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FEDERAL MARITIME COMMISSION

46 CFR Part 531

Non-Vessel-Operating Common Carrier Service Arrangements

AGENCY: Federal Maritime Commission.

ACTION: Final rule, technical amendment.

SUMMARY: In compliance with the Paperwork Reduction Act, this technical amendment revises 46 CFR part 531.99 and Form FMC-78 to reflect the Office of Management and Budget's current control number.

DATES: Effective June 1, 2005.

FOR FURTHER INFORMATION CONTACT: Amy W. Larson, General Counsel, Federal Maritime Commission, 800

North Capitol Street, NW., Washington, DC 20573-0001, (202) 523-5740; Austin L. Schmitt, Director of Operations, Federal Maritime Commission, 800 N. Capitol Street, NW., Washington, DC 20573-0001, (202) 523-0988.

SUPPLEMENTARY INFORMATION: In compliance with the Paperwork Reduction Act, the Federal Maritime Commission is issuing this technical revision to 46 CFR 531.99 and Form FMC-78 to reflect the current Office of Management and Budget ("OMB") information collection control number for 46 CFR part 531, reflected in 46 CFR 531.99 and Form FMC-78. The former OMB control number was 3072-0067, expiring May 31, 2005. The current OMB control number is 3072-0070, expiring March 31, 2008. This technical rule makes no other changes to the part.

List of Subjects for 46 CFR Part 531

Exports, Non-vessel-operating common carriers, Ocean transportation intermediaries.

■ Accordingly, 46 CFR part 531 is revised as follows:

PART 531—[AMENDED]

■ 1. The authority citation for part 531 continues to read as follows:

Authority: 46 U.S.C. app. § 1715.

■ 2. Revise the last two sentences of § 531.99 to read as follows:

§ 531.99 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

* * * The valid control number for this collection of information is 3072-0070. The valid control number for form FMC-78 is 3072-0070.

■ 3. In Exhibit 1 to 46 CFR Part 531, NVOCC Service Arrangement Registration [Form FMC-78], change the OMB control number and expiration date to "3072-0070" and "March 1, 2008." Thus Form FMC-78 will read as follows:

BILLING CODE 6730-01-P

EXHIBIT 1 – NVOCC SERVICE ARRANGEMENT REGISTRATION [FORM FMC-78]

OMB No. 3072-0070 (exp. date: 3/31/2008)

FORM FMC-78

PLEASE TYPE OR PRINT

NVOCC SERVICE ARRANGEMENT REGISTRATION

(SEE ATTACHED INSTRUCTIONS)

1. Organization No. _____**2. Registrant** _____

Full Legal Name of firm (or individual, if not a firm)

(Doing Business As or Trade Name)

3. a. NVOCC OTI License No. _____ **Effective date:** _____
MM/DD/YYYY**OR b. If foreign-based unlicensed NVOCC, provide the following information for agent for service of process:****Name:** _____**Address:** _____**4. This Registration is:** ☐ Initial ☐ Amendment (Specify change)**5. Headquarters Address**(Number and Street) _____ () _____
Telephone(Number and Street) _____ () _____
Fax

(City/State/Zip/Country) _____ (Federal TIN Number, if any) _____ E-Mail (optional) _____

6. Mailing Address (If different)

c/o name _____

Address _____

Telephone () _____

Fax () _____

Email (optional) _____

7. Person(s) to be granted registration. Please list individual(s) for whom a log-on identifier is requested. If this is a transfer of log-on, please list the existing name and existing log-on ID: Name: _____ Existing Log-on: _____**8. Is the person listed in question 7 a third party? (check one)** ☐ Yes ☐ No. If yes, a letter of authority must be submitted with this form.**9.**

Signature of Authorized Official

Print or type name of Authorized Official

date (MM/DD/YYYY)

Title of Authorized Official

FMC USE ONLYLogon _____ ID _____ Directory _____ DateAsg _____ / _____ / _____ AsgBy _____
11/04 (rev'd 12/04)(rev'd 3/05)

Dated: May 26, 2005.

Bryant L. VanBrakle,
Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 23, 25, 73, 74, 78, 95, and 97

[DA 05-1075]

Editorial Modifications of the Commission's Rules

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document amends twelve sections of the Commission's Rules by updating the postal address of the Arecibo Radio Astronomy Observatory near Arecibo, Puerto Rico.

DATES: Effective April 14, 2005.

FOR FURTHER INFORMATION CONTACT: Rodney Small, Office of Engineering and Technology, (202) 418-2452.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Order*, ET Docket No. 96-2, RM-8165, adopted April 13, 2005 and released April 14, 2005. The full text of this document is available on the Commission's Internet site at <http://www.fcc.gov>. It is also available for inspection and copying during regular business hours in the FCC Reference Center (Room CY-A257), 445 12th Street, SW., Washington, DC 20554. The full text of this document also may be purchased from the Commission's duplication contractor, Best Copy and Printing Inc., Portals II, 445 12th St., SW., Room CY-B402, Washington, DC 20554; telephone (202) 488-5300; fax (202) 488-5563; e-mail FCC@BCPIWEB.COM.

Summary of the Order

1. In the *Order*, the Office of the Managing Director ("OMD") amends twelve sections of the Commission's Rules by updating the postal address of the Arecibo Radio Astronomy Observatory ("Observatory") near Arecibo, Puerto Rico.

2. In October 1997, the Commission established a Coordination Zone covering the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra within the Commonwealth of Puerto Rico. The Coordination Zone requires applicants for new and modified radio facilities in various communications services within the Coordination Zone to provide notification of their proposed

operations to the Observatory at the time their applications are submitted to the Commission.

3. On March 4, 2005, Counsel for Cornell University ("Cornell"), operator of the Observatory, informed the Commission's Office of Engineering and Technology (OET) that the postal address for the Observatory had changed, and the Post Office is no longer forwarding mail sent to the old address listed in the Commission's Rules. Accordingly, Counsel for Cornell requests that the postal address for the Observatory be amended in all applicable Commission Rules to "Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612."

4. Authority for adoption of the foregoing revisions is contained in 47 CFR 0.231(b).

5. Amending the postal address for the Observatory in all applicable Commission rules is ministerial and does not change the substance of the rule or any party's obligations or rights, and thus can be undertaken under OMD delegated authority without a notice and comment period rulemaking. OMD has examined the entirety of the Commission's rules and finds twelve sections that require amendment to reflect the Observatory's new postal address.

Ordering Clauses

6. Pursuant to section 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 154(j), and sections 0.11 and 0.231 of the Commission's rules, 47 CFR 0.11 and 0.231, the *Order* and the rules specified in the Appendix, *are amended*, effective April 14, 2005.

List of Subjects

47 CFR Part 1

Postal Service, reporting and recordkeeping requirements.

47 CFR Parts 23, 25, 73, 74, 78, 95, and 97

Reporting and recordkeeping requirements.

Federal Communications Commission.

Andrew S. Fishel,
Managing Director.

Rule Changes

■ For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 1, 23, 25, 73, 74, 78, 95 and 97 to read as follows:

PART 1—PRACTICE AND PROCEDURE

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

Authority: 47 U.S.C. 151, 154(i), 154(j), 155, 225, 303(r), 309 and 325(e).

■ 2. Section 1.924 is amended by revising paragraph (d) introductory text to read as follows:

§ 1.924 Quiet zones.

* * * * *

(d) *Notification to the Arecibo Observatory.* The requirements in this section are intended to minimize possible interference at the Arecibo Observatory in Puerto Rico. Licensees must make reasonable efforts to protect the Observatory from interference. Licensees planning to construct and operate a new station at a permanent fixed location on the islands of Puerto Rico, Desecheo, Mona, Vieques or Culebra in services in which individual station licenses are issued by the FCC; planning to construct and operate a new station at a permanent fixed location on these islands that may cause interference to the operations of the Arecibo Observatory in services in which individual station licenses are not issued by the FCC; or planning a modification of any existing station at a permanent fixed location on these islands that would increase the likelihood of causing interference to the operations of the Arecibo Observatory must notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically (e-mail address: prcz@naic.edu), of the technical parameters of the planned operation. Carriers may wish to use the interference guidelines provided by Cornell University as guidance in designing facilities to avoid interference to the Observatory. The notification must include identification of the geographical coordinates of the antenna location (NAD-83 datum), the antenna height, antenna directivity (if any), proposed channel and FCC Rule Part, type of emission, and effective isotropic radiated power.

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PART 23—INTERNATIONAL FIXED PUBLIC RADIOCOMMUNICATION SERVICES

■ 3. The authority citation for part 23 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082 as amended; 47 U.S.C. 154, 303. Interpret or apply sec. 301, 48 Stat. 1081; 47 U.S.C. 301.