

including those of NECA, contractors, and consultants working on behalf of the beneficiaries to the Commission's Office of Inspector General ("OIG"), to the USF Administrator, and to their auditors. See 47 CFR 54.202(e).<sup>1</sup>

**Low-income program.** With respect to the two low-income universal service programs Lifeline and Link-Up, the FCC has concluded that it should maintain the current two-tiered document retention requirements. Participating service providers must retain a record verifying the eligibility of a recipient of the program for as long as the recipient continues to receive supported service and three years more, and to make it available in conjunction with any audit to which it may be relevant. However, the *R&O* removes the clause that waives the requirement to retain documentation of eligibility once an audit is completed. The FCC also clarifies that beneficiaries must make available all documentation and records that pertain to them, including those of contractors and consultants working on their behalf, to the Commission's OIG, to the USF Administrator, and to auditors working on their behalf. See 47 CFR 54.417(a).<sup>2</sup>

**Rural health care and schools and libraries programs.** The FCC maintains the current requirement that rural health care providers and schools and libraries must retain their records, which evidence that the funding they receive was proper, for 5 years. In addition, this requirement will now also apply to those service providers that receive support for serving rural health care providers. Furthermore, the FCC clarifies that beneficiaries must make available all documents and records that pertain to them, including those of contractors and consultants, working on their behalf, to the Commission's OIG, to the USF Administrator, and to their

auditors, as required by 47 CFR 54.516(a)<sup>3</sup> and 47 CFR 54.619(a).<sup>4</sup>

**Contributors.** The *R&O* also requires contributors to the Universal Service Fund to retain all documents and records, e.g., financial statements and supporting documentation, etc., that they may require to demonstrate to auditors that their contributions were made in compliance with the program rules, assuming that audits are conducted within 5 years. The FCC clarifies that contributors must make available all documents and records that pertain to them, including those of contractors and consultants working on their behalf, to the Commission's OIG, to the USF Administrator, and to their auditors.

**Connectivity.** The FCC will require the USF Administrator to work with the Commission's Wireline Competition Bureau to modify the relevant FCC Forms or to create additional questions for USF program participants to determine more accurately how schools and libraries connect to the Internet and their precise levels of connectivity.

These new and revised information collection requirements, which include document retention and recordkeeping requirements, etc., will affect numerous information collections that the FCC currently maintains. Once OMB approves these requirements, the FCC will begin to update these information collections as required by the rules adopted in this *R&O*.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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<sup>3</sup> 47 CFR § 54.516(a) *Recordkeeping requirements*—(1) *Schools and libraries.* Schools and libraries shall retain all documents related to the application for, receipt, and delivery of discounted telecommunications and other supported services for at least 5 years after the last day of the service delivered in a particular Funding Year. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools and libraries mechanism shall be retained as well. Schools and libraries shall maintain asset and inventory records of equipment purchased as components of supported internal connections services sufficient to verify the actual location of such equipment for a period of five years after purchase.

<sup>4</sup> 47 CFR § 54.619(d) *Service providers.* Service providers shall retain documents related to the delivery of discounted telecommunications and other supported services for at least five years after the last day of the delivery of discounted services. Any documentation that demonstrates compliance with the statutory or regulatory requirements for the rural health care mechanism shall be retained as well.

## FEDERAL COMMUNICATIONS COMMISSION

[EB Docket No. 07-264; DA 07-4675]

### Lonnie L. Keeney, Amateur Radio Operator and Licensee of Amateur Radio Station KB9RFO

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document commences a hearing proceeding by directing Lonnie L. Keeney, Amateur Radio Operator and Licensee of Amateur Radio Station KB9RFO, to show why the license of Amateur Radio Station KP9FO should not be revoked and whether, in light of a felony conviction against him, he remains qualified to be a Commission licensee.

**DATES:** Petitions by persons desiring to participate as a party in the hearing, pursuant to 47 CFR 1.223, may be filed no later than 30 days after publication of this notice in the **Federal Register**. See **SUPPLEMENTARY INFORMATION** section for dates that named parties should file appearances.

**ADDRESSES:** Please file documents with the Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, Room 4-C330, 445 12th Street, NW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Judy Lancaster, Investigations and Hearings Division, Enforcement Bureau at (202) 418-1420; Jennifer A. Lewis, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau at (202) 418-1420.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Order to Show Cause, DA 07-4675, released November 20, 2007. The full text of the Order to Show Cause is available for inspection and copying from 8 a.m. until 4:30 p.m., Monday through Thursday or from 8 a.m. until 11:30 a.m. on Friday at the FCC Reference Information Center, Room CY-A257, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, NW., Room CY-B402, Washington, DC 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or you may contact BCPI at the Web site: <http://www.BCPIWEB.com>. When ordering documents for BCPI, please provide the appropriate FCC document number, FCC 06-124. The Order is also available on the Internet at the Commission's Web site through its Electronic Document Management

<sup>1</sup> 47 CFR § 54.202(e): All eligible telecommunications carriers shall retain all records required to demonstrate to auditors that the support received was consistent with the universal service high-cost program rules. These rules should include the following: data supporting line count filings; historical customer records; fixed asset property accounting records; general ledgers; invoice copies for the purchase and maintenance of equipment; maintenance contracts for the upgrade or equipment; and any other relevant documentation. This documentation must be maintained for at least five years from the receipt of funding.

<sup>2</sup> 47 CFR § 54.417(a): Eligible telecommunications carriers must maintain records to document compliance with all Commission and state requirements governing the Lifeline/Link Up programs for the three full years preceding calendar years and requiring carriers to retain documentation for as long as the customer receives Lifeline service from the ETC or until audited by the Administrator and provide that documentation to the Commission or Administrator upon request \* \* \*.

System (EDOCS): <http://hraunfoss.fcc.gov/edocs-public/SilverStream/Pages/edocs.html>.

Alternative formats are available to persons with disabilities (Braille, large print, electronic files, audio format); send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), (202) 418-0432 (TTY).

*Summary of the Order:* In the Order to Show Cause, the Commission commences a hearing proceeding to determine the effect of Mr. Keeney's felony conviction(s) on his qualifications to be and to remain a Commission licensee and, in light of the evidence adduced pursuant to the foregoing issue, whether Mr. Keeney is qualified to be and to remain a Commission licensee.

The Commission received a compliant alleging that Mr. Keeney had been convicted of felony child molestation. The Commission conducted an investigation and determined that, in 2002, Mr. Keeney was charged in the Criminal Division of the Putnam Circuit Court, State of Indiana, with two counts of child molestation in violation of Indiana Code section 35-42-4-3, a Class A felony, and section 35-42-4-3, a Class C felony. Pursuant to a plea agreement, Mr. Keeney pled guilty to one count of felony child molestation, and, on December 10, 2002, was sentenced by the Putnam Circuit Court to six years of incarceration with the Indiana Department of Corrections. The Court ordered that Mr. Keeney serve one year of the sentence with credit for 35 days already served, and suspended the remaining five years of that sentence, but placed Mr. Keeney on supervised probation for five years. Mr. Keeney remains on probation.

The Commission determined that Mr. Keeney's felony conviction raises a substantial and material question of fact as to his qualifications to be and to remain a Commission licensee and may warrant revocation of the license of Amateur Station KP9RFO. Thus, pursuant to sections 312(a) and 312(c) of the Communications Act of 1934, as amended, 47 U.S.C. 312(a) and (c) and section 1.91 of the Commission's rules, 47 CFR 1.91, the Order to Show Cause directs Lonnie L. Keeney to show cause why the license of Amateur Radio Station KP9RFO should not be revoked, upon the following issues: (a) To determine the effect of Lonnie L. Keeney's felony conviction(s) on his qualifications to be and to remain a Commission licensee; and (b) to determine, in light of the evidence adduced pursuant to the foregoing issue, whether Lonnie L. Keeney is qualified

to be and to remain a Commission licensee; and (c) to determine in light of the evidence adduced pursuant to the foregoing issues, whether his Amateur Radio License KP9RFO should be revoked.

Copies of the Order to Show Cause were sent by certified mail, return receipt requested, to Lonnie L. Keeney. To avail himself of the opportunity to be heard, Lonnie L. Keeney, pursuant to section 1.91(c) and section 1.221 of the Commission's rules, 47 CFR 1.91(c) and 47 CFR 1.221, in person or by his attorney, must within 30 days of the release of this Order, file in triplicate a written notice of appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order. Lonnie L. Keeney pursuant to section 73.3594 of the Commission's rules, 47 CFR 73.3594, shall give notice of the hearing within the time and in the manner prescribed in 47 CFR 73.3594, and shall advise the Commission of the publication of such notice as required by 47 CFR 73.3594(g).

Federal Communications Commission.

**Hillary DeNigro,**

*Chief Investigations and Hearings Division,  
Enforcement Bureau.*

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## FEDERAL ELECTION COMMISSION

[Notice 2007-27]

### 2008 Presidential Candidate Matching Fund Submission Dates and Post Date of Ineligibility Dates To Submit Statements of Net Outstanding Campaign Obligations; (Authority: 11 CFR 9036.2; 11 CFR 9034.5)

**AGENCY:** Federal Election Commission.

**ACTION:** Notice of matching fund submission dates and submission dates for statements of net outstanding campaign obligations for 2008 presidential candidates.

**SUMMARY:** The Federal Election Commission is publishing matching fund submission dates for publicly funded 2008 presidential primary candidates. Eligible candidates may present one submission and/or resubmission per month on the designated date. The Commission is also publishing the dates on which publicly funded 2008 presidential primary candidates must submit their statements of net outstanding campaign obligations ("NOCO statements") after their dates of ineligibility ("DOI"). Candidates are required to submit a NOCO statement

prior to each regularly scheduled date on which they receive Federal matching funds, on dates set forth in the Supplementary Information below.

**FOR FURTHER INFORMATION CONTACT:** Ms. Wanda Thomas, Audit Division, 999 E Street, NW., Washington, DC 20463, (202) 694-1200 or (800) 424-9530.

#### SUPPLEMENTARY INFORMATION:

##### Matching Fund Submissions

Presidential candidates eligible to receive Federal matching funds may present submissions and/or resubmissions to the Federal Election Commission once a month on designated submission dates. The Commission will review the submissions/resubmissions and forward certifications for eligible candidates to the Secretary of Treasury. Because no payments can be made during 2007, submissions received during 2007 will be certified in late December 2007, for payment in 2008. 11 CFR 9036.2(c). Treasury Department regulations require that funds for the convention and general election grants be set aside before any matching fund payments are made. Information provided by the Treasury Department shows the balance in the fund as of October 31, 2007 was \$165,383,063 and the Commission estimates that no funds will be available for matching payments in January 2008. As deposits are made from tax returns in the early months of 2008, matching fund payments will be made from those deposits until all certified amounts have been paid. During 2008 and 2009, certifications will be made on a monthly basis. The last date a candidate may make a submission is March 2, 2009.

The submission dates specified in the following list pertain to non-threshold matching fund submissions and resubmissions after the candidate establishes eligibility. The threshold submission on which that eligibility will be determined may be filed at any time and will be processed within fifteen business days, unless review of the threshold submission determines that eligibility has not been met.

##### NOCO Submissions

Under 11 CFR 9034.5, a candidate who received Federal matching funds must submit a NOCO statement to the Commission within 15 calendar days after the candidate's date of ineligibility, as determined under 11 CFR 9033.5. The candidate's net outstanding campaign obligations is equal to the total of all outstanding obligations for qualified campaign expenses plus estimated necessary winding down costs less cash on hand, the fair market