstract:** This Notice initiates a proceeding to represcribe the authorized rate of return for interstate access services provided by ILECs. It marks the first prescription proceeding since we revised the rules governing procedures and methodologies for prescribing and enforcing the rate of return for ILECs not subject to price cap regulation, and the first prescription proceeding since the Commission adopted its price cap rules for local exchange carriers. In this Notice, we seek comment on the methods by which we could calculate the ILECs' cost of capital. In the Notice, we propose corrections to errors in the codified formulas for the cost of debt and cost of preferred stock and seek comment on whether this proceeding warrants a change in the low-end formula adjustment for local exchange carriers subject to price caps.

**Timetable:**

Action	Date	FR Cite
NPRM	10/05/98	63 FR 55988
NPRM Comment Period End	04/08/99	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** Louise Klees-Wallace, Attorney, Federal Communications Commission, Common Carrier Bureau, 445 12th Street, S.W., Washington, DC 20554  
Phone: 202 418-7116

**RIN:** 3060-AH18**4503. 1998 BIENNIAL REGULATORY REVIEW - REVIEW OF DEPRECIATION REQUIREMENTS FOR INCUMBENT LOCAL EXCHANGE CARRIERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 161; 47 USC 201 to 205;

47 USC 215; 47 USC 218; 47 USC 220(h); 47 USC 403

**CFR Citation:** 47 CFR 32.2000; 47 CFR 43.43**Legal Deadline:** None

**Abstract:** In the Report and Order we streamline further our depreciation prescription process by permitting summary filings and eliminating the prescription of depreciation rates for incumbent LECs, provided that the carrier uses depreciation factors that are within the ranges adopted by the Commission; expanding the prescribed range for the digital switching plant account; and eliminating theoretical reserve studies for mid-sized carriers. We also set forth conditions pursuant to which a waiver from the Commission's depreciation prescription process may be appropriate. In the Memorandum Opinion and Order, we deny United States Telephone Association's petition for forbearance of our depreciation prescription process. We find that the petition did not meet the three-prong forbearance test under Section 10 of the Act (47 U.S.C. Section 160).

**Timetable:**

Action	Date	FR Cite
NPRM	10/14/98	63 FR 56900
NPRM Comment Period End	12/08/98	
FNPRM	04/03/00	65 FR 19725
Report and Order	04/10/00	65 FR 18926
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** None

**Agency Contact:** JoAnn Lucanik, Assistant Division Chief, Federal Communications Commission, Common Carrier Bureau, Accounting Safeguards Division, 445 12th Street SW., Washington, DC 20554  
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**RIN:** 3060-AH20**4504. COMPREHENSIVE REVIEW OF ACCOUNTING REQUIREMENTS AND ARMIS REPORTING REQUIREMENTS, PHASE 1****Priority:** Other Significant**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 161; 47 USC 220**CFR Citation:** 47 CFR 32.13; 47 CFR 32.25; 47 CFR 32.27; 47 CFR 32.903;

## FCC—Common Carrier Bureau

## Long-Term Actions

47 CFR 32.904; 47 CFR 32.2002; 47 CFR 32.2003; 47 CFR 32.5999

**Legal Deadline:** None

**Abstract:** This Report and Order streamlines the FCC's accounting and reporting requirements by (1) eliminating the USOA expense matrix; (2) reducing audit burdens on incumbent local exchange carriers; (3) adopting a de minimis exception to the affiliate transactions rules; (4) eliminating other accounting requirements; and (5) streamlining reporting requirements in the ARMIS 43-02 USOA Report.

**Timetable:**

Action	Date	FR Cite
NPRM	07/14/99	64 FR 44877
NPRM Comment Period End	09/09/99	
Report and Order	03/28/00	65 FR 16328
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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**RIN:** 3060-AH43

#### 4505. LOCAL TELEPHONE NETWORKS THAT LECS MUST MAKE AVAILABLE TO COMPETITORS

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 251

**CFR Citation:** 47 CFR 51 (Revision)

**Legal Deadline:** None

**Abstract:** This revises the rules applicable to incumbent local exchange carriers (LECs) to permit competitive carriers to access portions of the incumbent LECs' networks on an unbundled basis. Unbundling allows competitors to lease portions of the incumbent LECs' network to provide telecommunications services. These rule changes are intended to remove uncertainty regarding the incumbent LECs' unbundling obligations under the Telecommunications Act of 1996 and are expected to accelerate the

development of local exchange competition.

**Timetable:**

Action	Date	FR Cite
Second Further NPRM	04/26/99	64 FR 20238
Fourth Further NPRM	01/14/00	65 FR 2367
Third R&O	01/18/00	65 FR 2542
Errata Third R&O and Fourth Further NPRM	01/18/00	65 FR 2542
Second Errata Third R&O and Fourth Further NPRM	01/18/00	65 FR 2542
Supp Order	01/18/00	65 FR 2542
Supplemental Order Clarification	06/20/00	65 FR 38214
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local

**Agency Contact:** Jodie Donovan-May, Attorney Advisor, Federal Communications Commission, Common Carrier Bureau, 445 12th Street, S.W., Washington, DC 20554  
Phone: 202 418-1580

**RIN:** 3060-AH44

### Federal Communications Commission (FCC) Common Carrier Bureau

## Completed Actions

#### 4506. RULES AND POLICIES REGARDING CALLING NUMBER IDENTIFICATION SERVICES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(f); 47 USC 201

**CFR Citation:** 47 CFR 64.1600 to 64.1604

**Legal Deadline:** Final, Judicial, January 1, 1997, The R&O set effective date of 12/1/95 for carriers to pass CPN, provide per call blocking, and provide unblocking if blocking is offered. Numerous other deadlines for when stays, waivers expire.

**Abstract:** The Report and Order and Further Notice found that a Federal model for interstate delivery of calling party number (CPN) is in the public interest and that the model must protect calling party privacy. The Second Report and Order confirms this finding, addresses 53 petitions for reconsideration of the Report and Order and adopts rules that: ensure the

interstate delivery of calling party number; ensure that callers can activate a per-call privacy mechanism (by dialing \*67) to block display of their numbers to called parties; and ensure that if State policies permit and customers select to have per-line blocking, callers can activate a per-call unblocking mechanism (by dialing \*82) to display their numbers to called parties. Further, the Second Report and Order adopts rules to ensure that for other services that use calling party number or calling name, when a caller requests privacy, a carrier may not reveal that caller's number or name, nor may the carrier use the number or name to allow the called party to contact the calling party. These rules became generally effective December 1, 1995. Hotel and motel lines, public payphones, party lines, and call return services must comply with these rules by January 1, 1997. The Commission has granted several temporary stays and waivers of these rules. The Third Notice of Proposed Rulemaking seeks

comments on whether the caller ID rules should be extended to Private Branch Exchange systems and private payphones. The Fourth Notice of Proposed Rulemaking seeks comments on whether local exchange carriers without blocking software should be exempted from the caller ID rules and required not to pass CPN. BellSouth has petitioned the Commission to reconsider the rules established in the Second Report and Order that applied the caller ID rules to call return services, hotel and motel lines, and public payphones. The 3rd Report and Order, released March 25, 1997, clarified that caller ID rules do apply to call-return services and party lines. Siemens petitioned for reconsideration of caller ID rules as to equipment manufacturers. The network services division of the Common Carrier Bureau granted a stay of the FCC's rules for private branch exchange (PBX) manufacturers.

## FCC—Common Carrier Bureau

## Completed Actions

## Timetable:

Action	Date	FR Cite
NPRM	09/26/91	56 FR 57300
R&O	04/18/94	59 FR 18318
FNPRM	04/18/94	59 FR 18349
Second R&O and Third NPRM	06/02/95	60 FR 28775
Order	10/30/95	
Order & Fourth NPRM	11/30/95	60 FR 63491
Order	11/30/95	
Third R&O	06/23/97	62 FR 34015

## Regulatory Flexibility Analysis

Required: Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** None

**Additional Information:** The title of this item was revised when the status was changed from RM 7397 to CC Docket 91-281. The RM was a public notice calling for comments and, upon receipt of comments and replies, was terminated in favor of the NPRM under CC Docket 91-281.

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**RIN:** 3060-AF07

## 4507. SBC COMMUNICATIONS, INC. PETITION FOR BIENNIAL REVIEW

**Priority:** Other Significant

**Legal Authority:** 47 USC 4(i); 47 USC 4(j); 47 USC 161; 47 USC 201; 47 USC 202; 47 USC 203; 47 USC 204; 47 USC 205; 47 USC 219; 47 USC 220; 47 USC 303(r); 47 USC 403

**CFR Citation:** 47 CFR; 47 CFR 1; 47 CFR 13; 47 CFR 22; 47 CFR 24; 47 CFR 32.27; 47 CFR 61; 47 CFR 64.901 to 64.904; 47 CFR 65.101; 47 CFR 65.820(d); 47 CFR 80; 47 CFR 87; 47 CFR 90

**Legal Deadline:** None

**Abstract:** The Commission sought comment on proposals to modify its rules for rates of return, cash working capital studies, affiliate transaction rules, cost allocation rules, detariffing of certain services, and to consolidate wireless radio rules.

## Timetable:

Action	Date	FR Cite
NPRM	11/24/98	63 FR 68418
R&O and 5th MO&O	06/30/99	
R&O, O on Recon, and 4th MO&O	09/15/99	64 FR 50002

## Regulatory Flexibility Analysis

Required: Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Andy Multz, Legal Branch Chief, Accounting Safeguards Division, Federal Communications Commission, Common Carrier Bureau, 445 12th Street, S.W., Washington, DC 20554

Phone: 202 418-0827

**RIN:** 3060-AH19

## Federal Communications Commission (FCC)

## Long-Term Actions

## Consumer Information Bureau

## 4508. • INTERNET TELEPHONY REPORT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 154(j); 47 USC 208; 47 USC 255

**CFR Citation:** 47 CFR 6

**Legal Deadline:** None

**Abstract:** This item analyzes the extent to which the telecommunications industry is providing access to Internet telephony, and the extent to which

regulatory action is necessary to achieve such access.

## Timetable:

Action	Date	FR Cite
NPRM	05/22/98	63 FR 28456
R&O and NOI	11/19/99	64 FR 63235

Next Action Undetermined

## Regulatory Flexibility Analysis

Required: Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Federalism:** Undetermined

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**RIN:** 3060-AH56

## Federal Communications Commission (FCC)

## Long-Term Actions

## Enforcement Bureau

## 4509. IN THE MATTER OF AMENDMENT OF PART 73, SUBPART G, OF THE COMMISSION'S RULES REGARDING THE EMERGENCY ALERT SYSTEM

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 303; 47 USC 544; 47 USC 606

**CFR Citation:** 47 CFR 11; 47 CFR 73; 47 CFR 76

**Legal Deadline:** None

**Abstract:** The Commission adopted new rules to replace the old Emergency Broadcast System (EBS) with a new Emergency Alert System (EAS), in order to alert the public in the event of a national emergency. The Report and Order requires broadcast stations and cable TV systems to participate in

the EAS and streamlines operational procedures for system participants. The new rules prescribe how existing communications services such as broadcasting, cable, and other public service providers will function under the technical standards and operational procedures of the new system. It also removed the old part of the Commission's rules concerning EBS in its entirety and incorporated the new

## FCC—Enforcement Bureau

## Long-Term Actions

EAS rules in a new part of the Code of Federal Regulations.

The Commission issued a Further Notice of Proposed Rulemaking (NPRM) seeking comments regarding whether the Multipoint Distribution Service (MDS), Satellite Master Antenna TV (SMATV) system, and Video Dial Tone should also be required to participate in EAS. It also sought comments on several cable issues such as whether a defined class of small cable systems should be exempted from participation in EAS, and how the Commission should define small cable systems. The Commission subsequently adopted a Second Report and Order to (1) modify EAS as it applied to cable systems; (2) address whether other video providers should be required to participate in the system; and (3) adopt rules to address issues of concern to persons with hearing disabilities.

In response to concerns that voluntary EAS activations could interrupt the transmission of emergency programming by local broadcast stations, the Commission issued a Second Further NPRM requesting comment on whether it should adopt rules to prohibit cable systems from transmitting EAS alerts for state or local emergencies during the broadcast of emergency programming by a broadcast station. In the Third Report and Order, the Commission amended its rules to permit cable systems and broadcast systems to enter into voluntary agreements regarding the transmission of local emergency information. The Commission, however, declined to adopt rules requiring cable systems to prevent the interruption of local broadcast station emergency programming.

At this time, the Commission is considering two additional requests for rule changes.

**Timetable:**

Action	Date	FR Cite
NPRM	10/09/91	
NPRM/FNPRM	09/17/92	57 FR 53874
FNPRM	12/28/94	59 FR 67104
R&O	12/28/94	59 FR 67090
MO&O	11/06/95	60 FR 55996
Second FNPRM	03/04/98	63 FR 15806
Second R&O	09/24/98	63 FR 29660
Third R&O	02/08/99	64 FR 5950
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** Federal, State, Local

**Agency Contact:** Frank Lucia, Acting Chief, Emergency Alert System Staff, Federal Communications Commission, Enforcement Bureau, 445 12th Street, S.W., Washington, DC 20554  
Phone: 202 418-1220

**RIN:** 3060-AF21

#### 4510. AMENDMENT OF RULES GOVERNING PROCEDURES TO BE FOLLOWED WHEN FORMAL COMPLAINTS ARE FILED AGAINST COMMON CARRIERS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 201; 47 USC 208; 47 USC 260; 47 USC 271; 47 USC 274; 47 USC 275

**CFR Citation:** 47 CFR 0.291; 47 CFR 1.47; 47 CFR 1.720 to 1.736

**Legal Deadline:** None

**Abstract:** In this proceeding the FCC revised the procedural rules governing

the filing of formal complaints with the FCC. The objectives of the Order focused on promoting settlement efforts, enhancing the contents of pleadings, and streamlining complaint procedures generally. The rule amendments require parties to (1) engage in pre-filing activities, including settlement discussions and information exchange; (2) eliminate delays in service of formal complaints on carriers; (3) improve the format and content of pleadings; (4) eliminate pleading opportunities that are not useful or necessary; and (5) streamline the discovery process. See Report and Order dated November 25, 1997. Final Action on this matter is anticipated by October 2000. In this proceeding, the FCC also adopted procedures to govern the "Accelerated Docket," in which complaints are resolved on an expedited basis, using tools such as pre-filing settlement conferences supervised by the Commission, as well as minitrials.

**Timetable:**

Action	Date	FR Cite
NPRM	12/26/96	61 FR 67978
Report & Order	01/07/98	63 FR 990
Second Report & Order	08/04/98	63 FR 41433
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** None

**Agency Contact:** Anita Cheng, Attorney, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554  
Phone: 202 418-7330

**RIN:** 3060-AG65

### Federal Communications Commission (FCC) Office of Engineering and Technology

## Proposed Rule Stage

#### 4511. • REVISION OF THE RULES REGARDING ULTRA-WIDEBAND TRANSMISSION

**Priority:** Economically Significant

**Legal Authority:** 47 USC 154; 47 USC 302; 47 USC 303; 47 USC 304; 47 USC 307; 47 USC 544A

**CFR Citation:** 47 CFR 15

**Legal Deadline:** None

**Abstract:** The Commission proposed regulations that would permit the operation of ultra-wideband radio systems on an unlicensed basis under the Commission's rules.

**Timetable:**

Action	Date	FR Cite
NPRM	06/14/00	65 FR 37332
NPRM Comment Period End	10/12/00	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

## FCC—Office of Engineering and Technology

## Proposed Rule Stage

**Government Levels Affected:** None**Additional Information:** ET Docket No. 98-153**Agency Contact:** John Reed,  
Electronics Engineer, Federal  
Communications Commission, 445 12th  
Street, S.W., Washington, DC 20554Phone: 202 418-2455  
Fax: 202 418-1944  
Email: jreed@fcc.gov  
**RIN:** 3060-AH47**Federal Communications Commission (FCC)  
Office of Engineering and Technology****Long-Term Actions****4512. WIND PROFILER RADAR  
SYSTEMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154; 47 USC 303**CFR Citation:** 47 CFR 2**Legal Deadline:** None**Abstract:** Amendment of section 2.106 of the Commission's Rules to allocate spectrum for Wind Profiler Systems. Allocation of this spectrum for wind profilers will facilitate the automated collection of weather information, including data on severe storms that threaten life or property that is not obtainable in any other manner.**Timetable:**

Action	Date	FR Cite
NPRM	04/01/93	58 FR 19644
Next Action Undetermined		

**Regulatory Flexibility Analysis  
Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Additional Information:** ET Docket No. 93-59**Agency Contact:** Sean White, Federal  
Communications Commission, Office of  
Engineering and Technology, 445 12th  
Street, S.W., Washington, DC 20554  
Phone: 202 418-2453  
Email: swhite@fcc.gov**RIN:** 3060-AF45**4513. MILLIMETER WAVE SPECTRUM  
ALLOCATION****Priority:** Economically Significant.  
Major under 5 USC 801.**Legal Authority:** 47 USC 4; 47 USC  
154; 47 USC 154(i); 47 USC 302; 47  
USC 303; 47 USC 303(r); 47 USC 307**CFR Citation:** 47 CFR 2; 47 CFR 15;  
47 CFR 21**Legal Deadline:** None**Abstract:** The millimeter wave  
spectrum allocation proceeding began

in October 1994 with the adoption of the first Notice of Proposed Rulemaking (NPRM). The purpose of the proceeding was to open the radio frequency spectrum above 40 GHz for commercial development. Millimeter wave technology is expected to support many short-range applications that require very high bandwidth, such as educational and medical applications, wireless access to libraries or other information databases, and automotive vehicle radar systems for collision avoidance. The Commission has allocated this spectrum for licensed services and unlicensed uses. The Third Report and Order adopted rules that will encourage the commercial development and use of millimeter wave frequencies above 40 GHz, and adopted rules to establish a spectrum etiquette for unlicensed operation in the 59-64 GHz band.

A Public Notice was issued to solicit comments from interested parties regarding harmonizing U.S. and European spectrum allocations above 40 GHz.

**Timetable:**

Action	Date	FR Cite
NPRM	11/08/94	59 FR 61304
Public Notice	06/23/95	60 FR 35166
2nd NPRM	03/29/96	61 FR 14041
1st R&O	04/02/96	61 FR 14500
Comment Period End	05/28/96	
Reply Comments	06/27/96	
2nd R&O	08/02/97	62 FR 43116
MO&O	08/27/97	62 FR 45330
4th NPRM	08/27/97	62 FR 45380
Public Notice on Recon	10/02/97	62 FR 51661
3rd R&O	08/07/98	63 FR 42276
3rd MO&O	06/21/00	65 FR 38431
Next Action Undetermined		

**Regulatory Flexibility Analysis  
Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:**  
Undetermined**Additional Information:** ET Docket No. 94-124; Additional Bureaus: Wireless  
Telecommunications and International.**Agency Contact:** Rodney P. Conway,  
Federal Communications Commission,  
445 12th Street, S.W., Washington, DC  
20554Phone: 202 418-2904  
Fax: 202 418-1944  
Email: rconway@fcc.govJohn Reed, Electronics Engineer,  
Federal Communications Commission,  
445 12th Street, S.W., Washington, DC  
20554Phone: 202 418-2455  
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Email: jreed@fcc.gov**RIN:** 3060-AF61**4514. MSS SPECTRUM ALLOCATION****Priority:** Substantive, Nonsignificant.  
Major status under 5 USC 801 is  
undetermined.**Legal Authority:** 47 USC 154; 47 USC  
302; 47 USC 303; 47 USC 304**CFR Citation:** 47 CFR 2**Legal Deadline:** None**Abstract:** Amendment of part 2.106 of  
the Commission's rules to allocate  
spectrum at 2 GHz for use by the  
Mobile Satellite Service.**Timetable:**

Action	Date	FR Cite
NPRM	01/31/95	60 FR 11644
Order	03/08/95	60 FR 13687
R&O and FNPRM	04/22/97	62 FR 19538
1st R&O	04/22/97	62 FR 19509
MO&O	12/17/98	63 FR 69606
Next Action Undetermined		

**Regulatory Flexibility Analysis  
Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** ET Docket No.  
95-18**Agency Contact:** Sean White, Federal  
Communications Commission, Office of  
Engineering and Technology, 445 12th  
Street, S.W., Washington, DC 20554  
Phone: 202 418-2453

## FCC—Office of Engineering and Technology

## Long-Term Actions

Email: swhite@fcc.gov

RIN: 3060-AF75

**4515. UNLICENSED NATIONAL INFORMATION INFRASTRUCTURE AT 5 GHZ****Priority:** Economically Significant. Major under 5 USC 801.**Legal Authority:** 47 USC 302; 47 USC 303**CFR Citation:** 47 CFR 2; 47 CFR 15**Legal Deadline:** None

**Abstract:** The MO&O amends the rules to permit fixed, point to point unlicensed National Information Infrastructure (U-NII) devices in the 5.725-5.285 GHz band to operate with one-watt maximum transmitter output power and directional antennas of up to 23 db:gain. It clarifies the rules regarding unwanted emissions and specifies these limits in terms of absolute radiated power levels. These actions will add to the flexibility and capability of U-NII operations without causing an increase in harmful interference to incumbent operations sharing the same spectrum.

**Timetable:**

Action	Date	FR Cite
NPRM	05/06/96	61 FR 24749
R&O	01/31/97	62 FR 4649
Public Notice	03/17/97	62 FR 12641
MO&O	07/31/98	63 FR 40831
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Additional Information:** RM-8468 and RM-8653; ET Docket No. 96-102

**Agency Contact:** John Reed, Electronics Engineer, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554  
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Email: jreed@fcc.gov

RIN: 3060-AG19

**4516. ALLOCATION OF 455-456 MHZ AND 459-460 MHZ****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 303**CFR Citation:** 47 CFR 2; 47 CFR 25**Legal Deadline:** None

**Abstract:** The FCC proposes to amend its rules to allocate the 455-456 MHz and 459-460 MHz bands to the Mobile Satellite Services (Earth-to-Space) (MSS Uplinks) on a primary basis for non-voice, non-geostationary satellite services (NVNG MSS).

**Timetable:**

Action	Date	FR Cite
NPRM	10/31/97	62 FR 58932
Comment Period End	11/30/97	
Reply Comment Period End	12/15/97	
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** State**Additional Information:** ET Docket No. 97-214

**Agency Contact:** Sean White, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554  
Phone: 202 418-2453  
Email: swhite@fcc.gov

RIN: 3060-AG89

**4517. DEDICATED SHORT RANGE COMMUNICATIONS OF INTELLIGENT TRANSPORTATION SERVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 157; 47 USC 303**CFR Citation:** 47 CFR 2; 47 CFR 90**Legal Deadline:** None

**Abstract:** The FCC proposes to allocate 75 megahertz of spectrum for use by Dedicated Short Range Communications (DSRC) of Intelligent Transportation Systems (ITS). DSRC systems are being designed that require a short range, wireless link to transfer information between vehicles and roadside systems. ITS services are expected to improve traveler safety, decrease traffic congestion, and facilitate reduction of air pollution and conservation of fossil fuels. This action furthers the goal of the U.S. Congress, the Department of Transportation, and the ITS industry to improve the efficiency of the Nation's transportation infrastructure and facilitate the growth of the ITS industry.

**Timetable:**

Action	Date	FR Cite
NPRM	06/30/98	63 FR 35558

Action	Date	FR Cite
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Comment Period End 09/14/98

Reply Comment Period End 10/31/98

R &amp; O 11/26/99 64 FR 66405

Next Action Undetermined

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** ET Docket No. 98-95

**Agency Contact:** Tom Derenge, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554  
Phone: 202 418-2451  
Email: tderenge@fcc.gov

RIN: 3060-AG94

**4518. REGULATIONS FOR RF LIGHTING DEVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154; 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 304; 47 USC 307**CFR Citation:** 47 CFR 18**Legal Deadline:** None

**Abstract:** The FCC proposed to update the regulations for RF lighting devices. This action was taken in response to new developments in RF lighting technology. Recent developments and advances in microwave RF lighting technology offer potential economic and environmental benefits for consumers and industry. The current FCC rules do not easily accommodate these advancements, and thus hinder the further development and implementation of these promising new products.

**Timetable:**

Action	Date	FR Cite
ANPRM	04/24/98	63 FR 20362
First Report & Order	07/12/99	64 FR 37417
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** None**Additional Information:** ET Docket No. 98-42

**Agency Contact:** John Reed, Electronics Engineer, Federal

## FCC—Office of Engineering and Technology

## Long-Term Actions

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RIN: 3060-AG95

#### 4519. EQUIPMENT AUTHORIZATION STREAMLINE II/MUTUAL RECOGNITION AGREEMENTS AND THE GMPCS MOU

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 47 USC 154; 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 304; 47 USC 307

**CFR Citation:** 47 CFR 25; 47 CFR 68

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend the rules to provide the option of private sector approval of equipment that currently requires an approval by the Commission. It also proposes rule changes to implement a mutual recognition agreement (MRA) for product approvals with the European Community (EC) and to allow for similar agreements with other foreign trade parties. These actions are intended to eliminate the need for manufacturers to wait for approval from the FCC before marketing equipment in the United States, thereby reducing the time needed to bring a product to market.

#### Timetable:

Action	Date	FR Cite
NPRM	06/10/98	63 FR 31685
R&O	02/02/99	64 FR 4984
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal, State

**Additional Information:** GEN Docket No. 98-68

**Agency Contact:** Hugh L. Van Tuyl, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554

Phone: 202 418-7506

RIN: 3060-AG96

#### 4520. UNIDEN SCANNERS/CELLULAR RADIO SIGNALS

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 154; 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 304; 47 USC 307

**CFR Citation:** 47 CFR 2; 47 CFR 15

**Legal Deadline:** None

**Abstract:** The FCC proposes to amend the rules to further prevent scanning receivers from receiving radio telephone calls.

#### Timetable:

Action	Date	FR Cite
ANPRM	06/10/98	63 FR 31684
Report & Order	04/27/99	64 FR 22559
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** ET Docket No. 98-76

**Agency Contact:** Rodney P. Conway, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554

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RIN: 3060-AG97

#### 4521. INDUSTRY COORDINATION COMMITTEE SYSTEM FOR BROADCAST DIGITAL TELEVISION SERVICE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 307; 47 USC 336

**CFR Citation:** 47 CFR 73; 47 CFR 74

**Legal Deadline:** None

**Abstract:** We seek comment on the establishment of an industry coordination committee to assist the Commission in the implementation of digital television (DTV) service. This committee system would evaluate proposed changes to the DTV Table of Allotments and perform other related functions.

#### Timetable:

Action	Date	FR Cite
NPRM	02/09/99	64 FR 6296
Comment Period End	03/29/99	
Reply Comment Period End	04/28/99	

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** ET Docket No. 99-34

**Agency Contact:** Alan Stillwell, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554

Phone: 202 418-2925

Email: astillwe@fcc.gov

RIN: 3060-AH13

#### 4522. 3650-3700 GOVERNMENT TRANSFER BAND

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 157(a); 47 USC 303(c); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r)

**CFR Citation:** 47 CFR 2

**Legal Deadline:** None

**Abstract:** The Commission proposes to allocate the 3650-3700 MHz band to the non-Government fixed service on a primary basis. We envision that this spectrum will be used to provide a broad range of new fixed point-to-point and point-to-multipoint services directly linking residences, businesses, and other fixed locations to an ever developing array of networks.

#### Timetable:

Action	Date	FR Cite
ANPRM	01/14/99	64 FR 2462
ANPRM Comment Period End	03/01/99	

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Undetermined

**Additional Information:** ET Docket No. 98-237

**Agency Contact:** Rodney P. Conway, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554

## FCC—Office of Engineering and Technology

## Long-Term Actions

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 RIN: 3060-AH14

**4523. RADIONAVIGATION SERVICE AT 31.8-32.2 GHZ**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 302; 47 USC 303; 47 USC 307

**CFR Citation:** 47 CFR 2; 47 CFR 87

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend parts 2 and 87 of the Commission's rules in order to delete the unused non-Government radionavigation service allocation at 31.8-32.3 GHz and to also remove this frequency segment from the list of available frequencies set forth in the rules for the Aviation Services.

**Timetable:**

Action	Date	FR Cite
ANPRM	11/30/98	63 FR 65726
ANPRM Comment	01/04/99	
Period End		
R&O	09/26/00	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** Undetermined

**Additional Information:** ET Docket No. 98-197

**Agency Contact:** Tom Mooring, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554

Phone: 202 418-2450  
 Email: tmooring@fcc.gov

RIN: 3060-AH15

**4524. CERTIFICATION OF EQUIPMENT IN THE 24.05-24.25 GHZ BAND AT FIELD STRENGTHS UP TO 2500 MV/M**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 301; 47 USC 302; 47 USC 303

**CFR Citation:** 47 CFR 15

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend Part 15 of its rules to allow the operation of fixed point-to-point transmitters in the 24.05-24.25 GHz

band at field strength of up to 2500 mV/m.

**Timetable:**

Action	Date	FR Cite
ANPRM	09/21/98	63 FR 50185
ANPRM Comment	01/04/99	
Period End		
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** ET Docket No. 98-156

**Agency Contact:** Neal McNeil, Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554  
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RIN: 3060-AH16

**4525. FIXED SATELLITE SERVICE AND TERRESTRIAL SYSTEM IN THE KU-BAND**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 157; 47 USC 303

**CFR Citation:** 47 CFR 2; 47 CFR 25

**Legal Deadline:** None

**Abstract:** The Commission proposes to permit non-geostationary satellite orbit (NGSO) fixed satellite service (FSS) operations in certain segments of the Ku-band and proposes rules and policies to govern such operations.

**Timetable:**

Action	Date	FR Cite
NPRM	01/12/99	64 FR 1786
Order	02/16/99	64 FR 7577
Public Notice	12/15/99	64 FR 70028
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** ET Docket No. 98-206

**Agency Contact:** Tom Derenge, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554

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 RIN: 3060-AH17

**4526. CLOSED CAPTIONING FOR DTV RECEIVERS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 303(u); 47 USC 330(b)

**CFR Citation:** 47 CFR 15

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend Part 15 of the rules to adopt technical standards for the display of closed captions on digital television (DTV) receivers. We also propose to require the inclusion of closed captioning decoder circuitry in DTV receivers. The proposals will help ensure access to digital programming for people with disabilities.

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/99	64 FR 41897
NPRM Comment	11/15/99	
Period End		
R&O	09/29/00	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Additional Information:** ET Docket No. 99-254

**Agency Contact:** Neal McNeil, Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554  
 Phone: 202 418-2408  
 Email: nmcneil@fcc.gov

RIN: 3060-AH24

**4527. SPREAD SPECTRUM DEVICES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303

**CFR Citation:** 47 CFR 15

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend Part 15 rules regarding the operation of non-licensed spread spectrum systems. The NPRM proposes to revise the rules for frequency hopping systems operating in the 2.4

## FCC—Office of Engineering and Technology

## Long-Term Actions

GHz band (2400-2483.5 MHz) to allow for wider operational bandwidths. This action is taken to facilitate the continued development of spread spectrum technology, particularly for high data rate wireless applications.

**Timetable:**

Action	Date	FR Cite
NPRM	07/20/99	64 FR 38877
NPRM Comment	11/02/99	
Period End		

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Additional Information:** ET Docket No. 99-231

**Agency Contact:** Neal McNeil, Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554  
Phone: 202 418-2408  
Email: nmcneil@fcc.gov

**RIN:** 3060-AH25

**4528. 50-71 GHZ REALIGNMENT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 302; 47 USC 303; 47 USC 307

**CFR Citation:** 47 CFR 2.106

**Legal Deadline:** None

**Abstract:** The Commission proposes to amend the United States Table of Frequency Allocations with respect to the 50.2-50.4 and 51.4-71 GHz band. The allocations proposed would provide additional spectrum to the inter-satellite service and to the fixed and mobile services, while continuing to provide an acceptable environment for passive spaceborne sensor measurements of atmospheric temperature.

**Timetable:**

Action	Date	FR Cite
NPRM	08/11/99	64 FR 43643
NPRM Comment	09/22/99	
Period End		

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Additional Information:** ET Docket No. 99-261

**Agency Contact:** Tom Mooring, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554

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**RIN:** 3060-AH26

**4529. WIRELESS MEDICAL TELEMETRY SERVICE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 304

**CFR Citation:** 47 CFR 2; 47 CFR 15; 47 CFR 90; 47 CFR 95

**Legal Deadline:** None

**Abstract:** The Commission amended Parts 2 and 95 of the rules to allocate spectrum and to establish rules for a Wireless Medical Telemetry Service. This action will allow potentially life critical medical telemetry equipment, which currently operates on a secondary basis, unprotected from interference, to operate on a blanket licensed, interference protected basis.

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/99	64 FR 41891
NPRM Comment	10/18/99	
Period End		
R&O	07/17/00	65 FR 43995

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Additional Information:** ET Docket No. 99-255

**Agency Contact:** Hugh L. Van Tuyl, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554

Phone: 202 418-7506

**RIN:** 3060-AH27

**4530. ESTABLISHMENT OF AN IMPROVED MODEL FOR PREDICTING THE BROADCAST TELEVISION FIELD STRENGTH RECEIVED AT INDIVIDUAL LOCATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 303; 47 USC 334; 47 USC 336

**CFR Citation:** 47 CFR 73

**Legal Deadline:** Final, Statutory, May 29, 2000.

**Abstract:** The Commission adopted a prediction model for determining presumptively the ability of individual locations to receive over the air television stations. This model will be a useful means for establishing the eligibility of individual households to receive the signals of television broadcast network stations through satellite carriers. The Commission is complying with the new statutory requirements set forth in the Satellite Home Viewer Improvement Act of 1999.

**Timetable:**

Action	Date	FR Cite
NPRM	02/02/00	65 FR 4923
NPRM Comment	03/07/00	
Period End		
R&O	06/09/00	65 FR 36639

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Additional Information:** ET Docket No. 00-11

**Agency Contact:** Robert Eckert, Chief, Technical Analysis Branch, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AH37

**4531. • CONDUCTED EMISSION LIMITS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 304; 47 USC 307; 47 USC 544A

**CFR Citation:** 47 CFR 15; 47 CFR 18

**Legal Deadline:** None

## FCC—Office of Engineering and Technology

## Long-Term Actions

**Abstract:** The Commission proposes to revise the limits on the amount of radio frequency energy that is permitted to be conducted onto the AC power lines. The purpose of these limits is to protect radio services operating below 30 MHz from interference. The devices regulated are personal computers, TV and FM receivers, RF lighting devices, microwave ovens, induction cooking ranges, and ultrasonic equipment.

**Timetable:**

Action	Date	FR Cite
NPRM	11/16/99	64 FR 62159
NPRM Comment	02/29/00	
Period End		
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** ET Docket No. 98-80

**Agency Contact:** John Reed, Electronics Engineer, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AH46Federal Communications Commission (FCC)  
Office of Engineering and Technology

## Completed Actions

**4532. DIGITAL EQUIPMENT DEREGULATION****Priority:** Economically Significant. Major under 5 USC 801.**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.**Legal Authority:** 47 USC 302; 47 USC 303**CFR Citation:** 47 CFR 15**Legal Deadline:** None**Abstract:** Action to explore possibility of more efficient and flexible approach to authorization of certain digital equipment. (Item will incorporate IBM/CBEMA CPU boards, Gen. Doc. 90-413.)**Timetable:**

Action	Date	FR Cite
NPRM	02/07/95	60 FR 15116
R&O	05/14/96	61 FR 31044
Order	06/19/97	62 FR 33368
MO&O	08/04/97	62 FR 41879

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** ET Docket No. 95-19

**Agency Contact:** John Reed, Electronics Engineer, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AF73**4533. MEDICAL CARE TELEMETRY DEVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 304; 47 USC 307**CFR Citation:** 47 CFR 15**Legal Deadline:** None**Abstract:** The Report and Order amends part 15 of the rules to expand the availability of frequencies and to

increase the permitted power for unlicensed biomedical telemetry devices operating on VHF television channels within health care facilities.

**Timetable:**

Action	Date	FR Cite
NPRM	01/25/96	61 FR 3367
NPRM Comment	04/16/96	
Period End		
Reply Comments	05/16/96	
R&O	10/30/97	62 FR 58656

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State, Local**Additional Information:** ET Docket No. 95-177

**Agency Contact:** John Reed, Electronics Engineer, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AG18Federal Communications Commission (FCC)  
Office of General Counsel

## Long-Term Actions

**4534. AMENDMENT OF THE EX PARTE RULES IN JOINT BOARD PROCEEDINGS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 47 USC 154(i); 47 USC 154(j); 47 USC 303(r); 47 USC 403**CFR Citation:** 47 CFR 1.1206**Legal Deadline:** None**Abstract:** The FCC proposes to amend its ex parte rules to facilitate communications by the States in Joint Board proceedings and proceedings before the FCC involving a recommendation from a Joint Board.**Timetable:**

Action	Date	FR Cite
NPRM	07/15/98	63 FR 38142

Action	Date	FR Cite
NPRM Comment	08/31/98	
Period End		
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

## FCC—Office of General Counsel

## Long-Term Actions

**Agency Contact:** David S. Senzel,  
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Communications Commission, Office of

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Phone: 202 418-1760

**RIN:** 3060-AH02

**Federal Communications Commission (FCC)  
International Bureau**

## Long-Term Actions

**4535. STREAMLINING THE  
COMMISSION'S RULES AND  
REGULATIONS FOR SATELLITE  
APPLICATION AND LICENSING  
PROCEDURES; IB DOCKET NO. 95-  
117**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will eliminate existing text in the CFR.

**Legal Authority:** 47 USC 4; 47 USC 154; 47 USC 303; 47 USC 554; 47 USC 701 to 744

**CFR Citation:** 47 CFR 25

**Legal Deadline:** None

**Abstract:** On February 10, 1997, the FCC adopted rules and policies that streamlined the application and licensing requirements of Part 25 of its rules, which deals with communication satellites and earth stations. The streamlined rules waived the construction permit requirement for satellite space stations; changed the license term for temporary fixed earth stations; and adjusted or changed the rules concerning minor modifications and basic requirements for satellite service applications. The streamlined rules also resulted in the creation of a new application form, FCC Form 312. Form 312 eliminated from the International Bureau's use, the FCC Form 493, FCC Form 430, FCC Form 702, and FCC Form 704. Petitions for Reconsideration were filed in this matter. In March 1997 the Commission released a Public Notice concerning these petitions, which are presently pending before the International Bureau.

**Timetable:**

Action	Date	FR Cite
NPRM	09/09/95	60 FR 46252
R&O, Recon Pending	02/10/97	62 FR 5924
Public Notice/Petitions for Recon	03/26/97	62 FR 14430

Next Action Undetermined

**Regulatory Flexibility Analysis  
Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Local, State, Federal

**Procurement:** This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

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Electronics Engineer, Federal  
Communications Commission, 445 12th  
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**RIN:** 3060-AD70

**4536. SATELLITE COMMUNICATIONS  
— NGO MOBILE SATELLITE SERVICE;  
CC DOCKET NO. 92-166**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 301; 47 USC 303

**CFR Citation:** 47 CFR 2; 47 CFR 25; 47 CFR 93

**Legal Deadline:** None

**Abstract:** The Commission adopted rules in 1994 for a voice-and-data mobile satellite service (MSS) in the 1610-1626.5 MHz and 2483.5-2500 MHz frequency bands. Licenses have been issued for five systems. The Commission issued a decision in a 1996 ruling on Petitions for Reconsideration of the Report and Order making some changes in the rules. Several petitions for further reconsideration are still pending.

**Timetable:**

Action	Date	FR Cite
NPRM	03/14/94	59 FR 11746
NPRM Comment Period End	06/04/94	
R&O	10/21/94	59 FR 53294
Begin Review	12/01/94	
First Recon Order	03/12/96	61 FR 9944

Next Action Undetermined

**Regulatory Flexibility Analysis  
Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** CC Docket No. 92-166

**Agency Contact:** William Bell,  
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Commission, International Bureau, 445  
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20554

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**RIN:** 3060-AF42

**4537. ESTABLISHING RULES AND  
POLICIES FOR THE USE OF  
SPECTRUM FOR MOBILE SATELLITE  
SERVICE IN THE L-BAND; IB DOCKET  
NO. 96-132**

**Priority:** Routine and Frequent. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154; 47 USC 303; 47 USC 316; 47 USC 403

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Commission seeks to develop a record and to solicit comments on the proposed policies. The proposed policies are designed to ensure that sufficient spectrum is available to operate a viable and independent U.S.-licensed mobile satellite service system in the L-band. The proposed policies, to the extent possible, also seek to make any additional spectrum coordinated internationally available for mobile satellite service systems. The proposed policies impose no additional burdens. In order to be effective, these rules must apply to all licenses and thus there is no significant alternative.

**Timetable:**

Action	Date	FR Cite
NPRM	06/18/96	61 FR 40772
NPRM Comment Period End	09/23/96	

Next Action Undetermined

**Regulatory Flexibility Analysis  
Required:** Yes

## FCC—International Bureau

## Long-Term Actions

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

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**RIN:** 3060–AF89

**4538. PREEMPTION OF LOCAL  
ZONING REGULATION OF SATELLITE  
EARTH STATIONS; IB DOCKET NO.  
95-59**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 165(j); 47 USC 303(r)

**CFR Citation:** 47 CFR 1.4000; 47 CFR 25.104

**Legal Deadline:** None

**Abstract:** The Commission adopted rules in March and August of 1996 to preempt regulations that restricted the installation and use of certain over-the-air reception devices. Staff work on the reconsideration of the March 1996 Report and Order is assigned to the International Bureau; work on the September 1996 Report and Order is assigned to the Cable Services Bureau.

**Timetable:**

Action	Date	FR Cite
NPRM	05/15/95	60 FR 28077
NPRM Comment Period End	08/15/95	
FNPRM	03/15/96	61 FR 10710
R&O	03/18/96	61 FR 10896
R&O	09/04/96	61 FR 46559
Next Action Undetermined		

**Regulatory Flexibility Analysis  
Required:** Yes

**Small Entities Affected:** Businesses,  
Governmental Jurisdictions,  
Organizations

**Government Levels Affected:**  
Undetermined

**Agency Contact:** Selina Khan,  
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**RIN:** 3060–AF92

**4539. ESTABLISHMENT OF RULES  
AND POLICIES FOR THE DIGITAL  
AUDIO RADIO SATELLITE SERVICE IN  
THE 2310-2360 MHZ FREQUENCY  
BAND; IB DOCKET NO. 95-91; GEN  
DOCKET NO. 90-357**

**Priority:** Routine and Frequent. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 151(i); 47 USC 154(j); 47 USC 157; 47 USC 309(j)

**CFR Citation:** 47 CFR 25.144

**Legal Deadline:** None

**Abstract:** The Commission is proposing rules to govern satellite digital establishment and regulation of new digital audio radio services. Previously, the Office of Engineering and Technology allocated the spectrum on which the activities herein of the International Bureau are based. Since the spectrum allocation is completed, the Office of Engineering and Technology has no further role. See 62 FR 11083 and 62 FR 24073.

**Timetable:**

Action	Date	FR Cite
NPRM	06/15/95	60 FR 35166
R&O	03/11/97	62 FR 11083
FNPRM	04/18/97	62 FR 19095
Next Action Undetermined		

**Regulatory Flexibility Analysis  
Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:**  
Undetermined

**Agency Contact:** Rockie Patterson,  
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**RIN:** 3060–AF93

**4540. REDESIGNATION OF THE 27.5-  
29.5 GHZ FREQUENCY BAND; CC  
DOCKET NO. 92-297**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 301; 47 USC 302

**CFR Citation:** 47 CFR 1; 47 CFR 2; 47 CFR 21; 47 CFR 25

**Legal Deadline:** None

**Abstract:** The Commission adopted a band plan which designates band

segments in the 27.5-30.0 GHz frequency band for several types of wireless systems. This decision clears the way for licensing local multipoint distribution service (LMDS) providers, fixed satellite service (FSS) systems, and feeder links for certain mobile satellite service systems. The commercialization of this spectrum enables consumers to receive emerging domestic and global technology via multiple service providers. In October 1997, the Commission adopted a Third Report and Order which promulgated licensing qualification requirements and service rules for FSS systems in the Ka-band.

**Timetable:**

Action	Date	FR Cite
NPRM	07/13/95	60 FR 43740
NPRM Comment Period End	09/07/95	
R&O	08/28/96	61 FR 44177
3rd R&O	11/18/97	62 FR 61488
Next Action Undetermined		

**Regulatory Flexibility Analysis  
Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:**  
Undetermined

**Additional Information:** CC Docket No. 92-297

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**RIN:** 3060–AF94

**4541. AMENDMENT OF POLICY TO  
ALLOW NON-U.S. LICENSED SPACE  
STATIONS TO PROVIDE SERVICE IN  
THE UNITED STATES; IB DOCKET NO.  
96-111; CC DOCKET NO. 93-23**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 303; 47 USC 308

**CFR Citation:** 47 CFR 25.113; 47 CFR 25.115; 47 CFR 25.130; 47 CFR 25.131; 47 CFR 25.137

**Legal Deadline:** None

**Abstract:** The FCC adopted a Report and Order establishing a public interest framework for evaluating requests by non-U.S. satellites to serve the U.S.

## FCC—International Bureau

## Long-Term Actions

market. The Order implements the World Trade Organization (WTO) Agreement under which the U.S. committed to allow foreign suppliers to provide basic telecommunications services, including satellite services in the U.S. The FCC adopted a presumption in favor of entry for non-U.S. satellites licensed in WTO member countries providing WTO-covered services. The FCC adopted an effective competitive opportunities (ECO-SAT) test for non-U.S. satellites licensed in non-WTO countries providing WTO-covered services, as well as for any commercial non-U.S. satellite providing services for which the U.S. did not make market commitments in the WTO Agreement. The FCC also established entry requirements for intergovernmental satellite organizations and their affiliates. In addition, the FCC adopted other public interest standards regarding spectrum availability and eligibility and operating requirements, as well as establishing access and filing procedures.

**Timetable:**

Action	Date	FR Cite
NPRM	05/14/96	61 FR 32398
NPRM Comment Period End	08/16/96	
FNPRM	07/29/97	62 FR 40494
R&O	12/04/97	62 FR 64167
Public Notice	01/05/98	63 FR 227
Public Notice on Petitions for Recon	01/30/98	63 FR 4640
First Order on Recon	11/15/99	64 FR 61791
Next Action	Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal

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**RIN:** 3060-AG31**4542. STREAMLINING REGULATIONS RELATED TO INTERNATIONAL COMMON CARRIERS; IB DOCKET NO. 98-118****Priority:** Other Significant**Legal Authority:** 47 USC 34 to 39; 47 USC 151; 47 USC 154(j); 47 USC 203(r);

47 USC 214; 47 USC 307; 47 USC 309; 47 USC 310

**CFR Citation:** 47 CFR 1; 47 CFR 43; 47 CFR 63; 47 CFR 64**Legal Deadline:** None

**Abstract:** The Commission received Petitions for Reconsideration of its rules applicable to international common carriers. The Commission has eliminated the requirement for prior approval of pro forma assignments and transfers of control. The Commission reduced the waiting period for granting new streamlined applications from 35 to 14 days. It also expanded the class of applications eligible for streamlined processing. The Commission will review the petitions and determine whether it should revise its rules.

**Timetable:**

Action	Date	FR Cite
NPRM	07/24/98	63 FR 39793
NPRM Comment Period End	08/24/98	
Report and Order	04/10/99	64 FR 19057
Notice of Petitions for Reconsideration	06/03/99	64 FR 31222
Next Action	Undetermined	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** Undetermined

**Agency Contact:** Belinda Nixon, Attorney Advisor, Federal Communications Commission, International Bureau, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AG84**4543. REDESIGNATION OF THE 17.7-19.7 GHZ BAND, BLANKET LICENSING OF SAT EARTH STATIONS (17.7-20.2 GHZ & 27.5-30 GHZ) & ALLOCATION IN THE 17.3-17.8 & 24.75-25.25 GHZ BANDS FOR BROADCAST SATELLITE-SERVICE USE****Priority:** Economically Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 301; 47 USC 303**CFR Citation:** 47 CFR 25.115; 47 CFR 25.138; 47 CFR 25.208**Legal Deadline:** None

**Abstract:** This item addresses how the 17.7-19.7 GHz band is to be shared among various services, including the Fixed Satellite Service, the Fixed Services, and the Broadcast Satellite Service. The item also addresses the blanket licensing of Fixed Satellite Service Earth Stations in the Ka-band. Finally, it addresses a new allocation for the Broadcast Satellite Service.

**Timetable:**

Action	Date	FR Cite
NPRM	10/08/98	63 FR 54100
NPRM Comment Period	12/07/98	

Next Action Undetermined

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal

**Agency Contact:** Richard Engelman, Chief, Planning and Negotiations Division, Federal Communications Commission, International Bureau, 445 12th Street, S.W., Washington, DC 20554

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**RIN:** 3060-AH21

**4544. ALLOCATE & DESIGNATE: SPEC FOR FIXED-SAT SRV (37.5-38.5, 40.5-41.5 & 48.2-50.2 GHZ BANDS). ALLOCATE: FIXED & MOBILE 40.5-42.5 GHZ; WIRELESS 46.9-47 GHZ; GOV OPER 37-38 & 40-40.5 GHZ; IB DOC NO. 97-95.**

**Priority:** Economically Significant**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303(e); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r); 47 USC 304; 47 USC 307**CFR Citation:** 47 CFR 2.106; 47 CFR 25.202**Legal Deadline:** None

**Abstract:** This item adopts a plan for non-government operations in the 36.0 - 51.4 GHz portion of the V-band, establishing priorities for different services in different parts of this band.

**Timetable:**

Action	Date	FR Cite
NPRM	04/04/97	62 FR 16129
Final Action	01/15/99	64 FR 2585

## FCC—International Bureau

## Long-Term Actions

Action	Date	FR Cite
Order on Reconsideration	12/01/99	
Next Action Undetermined		

### Regulatory Flexibility Analysis Required: Yes

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** State, Local, Tribal

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**RIN:** 3060-AH23

### 4545. THE ESTABLISHMENT OF POLICIES AND SERVICE RULES FOR THE MOBILE SATELLITE SERVICE IN THE 2 GHZ BAND; IB DOCKET NO. 99-81

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 303; 47 USC 307; 47 USC 309; 47 USC 310; 47 USC 319

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Commission is proposing to amend the regulations covering the 1.6/2.4 GHz Mobile Satellite Service (MSS) to incorporate the rules for the 2 GHz MSS. The Notice of Proposed Rulemaking also seeks comment on non-service link issues, service rules, and frequency coordination. The actions are necessary to establish service rules for the 2 GHz MSS and to obtain comment on policies for the 2 GHz MSS. The effect of amending the 1.6/2.4 GHz MSS rules to include 2 GHz MSS is to simplify and harmonize the rules for the types of satellite services.

### Timetable:

Action	Date	FR Cite
NPRM	04/07/99	64 FR 16880
NPRM Comment Period End	07/26/99	

Next Action Undetermined

### Regulatory Flexibility Analysis Required: Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

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**RIN:** 3060-AH28

### 4546. IN THE MATTER OF POLICIES FOR THE DIRECT BROADCAST SATELLITE SERVICE; IB DOCKET NO. 98-21

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154

**CFR Citation:** 47 CFR 25

**Legal Deadline:** None

**Abstract:** This proceeding streamlines and simplifies the Commission's rules governing direct broadcast satellite (DBS) service. It also harmonizes the rules for DBS with those of other satellite services.

### Timetable:

Action	Date	FR Cite
NPRM	03/06/98	63 FR 11202
Next Action Undetermined		

### Regulatory Flexibility Analysis Required: Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Agency Contact:** Selina Khan, Attorney, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AH29

### 4547. 1998 BIENNIAL REGULATORY REVIEW - REVIEW OF ACCOUNTS SETTLEMENT IN MARITIME MOBILE MARITIME MOBILE-SATELLITE RADIO SERVICES AND WITHDRAWAL OF THE COMMISSION AS ACCOUNTING AUTHORITY; IB DOCKET NO. 98-96

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 154 (j); 47 USC 201; 47 USC 202; 47 USC 203; 47 USC 204; 47 USC 205; 47 USC 303(r)

**CFR Citation:** 47 CFR 3.10(e)

**Legal Deadline:** None

**Abstract:** The FCC has decided to withdraw from acting as an accounting authority for the settlement of accounts in the maritime mobile and maritime mobile-satellite (ship-to-shore) radio services, and to rely solely upon the various privately owned accounting authorities the FCC has authorized. In that connection the FCC amended section 3.10(e) of its rules to specify that private accounting authorities must serve the public non-discriminatorily. (action 7-13-99) The Commission is gathering comment to develop a plan to ensure a smooth transition to private accounting authorities.

### Timetable:

Action	Date	FR Cite
NPRM	07/24/98	63 FR 39800
Report & Order	07/28/99	64 FR 40774
Further NPRM	07/28/99	64 FR 40808
Comment Period Extended	09/03/99	64 FR 48337

Next Action Undetermined

### Regulatory Flexibility Analysis Required: Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

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**RIN:** 3060-AH30

## FCC—International Bureau

## Long-Term Actions

**4548. • AMENDMENT TO REGULATORY POLICIES GOVERNING DOMESTIC FIXED SATELLITES AND SEPARATE INTERNATIONAL SATELLITE SYSTEMS; IB DOCKET NO. 95-41**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154; 47 USC 721(c)

**CFR Citation:** 47 CFR 25.110; 47 CFR 25.113; 47 CFR 25.114; 47 CFR 25.115; 47 CFR 25.117; 47 CFR 25.130; 47 CFR 25.131; 47 CFR 25.140; 47 CFR 25.202; 47 CFR 25.210; 47 CFR 25.211; 47 CFR 25.276

**Legal Deadline:** None

**Abstract:** The Commission adopted rules in January, 1996 eliminating regulatory distinctions between U.S. domestic satellite systems and U.S. International separate satellite systems. Petitions for partial reconsideration are being addressed by the International Bureau.

**Timetable:**

Action	Date	FR Cite
NPRM	05/10/95	60 FR 24817
R&O	03/12/96	61 FR 9946
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH48

**4549. • GLOBAL MOBILE PERSONAL COMMUNICATIONS BY SATELLITE; IB DOCKET NO. 99-67**

**Priority:** Economically Significant

**Legal Authority:** 47 USC 4(i); 47 USC 7(a); 47 USC 303(c); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r); 47 USC 307; 47 USC 309; 47 USC 310

**CFR Citation:** 47 CFR 25.200; 47 CFR 25.213; 47 CFR 25.215; 47 CFR 216; 47 CFR 2.1204

**Legal Deadline:** None

**Abstract:** The FCC has proposed to adopt rules to facilitate transnational use of mobile terminals used for 2-way voice communication via satellite systems with global or international coverage. In the same NPRM the FCC proposed to adopt limits on out-of-band emissions from some global mobile personal communications by satellite terminals in order to protect reception of aeronautical satellite radionavigation signals in the 1559-1610 MHz band.

**Timetable:**

Action	Date	FR Cite
NPRM	04/06/99	64 FR 16687
NPRM Comment Period End	05/18/99	
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH49

**4550. • CONSIDERATION OF APPLICATIONS UNDER THE CABLE LANDING LICENSE ACT; IB DOCKET NO. 00-106**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 3 USC 301; 47 USC 34 to 39; 47 USC 151; 47 USC 154(i); 47 USC 154(s); 47 USC 201 to 255; 47 USC 303(r)

**CFR Citation:** 47 CFR 1.767

**Legal Deadline:** None

**Abstract:** This item proposes to establish streamlined rules for the processing of applications for submarine cable landing licenses. The FCC proposes three streamlining options: (1) a demonstration that the route on which the proposed cable would operate is or will become competitive; (2) a demonstration of sufficient independence of control of the proposed cable from control of existing capacity on the route; or (3) the existence of certain pro-competitive arrangements.

**Timetable:**

Action	Date	FR Cite
NPRM	07/06/00	65 FR 41613
NPRM Comment Period End	09/20/00	
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

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**RIN:** 3060-AH50

## Federal Communications Commission (FCC)

## Long-Term Actions

## Mass Media Bureau

**4551. TRANSFER OF CONTROL OF NON-STOCK ENTITIES (MM DOCKET NO. 89-77)**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154

**CFR Citation:** 47 CFR 73

**Legal Deadline:** None

**Abstract:** The Commission will consider proposals concerning the treatment of corporations and other organizational structures that are not traditional commercial corporations.

**Timetable:**

Action	Date	FR Cite
NOI	03/16/89	54 FR 15957
Next Action Undetermined		

**Regulatory Flexibility Analysis**  
**Required:** Yes

**Small Entities Affected:** Businesses, Organizations

## FCC—Mass Media Bureau

## Long-Term Actions

**Government Levels Affected:** None

**Agency Contact:** Mania K. Baghdadi, Federal Communications Commission, Mass Media Bureau, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060—AE31

**4552. LOCAL TELEVISION OWNERSHIP RULE (MM DOCKET NO. 91-221)**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i); 47 USC 303; PL 104-104, 202(c)(2); PL 104-104, 202(d)

**CFR Citation:** 47 CFR 73.3555

**Legal Deadline:** None

**Abstract:** On August 5, 1999, the Commission adopted a Report and Order, which amended its local TV multiple ownership rule and radio/TV cross-ownership rule, and adopted a grandfathering policy for certain TV local marketing agreements. Pursuant to the new rules, common ownership of up to two TV stations and at least one radio station is permitted under certain circumstances. These circumstances generally require that a certain number of specified media “voices” remain post-merger. Common ownership would also be permitted pursuant to several new presumptive waivers. Under the new Local Marketing Agreement (LMA) grandfathering policy, LMAs that do not meet the new local TV multiple ownership rule are grandfathered until the biennial review in 2004, if they were entered into before November 5, 1996 (date of the Second Further Notice). At the time of the 2004 biennial review, they will be assessed on a case-by-case basis. LMAs entered into after that time must terminate within two years. Under a similar grandfathering policy, waivers of the radio/TV cross-ownership rule that were conditioned on the outcome of the Report and Order but which do not meet the new rule are grandfathered until the biennial review in 2004, if they were entered into as of July 29, 1999 (date of the sunshine notice for the Report and Order). At the time of the 2004 biennial review, they will be assessed on a case-by-case basis.

**Timetable:**

Action	Date	FR Cite
NOI	07/11/91	56 FR 40847
NPRM	06/24/92	57 FR 28163
FNPRM	02/02/95	60 FR 6490
R&O	03/27/95	60 FR 15688
2nd FNPRM	12/19/96	61 FR 66978
Report & Order	09/17/99	64 FR 50651
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060—AF79

**4553. FILING OF TELEVISION NETWORK AFFILIATION CONTRACTS (MM DOCKET NO. 95-40)**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 47 USC 154(i); 47 USC 303(r)

**CFR Citation:** 47 CFR 73.3613(a)

**Legal Deadline:** None

**Abstract:** This proceeding considers changes to the requirement that stations file their network affiliation agreements with the Commission.

**Timetable:**

Action	Date	FR Cite
NPRM	04/19/95	60 FR 19564
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

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**RIN:** 3060—AF80

**4554. RULES GOVERNING BROADCAST TELEVISION ADVERTISING (MM DOCKET NO. 95-90)**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 47 USC 154(i); 47 USC 154(j); 47 USC 301; 47 USC 303(r); 47 USC 313; 47 USC 314

**CFR Citation:** 47 CFR 73.658(h); 47 CFR 73.658(i)

**Legal Deadline:** None

**Abstract:** This proceeding considers changes to two rules regulating broadcast television advertising. The first advertising rule prohibits a broadcast television network from influencing or controlling the rates its affiliates set for the sale of their non-network advertising time. The second advertising rule prohibits a broadcast television network from representing any of its affiliates in the sale of non-network advertising time.

**Timetable:**

Action	Date	FR Cite
NPRM	07/05/95	60 FR 34959
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060—AF81

**4555. ATTRIBUTION OF BROADCAST INTERESTS (MM DOCKET NOS. 94-150, 92-51, 87-154)**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i); 47 USC 303

**CFR Citation:** 47 CFR 21.912; 47 CFR 73.3526; 47 CFR 73.3555; 47 CFR 73.3613; 47 CFR 74.931; 47 CFR 76.501

## FCC—Mass Media Bureau

## Long-Term Actions

**Legal Deadline:** None

**Abstract:** On August 5, 1999, the Commission adopted a Report and Order in the Attribution proceeding. In the Report and Order, the Commission adopted a new Equity/Debt Plus attribution rule under which a holder of a financial interest, whether equity or debt or both, in excess of 33 percent of the total assets of a licensee will have an attributable interest in that licensee if it is either a major program supplier to that licensee or if it has another media interest - broadcast, cable or newspaper - in the same market. Under the new rules, TV Local Marketing Agreements will be attributed where they involve time brokerage of another television station in the same market for more than 15 percent of the brokered station's broadcast hours per week. The Report and Order also eliminates the cross-interest policy, retains the 5 percent voting stock benchmark for active investors, raises the voting stock benchmark for passive investors from the existing 10 percent benchmark to 20 percent, applies limited partnership insulation criteria to Limited Liability Companies and applies the revised broadcast attribution criteria to the cable and Multipoint Distribution Service and broadcast-cable cross-ownership rules. Also amended are rules relating to commercial stations' public inspection files (requiring maintaining of radio and television joint sales agreements and time brokerage agreements) and relating to filing of contracts with the Commission (to require the filing of attributable television time brokerage agreements).

**Timetable:**

Action	Date	FR Cite
NPRM	02/02/95	60 FR 6483
FNPRM	12/20/96	61 FR 67275
Report & Order	08/05/99	
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AF82

**4556. MINOR MODIFICATIONS OF BROADCAST LICENSES WITHOUT PRIOR CONSTRUCTION PERMIT**

**Priority:** Substantive, Nonsignificant

**Reinventing Government:** This rulemaking is part of the Reinventing Government effort. It will revise text in the CFR to reduce burden or duplication, or streamline requirements.

**Legal Authority:** 47 USC 154(i); 47 USC 155(c)(1); 47 USC 302; 47 USC 303

**CFR Citation:** 47 CFR 73

**Legal Deadline:** None

**Abstract:** This proceeding will implement the Commission's new authority to eliminate the present requirement for a construction permit for a broadcast station in certain instances where the changed facilities would not have an adverse impact on other broadcast facilities. In these instances, licensees or permittees will be able to initiate the change without prior authority and file a license application to cover the change afterwards.

**Timetable:**

Action	Date	FR Cite
NPRM	04/08/96	61 FR 15439
R&O	09/30/97	62 FR 51052
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AG30

**4557. NEWSPAPER/BROADCAST CROSS-OWNERSHIP**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154

**CFR Citation:** 47 CFR 73

**Legal Deadline:** None

**Abstract:** On October 1, 1996, the Commission released a Notice of Inquiry seeking comment on the possible revision of its standards for

waiver of the newspaper/broadcast cross-ownership rule (Section 73.3555(d)) with respect to newspaper/radio combinations. The Notice solicits comment on whether the Commission should adopt objective criteria for evaluating such waiver requests and, if so, what those criteria should be.

**Timetable:**

Action	Date	FR Cite
NOI	10/15/96	61 FR 53694
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AG53

**4558. NATIONAL TELEVISION OWNERSHIP RULES (MM DOCKET NOS. 96-222, 91-221, 87-8)**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154

**CFR Citation:** 47 CFR 73

**Legal Deadline:** None

**Abstract:** In the August 6, 1999, Report and Order in MM Docket Nos. 96-222, 91-221, and 87-8, In the Matter of Broadcast Television National Ownership Rules; Review of the Commission's Regulations Governing Television Broadcasting; Television Satellite Stations Review of Policy and Rules, the Commission makes a small change in the national broadcast television multiple ownership rule, Section 73.3555(e) of our rules. It slightly modifies how to calculate a broadcast television station group owner's aggregate national audience reach for the purposes of determining compliance with the 35 percent cap set by the rule. A station's audience reach is defined as the number of TV households within its market. Previously, satellite stations were exempted from the count. In addition, because local marketing agreements (LMAs) were not attributable, a time-brokered station was also exempted

## FCC—Mass Media Bureau

## Long-Term Actions

from the calculation. The modified rules state that a market will not be double-counted if an entity has an attributable interest in more than one station in that market. However, if the entity has an attributable interest in a station in another market (even if it is through an attributable LMA or through a parent/satellite relationship), then that second market will be counted toward the entity's national aggregate audience. In addition, the Commission is changing its market definition from Arbitron ADIs (Areas of Dominant Influence) to the analytically similar Nielsen DMAs (Designated Market Areas). These changes are consistent with our ongoing effort to ensure that our rules continue to serve the public interest without imposing unnecessary regulatory burdens. These modifications in no way alter the obligation of each broadcast licensee to serve the needs and interests of its community.

**Timetable:**

Action	Date	FR Cite
NPRM	12/19/96	61 FR 66987
Report & Order	09/17/99	64 FR 50647
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AG54**4559. 1998 BIENNIAL REVIEW OF BROADCAST OWNERSHIP (MM DOCKET NO. 98-35)**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** PL 104-104, sec 202(h)**CFR Citation:** 47 CFR 73**Legal Deadline:** None

**Abstract:** On May 26, 2000, the Commission adopted a Report in MM Docket No. 98-35. This Report reviews our broadcast ownership rules as required by Section 202(h) of the Telecommunications Act of 1996. With this Report, the Commission proposed to retain, but modify three rules: (1)

the dual network rule to allow common ownership of an established TV network (ABC, CBS, FOX, NBC) and an emerging network (WBTV or UPN); (2) the definition of local radio markets and the methods of calculating the number of stations in a market and the number of radio stations a party owns in a particular market; and (3) the newspaper/broadcast cross-ownership rule so that it is tailored to cover those situations where it is necessary to protect the public interest. The Commission also proposes to eliminate its restriction on multiple ownership of experimental broadcast stations. The Commission has issued Notices of Proposed Rulemaking (NPRM) to seek public comment with regard to the dual network and experimental broadcast station multiple ownership rules and will issue NPRMs with regard to the other rules.

In addition, the Commission voted to retain the local radio ownership limits; the 35 percent national television household ownership cap; and the cable system/television station cross-ownership rules. The Commission also indicated that it will examine the 50 percent UHF discount near the completion of the transition to DTV.

**Timetable:**

Action	Date	FR Cite
NOI	03/31/98	63 FR 15353
Report	07/13/00	65 FR 43333
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AG79**4560. REVIEW OF TECHNICAL RULES IN PARTS 73 AND 74**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 307; 47 USC 319**CFR Citation:** 47 CFR 73; 47 CFR 74**Legal Deadline:** None

**Abstract:** With the First Report and Order in this proceeding the Commission streamlined several of its technical rules that will result in making the application process simpler, faster, and more efficient. Specifically, the Commission adopted rules to (1) extend first come/first served processing to applications for minor changes to AM, noncommercial educational FM and FM translator facilities; (2) expand the definition of "minor change" in this service to conform more closely to the commercial FM definition, which includes all changes except changes in community of license and certain changes in frequency; and (3) permit the filing of up to four related and simultaneously filed FM station minor change construction permit applications.

**Timetable:**

Action	Date	FR Cite
NPRM	06/22/98	63 FR 33892
Report & Order	04/21/99	64 FR 19498
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None

**Agency Contact:** Peter Doyle, Federal Communications Commission, Mass Media Bureau, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AG81**4561. REVIEW OF BROADCAST AND CABLE EEO RULES AND POLICIES**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154; 47 USC 303; 47 USC 334; 47 USC 336; 47 USC 634**CFR Citation:** 47 CFR 73; 47 CFR 76**Legal Deadline:** None

**Abstract:** The Commission adopted a Report and Order which modifies the Commission's broadcast and cable EEO rules and policies consistent with the Lutheran Church decision. The EEO program requirements adopted in the Report and Order require that broadcasters widely disseminate information about job openings to ensure that all qualified applicants, including minorities and women, are able to compete for jobs in the

## FCC—Mass Media Bureau

## Long-Term Actions

broadcast industry. The requirements afford broadcasters maximum flexibility in designing their EEO programs while, at the same time, ensuring broad dissemination of information concerning every full-time vacancy.

**Timetable:**

Action	Date	FR Cite
NPRM	12/01/98	63 FR 66104
R&O	02/15/00	65 FR 7448

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local

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**RIN:** 3060-AH10

**4562. LOW POWER FM RADIO**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154; 47 USC 303

**CFR Citation:** 47 CFR 73

**Legal Deadline:** None

**Abstract:** With the adoption of a Report and Order, the Commission has authorized the licensing of two new classes of FM radio stations generally referred to as low power FM stations (LPFM). LP100 stations will operate at a maximum power of 100 watts and LP10 stations at a maximum power of 10 watts. These stations will be operated on a noncommercial educational basis by entities that do not hold attributable interests in any other broadcast station or other media subject to the Commission's ownership rules. The LPFM service authorized in this Report and Order will provide significant opportunities for new radio services. The LPFM service will create a class of radio stations designed to serve very localized communities or underrepresented groups within communities. The LPFM service will provide opportunities for new voices to be heard and will be implemented in a manner that best serves the public interest.

**Timetable:**

Action	Date	FR Cite
NPRM	02/16/99	64 FR 7577
R&O	02/15/00	65 FR 7615

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH11

**4563. ESTABLISHMENT OF A CLASS A TELEVISION SERVICE (MM DOCKET NOS. 00-10, 99-292)**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154; 47 USC 303; 47 USC 307; 47 USC 336(f)

**CFR Citation:** 47 CFR 73; 47 CFR 74

**Legal Deadline:** NPRM, Statutory, 120 days from enactment of CBPA.

**Abstract:** On March 28, 2000, the Commission adopted a Report and Order in this proceeding. This Report and Order implemented the Community Broadcasters Protection Act of 1999, which directed the Commission to establish a Class A television service to provide a measure of primary status to certain low-power television stations. This Report and Order addresses a wide range of issues related to the implementation of the statute, including the protected service area of Class A stations, Class A interference protection requirements vis-a-vis other TV stations, eligibility criteria for Class A status, common ownership restrictions applicable to Class A stations, the treatment of modification applications filed by Class A licensees, and general operating requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	01/20/00	65 FR 3188
R&O	05/10/00	65 FR 29985

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH39

**4564. DIGITAL AUDIO BROADCASTING SYSTEMS (MM DOCKET NO. 99-325)**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154; 47 USC 303

**CFR Citation:** 47 CFR 73

**Legal Deadline:** None

**Abstract:** The rulemaking proceeding was initiated to obtain comments concerning the Commission's proposals to foster the development and implementation of terrestrial digital audio broadcasting (DAB). In the NPRM, the Commission (1) reaffirms its commitment to providing radio broadcasters with the opportunity to take advantage of DAB technology; (2) identifies Commission public policy objectives for the introduction of DAB service; (3) proposes criteria for the evaluation of DAB models and systems; (4) evaluates IBOC and new-spectrum DAB models; (5) inquires as to the need for a mandatory DAB transmission standard; and (6) considers certain DAB system testing, evaluation and standard selection issues.

**Timetable:**

Action	Date	FR Cite
NPRM	11/09/99	64 FR 61054

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH40

## FCC—Mass Media Bureau

## Long-Term Actions

**4565. • DUAL NETWORK RULE (MM DOCKET NO. 00-108)****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 152(a); 47 USC 154(i); 47 USC 303; 47 USC 307; 47 USC 309; 47 USC 310**CFR Citation:** 47 CFR 73.658(g)**Legal Deadline:** None

**Abstract:** On June 8, 2000, the Commission adopted a Notice of Proposed Rulemaking (MM Docket No. 00-108; FCC 00-213) proposing to amend its "dual network" rule (Section 73.658(g)). Until 1996, the rule prohibited any television station from affiliating with a network that maintained more than a single network. In the Telecommunications Act of 1996, Congress directed the Commission to revise that rule to prohibit only the common ownership of more than one of the major four major networks (NBC, CBS, ABC, and Fox) or the ownership of one of the major networks and one of the emerging two networks (WB and UPN). The dual network notice proposes to eliminate only that portion of the rule that currently prohibits common ownership of one of the major networks and the WB or UPN networks. It cited the current economics of the network broadcasting industry as justifying this proposed modification.

**Timetable:**

Action	Date	FR Cite
NPRM	07/05/00	65 FR 41393
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Roger Holberg, Federal Communications Commission, Mass Media Bureau, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AH51**4566. • EXPERIMENTAL BROADCAST STATION MULTIPLE OWNERSHIP RULE (MM DOCKET NO. 00-105)****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 152(a); 47 USC 154(i); 47 USC 303; 47 USC 307; 47 USC 309; 47 USC 310**CFR Citation:** 47 CFR 74.134**Legal Deadline:** None

**Abstract:** On June 20, 2000, the Commission released a Notice of Proposed Rule Making (FCC 00-203) in the above proceeding. The Commission's existing experimental broadcast station multiple ownership rule (74.134) currently prohibits any entity from controlling more than one experimental license absent a showing of need. The 1998 Biennial Review Report, issued in MM Docket 98-35, tentatively concluded that this rule may no longer be necessary and that other rules applicable to experimental broadcast station licensees may be sufficient to assure that experimental stations do not obtain the exclusive use of a frequency or the ability to control multiple frequencies. The Report also tentatively concluded that other rules may be sufficient to assure that experimental station licensees do not operate on a commercial basis while functioning under the guise of experimental use.

**Timetable:**

Action	Date	FR Cite
NPRM	07/05/00	65 FR 41401
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AH52**4567. • ANCILLARY OR SUPPLEMENTAL USE OF DTV CAPACITY BY NON-COMMERCIAL LICENSEES (MM DOCKET NO. 98-203)****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 4(i); 47 USC 4(j); 47 USC 303(r); 47 USC 307; 47 USC 309; 47 USC 336**CFR Citation:** 47 CFR 73**Legal Deadline:** None

**Abstract:** On November 23, 1998, the Commission issued a Notice of Proposed Rulemaking (NPRM) in MM Docket No. 98-203 in response to a Petition for Reconsideration of the Fifth Report and Order in the digital

television (DTV) proceeding that was filed by the Association of America's Public Television Stations and the Public Broadcasting Service. The NPRM seeks comment on whether, and under what conditions, noncommercial educational (NCE) television licensees should be permitted to offer ancillary or supplementary services, including subscription television, on a remunerative basis. In particular, the NPRM seeks comment on whether and how the Commission should amend Section 73.621 of the Commission's rules, which requires NCE stations to provide a noncommercial service that "primarily" serves the educational needs of the community. The NPRM also seeks comment on how the advertising ban set forth in Section 399B of the Communications Act implicates the provision of remunerative services by public DTV stations. The NPRM tentatively concludes that, while Section 399B continues to apply to all video broadcast programming streams provided by public DTV stations, it does not apply to any subscription services they provide on their DTV channels, since such services do not constitute "broadcasting." In addition, the NPRM seeks comment on the extent to which Section 399B applies to other, non-subscription ancillary or supplementary services carried by a NCE station. Finally, the NPRM seeks comment on whether NCE licensees should be exempt from DTV fees under Section 366 of the Communications Act when they offer ancillary or supplementary services as a source of funding for their mission related activities.

**Timetable:**

Action	Date	FR Cite
NPRM	12/14/98	63 FR 68722
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined

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**RIN:** 3060-AH53

## FCC—Mass Media Bureau

## Long-Term Actions

**4568. • PERIODIC REVIEW OF RULES AND POLICIES AFFECTING THE CONVERSION TO DTV (MM DOCKET NO. 00-39)****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 4(i); 47 USC 4(j); 47 USC 303(r); 47 USC 307; 47 USC 309; 47 USC 336**CFR Citation:** 47 CFR 73**Legal Deadline:** None

**Abstract:** On March 8, 2000, the Commission released a Notice of Proposed Rulemaking beginning its first periodic review of the progress of the conversion of the nation's television system from analog technology to digital television (DTV). The Notice invites comment on: (1) whether to adopt a service replication requirement and to require enhanced service to the DTV stations' city of license; (2) whether to adopt a requirement that DTV stations elect their post-transition DTV channel by a certain date; and (3) how to resolve mutually exclusive DTV

and DTV/NTSC applications. The notice also invites commenters to provide the Commission with information not previously presented to the Commission raising issues that must be resolved in order to assure a smooth transition, including: information about digital receiver sales, availability of financing, and any critical unresolved issues that relate to tower siting, copy protection, and cable compatibility. Additional questions are asked concerning: broadcasters' abilities to secure necessary tower locations and construction resources; zoning disputes, private negotiations with tower owners, and the availability of tower construction resources; failures to reach agreement on the labeling of digital receivers; failure to reach agreement on copy protection technology licensing and related issues; current status of the 8-VSB DTV standard; improvements in indoor DTV reception under the existing transmission standard; manufacturers' efforts to implement

DTV design or chip improvements; the Commission's authority to set minimum performance levels for DTV receivers; the desirability of adopting minimum performance levels; and the structure of the requirements, including timing considerations.

**Timetable:**

Action	Date	FR Cite
NPRM	03/23/00	65 FR 15600
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Agency Contact:** Gordon Godfrey, Federal Communications Commission, 445 12th Street, S.W., Washington, DC 20554

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**RIN:** 3060-AH54

## Federal Communications Commission (FCC)

## Completed Actions

## Mass Media Bureau

**4569. COMPETITIVE BIDDING FOR BROADCAST SERVICES****Priority:** Substantive, Nonsignificant. Major under 5 USC 801.**Legal Authority:** 47 USC 309(j); 47 USC 309(l)**CFR Citation:** 47 CFR 73; 47 CFR 74**Legal Deadline:** None

**Abstract:** On April 20, 1999, the Commission issued a Memorandum Opinion and Order in which it revised the applicability of the "anti-collusion rule" for future broadcast auctions. The anti-collusion rule prohibits bidders for the same facility from communicating with each other after they file their Form 175's to participate in the auction. The revised rule permits bidders for secondary television facilities and major changes to AM radio facilities to discuss possible engineering settlements to resolve the

mutual exclusivity between their applications. The Commission also refined the eligibility standards for applicants to qualify for the New Entrant Bidding Credit which allows bidders to reduce the amount of their final bid in the auction. The Commission decided to follow the broadcast attribution rules and standards when determining whether a bidder qualifies for a New Entrant Bidding Credit.

On August 5, 1999, the Commission adopted a Memorandum Opinion and Order further refining the eligibility standards for the New Entrant Bidding Credit. The Commission concluded that it is appropriate to attribute the mass media interests of investors holding more than a 33 percent equity and/or debt interest in a broadcast auction bidder claiming a New Entrant Bidding Credit, even if such an interest is non-voting.

**Timetable:**

Action	Date	FR Cite
NPRM	12/12/97	62 FR 65392
NPRM Comment Period End	01/26/98	
NOI	03/31/98	63 FR 15353
Report & Order	08/18/98	63 FR 48615
Memorandum Opinion & Order	05/07/99	64 FR 24523
Memorandum Opinion & Order	08/18/99	64 FR 44856

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Agency Contact:** Shaun Maher, Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554

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**RIN:** 3060-AG78

**Federal Communications Commission (FCC)**  
**Office of Managing Director**
**Completed Actions**
**4570. ASSESSMENT AND COLLECTION OF REGULATORY FEES FOR FY 2000**

**Priority:** Economically Significant. Major under 5 USC 801.

**Legal Authority:** 47 USC 159

**CFR Citation:** 47 CFR 1.1151 et seq

**Legal Deadline:** None

**Abstract:** Section 9 of the Communications Act of 1934, as amended, 47 U.S.C. 159, requires the FCC to recover the costs of its activities by assessing and collecting annual

regulatory fees from beneficiaries of these activities. The FCC has issued a Notice of Proposed Rulemaking to address how it intends to implement the fee requirements for FY 2000, and a Report and Order implementing the FY 2000 Regulatory Fee Schedule.

**Timetable:**

Action	Date	FR Cite
NPRM	03/29/00	65 FR 19579
R&O	06/30/00	65 FR 44575

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Organizations, Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH38

**Federal Communications Commission (FCC)**  
**Wireless Telecommunications Bureau**
**Long-Term Actions**
**4571. AMENDMENT OF THE COMMISSION'S RULES CONCERNING MARITIME COMMUNICATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 303

**CFR Citation:** 47 CFR 80

**Legal Deadline:** None

**Abstract:** Amendment of the Maritime Radio Service Rules to encourage growth and improve the regulatory structure in VHF maritime communications.

**Timetable:**

Action	Date	FR Cite
NOI/NPRM	11/05/92	57 FR 57717
First R&O	04/26/95	60 FR 34198
FNPRM	04/26/95	60 FR 35507
Second FNPRM	06/17/97	62 FR 37533
Second R&O	06/17/97	62 FR 40281
3rd R&O & MO&O	07/06/98	63 FR 40059
MO&O	04/26/99	64 FR 26885

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** PR Docket No. 92-257.

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**RIN:** 3060-AF14

**4572. RULEMAKING TO AMEND PART 1 AND PART 21 TO REDESIGNATE THE 27.5-29.5 GHZ BAND AND TO ESTABLISH RULES AND POLICIES FOR LOCAL MULTI-POINT DISTRIBUTION SERVICE**

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 154; 47 USC 303; 47 USC 307; 47 USC 309; 47 USC 553

**CFR Citation:** 47 CFR 21; 47 CFR 25; 47 CFR 101

**Legal Deadline:** None

**Abstract:** The goal of this proceeding, a Third Order on Reconsideration, is to pave the way for the auctioning and licensing of the Local Multipoint Distribution Service (LMDS), a fixed broadband point-to-point wireless service that has significant potential in offering a broad range of one-way and two-way voice-video and data service capabilities, and a substantial amount of capacity that is larger than is currently available in wireless services. This Order was adopted and released on February 11, 1998. The Fourth Report and Order adopted partitioning and disaggregation rules for LMDS.

**Timetable:**

Action	Date	FR Cite
NPRM	01/28/93	58 FR 6400
NPRM Comment Period End	04/15/93	
Third NPRM	08/23/95	60 FR 43740
First R&O & Fourth NPRM	07/29/96	61 FR 39425
Fifth NPRM	04/07/97	62 FR 16514
Second R&O	04/29/97	62 FR 23148
Order on Recon	05/23/97	62 FR 28373

Action	Date	FR Cite
Second Order on Recon	09/17/97	62 FR 48787
Third Order on Recon	02/25/98	63 FR 9443
Fourth R&O	05/13/98	63 FR 26502
Sixth NPRM	12/21/99	64 FR 71373
Third R&O and MO&O on Recon	07/06/00	65 FR 41603

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Additional Information:** WTB Docket No. 92-297.

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**RIN:** 3060-AF26

**4573. REFARMING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154

**CFR Citation:** 47 CFR 90

**Legal Deadline:** None

**Abstract:** Replacement of part 90 by part 88 to revise private land mobile

## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

services and modify policies governing these services.

**Timetable:**

Action	Date	FR Cite
NPRM	11/16/92	57 FR 54034
R&O	07/19/95	60 FR 37152
MO&O	01/15/97	62 FR 2027
Second R&O	04/17/97	62 FR 18834
NPRM	11/27/98	63 FR 65568
Second MO&O	07/06/99	64 FR 36258
Third MO&O	09/16/99	64 FR 50257
Fourth MO&O	09/17/99	64 FR 50466
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Local, State

**Additional Information:** PR Docket No. 92-235

**Agency Contact:** Michael Wilhelm, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, S.W., Washington, DC 20554

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**RIN:** 3060-AF35

#### 4574. FUTURE DEVELOPMENT OF 800 MHZ SMR; COMPETITIVE BIDDING WIDE AREA

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 153; 47 USC 154(i); 47 USC 303; 47 USC 309(j); 47 USC 332

**CFR Citation:** 47 CFR 90

**Legal Deadline:** None

**Abstract:** This proceeding adopts service rules and competitive bidding rules for 800 MHz SMR spectrum. It also proposes licensing rules and auction procedures for lower 80 SMR and general category channels.

**Timetable:**

Action	Date	FR Cite
NPRM	05/13/93	58 FR 33062
FNPRM	10/20/94	59 FR 6011
Eighth R&O	02/16/96	61 FR 6138
First R&O	02/16/96	61 FR 6212
Second FNPRM	02/16/96	61 FR 6212
Second R&O	06/23/97	62 FR 41190
MO&O	06/23/97	62 FR 41225
MO&O on Recon	10/08/99	64 FR 71042

Action	Date	FR Cite
Second MO&O on Recon	07/14/00	65 FR 43716
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Local, State

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**RIN:** 3060-AF47

#### 4575. RE SALE AND ROAMING OBLIGATIONS PERTAINING TO COMMERCIAL MOBILE RADIO SERVICES

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** PL 103-66, sec 6002 Omnibus Budget Reconciliation Act of 1993

**CFR Citation:** 47 CFR 20; 47 CFR 22

**Legal Deadline:** None

**Abstract:** On an interim basis, the First Report and Order extends to broadband PCS and covered SMR providers the cellular rule that prohibits restricting resale of communications services. The new rules sunset five years after the last group of initial licensees for currently allocated broadband PCS spectrum is awarded. The rules also eliminate all exceptions to the rule that allowed cellular licensees to restrict resale by competing with fully operational cellular licensees in the same geographic market. The Commission successfully adopted a Second Report and Order and Third Notice of Proposed Rulemaking in this proceeding. The Second Report and Order extends the Commission's cellular rules on manual roaming by

any individual whose handset is capable of accessing the network of a cellular, broadband PCS, or covered SMR provider. The Third NPRM, among other things, sought comment on whether the Commission should adopt rules requiring cellular, broadband PCS, and covered SMR providers to provide automatic roaming in their coverage areas, and whether both automatic and manual roaming requirements should sunset five years after the initial grant of PCS licenses. The Third MO&O generally affirmed the Commission's earlier decision to extend the cellular resale rule to include certain PCS and SMR providers and to sunset the rule until November 24, 2002. However, it modified the prior decision by removing customer premise equipment (CPE) and CPE in bundled packages from the scope of the resale rule, by revising the scope of the resale rule to exclude all C, D, E, and F block PCS licensees that do not own and control and are not controlled by cellular or A or B block licensees, and by exempting from the rule all SMR and other CMRS providers that do not utilize in-network switching facilities.

**Timetable:**

Action	Date	FR Cite
NPRM	07/13/94	59 FR 35664
NOI	07/13/94	59 FR 35664
NPRM Comment Period End	09/29/94	
NPRM	04/04/95	60 FR 20949
NPRM Comment Period End	07/14/95	
First R&O	07/12/96	61 FR 38399
Second R&O and Third NPRM	08/15/96	61 FR 44026
MO&O and O on Recon	11/09/99	64 FR 61022
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal, State

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**RIN:** 3060-AF58

## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

**4576. IMPLEMENTATION OF SECTION 309(J) OF THE COMMUNICATIONS ACT, COMPETITIVE BIDDING; NARROWBAND PCS COMPETITIVE BIDDING RULES**

**Priority:** Substantive, Nonsignificant.  
Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i); 47 USC 303(r); 47 USC 309(j)

**CFR Citation:** 47 CFR 24

**Legal Deadline:** None

**Abstract:** Report and Order and FNPRM to modify the competitive bidding rules for participation by designated entities in narrowband PCS.

**Timetable:**

Action	Date	FR Cite
3rd MO&O	08/16/94	59 FR 44058
R&O	04/23/97	62 FR 27507
FNPRM	04/23/97	62 FR 27569
2nd R&O	06/06/00	65 FR 35843
2nd NPRM	06/06/00	65 FR 35875
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AF99

**4577. IMPLEMENTATION OF SECTION 309(J) OF THE COMMUNICATIONS ACT, COMPETITIVE BIDDING; 218-219 MHZ COMPETITIVE BIDDING RULES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 303(r); 47 USC 309(j)

**CFR Citation:** 47 CFR 95

**Legal Deadline:** None

**Abstract:** Tenth Report and Order modifies the competitive bidding rules for the upcoming auction of 218-219 MHz: (1) eliminates bidding credits available to women- and minority-owned 218-219 MHz applicants; (2) extends two levels of bidding credits to small businesses based on a two-tiered small business definition; (3) clarifies the attribution rules for affiliates of 218-219 MHz applicants;

and (4) increases the amount of the upfront payments required to participate in the 218-219 MHz auction.

**Timetable:**

Action	Date	FR Cite
R&O	04/25/94	59 FR 24947
FNPRM	08/06/96	61 FR 49103
R&O	11/15/96	61 FR 60198
FNPRM	09/30/98	63 FR 52215
FNPRM Comment	10/30/98	63 FR 52215
Period End		
MO&O	11/09/98	63 FR 54073
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AG00

**4578. 39 GHZ CHANNEL PLAN**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 302; 47 USC 524

**CFR Citation:** 47 CFR 1; 47 CFR 2; 47 CFR 101

**Legal Deadline:** None

**Abstract:** This proceeding amends the FCC's rules to facilitate more effective use of the 39 GHz band.

**Timetable:**

Action	Date	FR Cite
NPRM	01/26/96	61 FR 2465
NPRM Comment	02/12/96	
Period End		
Order	02/22/96	61 FR 6809
Reply Comments	02/27/96	
Order	05/01/96	61 FR 19236
2d NPRM	01/21/98	63 FR 3075
R&O	02/06/98	63 FR 6079
MO&O	07/14/99	64 FR 45891
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** ET Docket No. 95-183, RM-8553; PP Docket No. 93-253

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**RIN:** 3060-AG16

**4579. IMPLEMENTATION OF 309(J) OF THE COMMUNICATIONS ACT, AMENDMENT OF PARTS 20 AND 24 OF THE COMMISSION'S RULES - BROADBAND PCS COMPETITIVE BIDDING AND THE COMMERCIAL MOBILE RADIO SERVICE SPECTRUM CAP**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303(r); 47 USC 309(j); 47 USC 332

**CFR Citation:** 47 CFR 24

**Legal Deadline:** None

**Abstract:** NPRM to modify the competitive bidding rules for the Broadband PCS F Block. Report and Order, adopted 6/21/96, modified the PCS/cellular rule and the cellular spectrum cap.

**Timetable:**

Action	Date	FR Cite
O on Recon of 5th MO&O and D, E, & F R&O	09/14/00	
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AG21

## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

**4580. REVISION OF THE RULES TO ENSURE COMPATIBILITY WITH ENHANCED 911 EMERGENCY CALLING SYSTEMS**

**Priority:** Other Significant. Major under 5 USC 801.

**Legal Authority:** 47 USC 134(i); 47 USC 151; 47 USC 201; 47 USC 208; 47 USC 215; 47 USC 303; 47 USC 309

**CFR Citation:** 47 CFR 20

**Legal Deadline:** None

**Abstract:** The goal of this proceeding is to afford the public a reliable, responsive E911 service in the best possible interest of public health and safety. The Third Report and Order revised the Commission's rules to permit the use of handset-based solutions or hybrid solutions that require changes to both handsets and wireless networks, in providing caller location information as part of E911 services.

**Timetable:**

Action	Date	FR Cite
R&O	07/26/96	61 FR 40348
FNPRM	07/26/96	61 FR 40374
MO&O	01/16/98	63 FR 2631
Second Report & Order	06/28/99	64 FR 34564
Third R&O	11/04/99	64 FR 60126
Second MO&O	12/29/99	64 FR 72951
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local

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**RIN:** 3060-AG34

**4581. IN THE MATTER OF THE COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT**

**Priority:** Other Significant. Major under 5 USC 801.

**Legal Authority:** 47 USC 229; 47 USC 1001 to 1008

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** All of the decisions in this proceeding thus far are aimed at implementation of provisions of the Communications Assistance for Law Enforcement Act.

**Timetable:**

Action	Date	FR Cite
NPRM	10/10/97	62 FR 63302
Order	01/13/98	63 FR 01943
FNPRM	11/16/98	63 FR 63639
Report & Order	01/29/99	64 FR 51462
Order	03/29/99	64 FR 14834
Second Report & Order	09/23/99	64 FR 51462
Third Report & Order	09/24/99	64 FR 51710
O on Recon	09/28/99	64 FR 52244
Policy Statement	10/12/99	64 FR 55164
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

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**RIN:** 3060-AG74

**4582. DEVELOPMENT OF OPERATIONAL, TECHNICAL, AND SPECTRUM REQUIREMENTS FOR PUBLIC SAFETY COMMUNICATIONS REQUIREMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 160; 47 USC 201; 47 USC 202; 47 USC 303; 47 USC 337(a); 47 USC 403

**CFR Citation:** 47 CFR 90

**Legal Deadline:** None

**Abstract:** This item takes steps toward developing a flexible regulatory framework to meet vital current and future public safety communications needs.

**Timetable:**

Action	Date	FR Cite
NPRM	10/09/97	62 FR 60199
First R&O and 3rd NPRM	08/06/98	63 FR 58645
Third NPRM	08/06/98	63 FR 58685
MO&O	04/26/99	64 FR 60123
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Additional Information:** WT Docket No. 96-68

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**RIN:** 3060-AG85

**4583. MULTIPLE ACCESS SYSTEMS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 302; 47 USC 303

**CFR Citation:** 47 CFR 101

**Legal Deadline:** None

**Abstract:** This proceeding amended the FCC's rules regarding multiple address systems (MAS) in the microwave service. It streamlined regulations and established a framework for MAS spectrum that provides opportunities for continued development of competitive service offerings by allowing a variety of services.

**Timetable:**

Action	Date	FR Cite
NPRM	01/19/97	62 FR 11407
Order	09/17/98	63 FR 53350
FNPRM	05/18/99	64 FR 38617
R&O	04/03/00	65 FR 17445
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 97-81

**Agency Contact:** Shellie Blakeney, Attorney, Federal Communications Commission, Wireless

## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

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RIN: 3060-AG86

#### 4584. AMENDMENT OF PART I OF THE COMMISSION'S RULES — COMPETITIVE BIDDING PROCEDURES

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 202; 47 USC 303; 47 USC 309(j)

**CFR Citation:** 47 CFR 1; 47 CFR 21; 47 CFR 24; 47 CFR 27; 47 CFR 90; 47 CFR 95

**Legal Deadline:** None

**Abstract:** This proceeding proposes to amend and modify the competitive bidding rules for all auctionable services. It was released on December 31, 1997, and published in the Federal Register on January 15, 1998.

#### Timetable:

Action	Date	FR Cite
NPRM	03/21/97	62 FR 13570
NPRM Comment Period End	04/16/97	
2nd FNPRM	01/07/98	63 FR 770
3rd R&O	01/15/98	63 FR 2315
5th R&O, O on Recon	08/29/00	65 FR 52323
FNPRM	08/29/00	65 FR 52401
Next Action Undetermined		

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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RIN: 3060-AG87

#### 4585. AMENDMENT TO PART 27 OF THE RULES TO REVISE RULES FOR SERVICES IN THE 2.3 GHZ BAND AND TO INCLUDE LICENSING OF SERVICES IN THE 47 GHZ BAND

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 157; 47 USC 160; 47 USC 201; 47 USC 202; 47 USC 208; 47 USC 214; 47 USC 301; 47 USC 303; 47 USC 309; 47 USC 310; 47 USC 368

**CFR Citation:** 47 CFR Part 27

**Legal Deadline:** None

**Abstract:** This Notice of Proposed Rulemaking proposes service, licensing, and competitive bidding rules for the 47.2-48.2 GHz band. The FCC proposes to amend the Part 27 rules to include rules for the 47.2-48.2 band and to codify and conform certain rules for the 2.3 GHz band to provide for consistent regulation of Part 27 services.

#### Timetable:

Action	Date	FR Cite
NPRM	06/30/98	63 FR 44822
NPRM Comment Period End	10/13/98	
Next Action Undetermined		

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

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RIN: 3060-AG93

#### 4586. AMENDMENT OF PART 90 OF THE RULES TO ADOPT REGULATIONS FOR AUTOMATIC VEHICLE MONITORING SYSTEMS

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 154; 47 USC 251; 47 USC 252; 47 USC 303; 47 USC 309; 47 USC 332

**CFR Citation:** 47 CFR 1; 47 CFR 90

**Legal Deadline:** None

**Abstract:** This Second Report and Order adopts rules and procedures governing competitive bidding for multilateration Location and Monitoring Service (LMS) frequencies.

#### Timetable:

Action	Date	FR Cite
NPRM	10/06/97	62 FR 52078
NPRM Comment Period End	11/20/97	
Second R&O	07/30/98	63 FR 40659
Next Action Undetermined		

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** The FNPRM sought comment on the LMS auction following the general competitive bidding procedures of Part 1, Subpart Q; the establishment of a small business definition for LMS; whether small business provisions are sufficient to promote participation by businesses owned by minorities, women or rural telephone companies; partitioning and disaggregation.

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RIN: 3060-AH12

#### 4587. CALLING PARTY PAYS SERVICE OFFERING IN THE COMMERCIAL MOBILE RADIO SERVICES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 157; 47 USC 201; 47 USC 202; 47 USC 303(r); 47 USC 332

**CFR Citation:** 47 CFR 20

**Legal Deadline:** None

**Abstract:** The NPRM proposes a uniform nationwide system to notify consumers that they are placing a call to a wireless phone subscriber who has elected to have the caller pay for the airtime and other charges associated with the call. The notification would include the per minute charges that will apply, as well as the name of the wireless carrier that terminates the call.

#### Timetable:

Action	Date	FR Cite
NPRM	07/16/99	64 FR 38313



## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

Action	Date	FR Cite
NPRM Comment Period End	12/27/99	
R&O Next Action Undetermined	08/01/00	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** None

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**RIN:** 3060-AH41

**4592. PART 101 — TERRESTRIAL MICROWAVE FIXED RADIO SERVICES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 302; 47 USC 303

**CFR Citation:** 47 CFR 101

**Legal Deadline:** None

**Abstract:** Proceeding to streamline the Commission's rules, expedite processing of authorizations for terrestrial microwave fixed radio services and clarify rules concerning the terrestrial microwave fixed radio services.

**Timetable:**

Action	Date	FR Cite
NPRM	01/11/95	60 FR 2722
R&O	05/28/96	61 FR 26670
Order	03/05/98	63 FR 10778
Final Action Correction	03/24/98	63 FR 14039
NPRM	06/20/00	65 FR 38333
MO&O	06/20/00	65 FR 38324

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 94-148 (closed); WT Docket No. 00-19

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**RIN:** 3060-AH42

**4593. ● AMENDMENT OF PARTS 13 AND 80 GOVERNING MARITIME COMMUNICATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 302; 47 USC 303

**CFR Citation:** 47 CFR 13; 47 CFR 80

**Legal Deadline:** None

**Abstract:** This matter concerns the amendment of the rules governing maritime communications in order to consolidate, revise and streamline the regulations, as well as, address new international requirements and improve the operational ability of all users of marine radios.

**Timetable:**

Action	Date	FR Cite
NPRM	03/24/00	65 FR 21694

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 00-48

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**RIN:** 3060-AH55

**4594. ● AMENDMENT OF THE RULES REGARDING INSTALLMENT PAYMENT FINANCING FOR PERSONAL COMMUNICATIONS SERVICES LICENSEES**

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 154; 47 USC 301 to 303; 47 USC 309; 47 USC 332

**CFR Citation:** 47 CFR 1; 47 CFR 24

**Legal Deadline:** None

**Abstract:** This proceeding proposes resumption of installment payments for broadband Personal Communications Services (PCS), e.g. for C and F Block, with payment deadline to be reinstated as of March 31, 1998. The proposal contemplates, inter alia, changes to the FCC's C Block rules to govern re-auction of surrendered spectrum in the C Block. The proposal was released on October 16, 1997, and published in the Federal Register.

**Timetable:**

Action	Date	FR Cite
2nd R&O	10/24/97	62 FR 55348
FNPRM	10/24/97	62 FR 55375
O on Recon of 2nd R&O	04/08/98	63 FR 17111
4th R&O	09/23/98	63 FR 50791
2nd O on Recon of 2nd R&O	05/18/99	64 FR 26887
Recon of 4th R&O	03/16/00	65 FR 14213
FNPRM	06/13/00	65 FR 37092
6th R&O and O on Recon	09/05/00	65 FR 53624

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** The Order on Reconsideration published in the Federal Register in April 1998 addresses 37 petitions, 17 oppositions, 16 replies to opposition, and 38 ex parte filings.

Additional RIN 3060-AG88.

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**RIN:** 3060-AH57

**Federal Communications Commission (FCC)**  
**Wireless Telecommunications Bureau**
**Completed Actions**
**4595. AMENDMENT OF PART 90 OF THE RULES TO PROVIDE FOR THE USE OF THE 220-222 MHZ BAND**

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 154(i); 47 USC 303(d); 47 USC 303(r); 47 USC 309(j); 47 USC 332

**CFR Citation:** 47 CFR 90

**Legal Deadline:** None

**Abstract:** This action addressed Petitions for Reconsideration or clarification of two Orders concerning the 220-222 MHz radio service (220 MHz service). On January 26, 1996, the FCC adopted final rules in the 220 MHz Report and Order, which enabled 220 MHz licensees to modify their licenses to relocate their authorized base stations within FCC-specified parameters. In the 220 MHz Third

Report and Order, adopted on February 19, 1997, the FCC established rules to govern the future operation and licensing of the 220 MHz service. In the Fourth Report and Order, adopted on June 23, 1997, the FCC repealed the "40-mile Rule" contained in Section 90.739(a) of the rules. In the Fifth Report and Order, adopted August 4, 1998, the FCC adopted geographic partitioning and spectrum disaggregation rules for the 220-222 MHz service.

**Timetable:**

Action	Date	FR Cite
NPRM	01/04/90	55 FR 328
NPRM Comment Period End	03/15/90	
R&O	04/29/91	56 FR 19598
NPRM	02/04/92	57 FR 4180
NPRM Comment Period End	03/02/92	

Action	Date	FR Cite
FNPRM	09/07/95	60 FR 46566
Third R&O and Fifth NPRM	04/03/97	62 FR 15978
Fourth Report & Order	09/02/97	62 FR 46211
MO&O on Recon	06/12/98	63 FR 32580
Fifth Report & Order	09/15/98	63 FR 49291
MO&O	06/27/00	65 FR 39559

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AG23

[FR Doc. 00-23104 Filed 11-29-00]

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