

physical damage, it must be protected by rigid metal conduit or intermediate metal conduit. The conductors must be suitable for wet locations. Electrical metallic tubing or rigid nonmetallic conduit is permitted to be used when closely routed against frames and equipment enclosures.

\* \* \* \* \*

(o) \* \* \*

(2) Conductors having an insulation suitable for the temperature encountered may be run from the appliance terminal connections to a readily accessible outlet box placed at least one foot from the appliance. If provided, these conductors must be in a suitable raceway or Type AC or MC cable, of at least 18 inches but not more than 6 feet in length.

\* \* \* \* \*

49. In § 3280.813, revise paragraph (b) to read as follows:

**§ 3280.813 Outdoor outlets, fixtures, air-conditioning equipment, etc.**

\* \* \* \* \*

(b) A manufactured home provided with a branch circuit designed to energize outside heating equipment or air-conditioning equipment, other than room air conditioners, or both, located outside the manufactured home, other than room air conditioners, must have such branch-circuit conductors terminate in a listed outlet box, or disconnecting means, located on the outside of the manufactured home.

(1) A label must be permanently affixed adjacent to the outlet box. The label must be not less than 0.020-inches thick etched brass, stainless steel, anodized or alclad aluminum, or equivalent, and must not be less than 3 inches x 1-3/4 inches in size.

(2) The label must include the correct voltage and ampere rating and the following information:

THIS CONNECTION IS FOR  
HEATING AND/OR AIR-  
CONDITIONING EQUIPMENT. THE  
BRANCH CIRCUIT IS RATED AT NOT  
MORE THAN \_\_\_\_ AMPERES,  
AT \_\_\_\_ VOLTS, 60-  
HERTZ, \_\_\_\_ CONDUCTOR  
AMPACITY. A DISCONNECTING  
MEANS IS LOCATED WITHIN SIGHT  
OF THE EQUIPMENT.

(3) The correct voltage and ampere rating shall be given. The tag must be not less than 0.020-inches thick etched brass, stainless steel, anodized or alclad aluminum, or equivalent. The tag must have a minimum size of not less than 3 inches x 1 3/4 inches.

50. In § 3280.815, revise paragraph (a) as follows:

**§ 3280.815 Polarization.**

(a)(1) Except as provided in paragraph (a)(2) of this section, the white conductor must be employed for the grounded (neutral) circuit conductors only and must be connected to the white terminal or lead on receptacle outlets and fixtures. The grounded conductor must be the unswitched wire in switched circuits.

(2) A cable containing an insulated conductor with a white or natural gray outer finish or a marking of three continuous white stripes may be used for single-pole, 3-way, or 4-way switch loops, where this conductor is used for the supply to the switch, but not as a return conductor from the switch to the switched outlet. In these applications, the conductor with white or natural gray insulation or with three continuous white stripes must be permanently re-identified to indicate its use by painting or other effective means at its terminations and at each location where the conductor is visible and accessible.

\* \* \* \* \*

Date: May 25, 2010.

**David H. Stevens,**

*Assistant Secretary for Housing—Federal Housing Commissioner.*

[FR Doc. 2010-16724 Filed 7-12-10; 8:45 am]

**BILLING CODE 4210-67-P**

## LIBRARY OF CONGRESS

### Copyright Royalty Board

#### 37 CFR Part 386

[Docket No. 2010-4 CRB Satellite Rate]

#### Rate Adjustment for the Satellite Carrier Compulsory License

**AGENCY:** Copyright Royalty Board, Library of Congress.

**ACTION:** Proposed rule.

**SUMMARY:** The Copyright Royalty Judges are publishing for comment negotiated royalty rates for the satellite carrier statutory license of the Copyright Act for the license period 2010-2014.

**DATES:** Objections to the proposed rates must be submitted no later than August 12, 2010.

**ADDRESSES:** Objections may be sent electronically to [crb@loc.gov](mailto:crb@loc.gov). In the alternative, send an original, five copies and an electronic copy on a CD either by mail or hand delivery. Please do not use multiple means of transmission. Objections may not be delivered by overnight delivery service other than the U.S. Postal Service Express Mail. If by mail (including overnight delivery),

objections must be addressed to: Copyright Royalty Board, P.O. Box 70977, Washington, DC 20024-0977. If hand delivered by a private party, objections must be brought to the Copyright Office Public Information Office, Library of Congress, James Madison Memorial Building, Room LM-401, 101 Independence Avenue, SE., Washington, DC 20559-6000, between 8:30 a.m. and 5 p.m. If delivered by a commercial courier, objections must be delivered between 8:30 a.m. and 4 p.m. to the Congressional Courier Acceptance Site located at 2nd and D Street, NE., Washington, DC, and the envelope must be addressed to: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, Room LM-403, 101 Independence Avenue, SE., Washington, DC 20559-6000.

**FOR FURTHER INFORMATION CONTACT:** Richard Strasser, Senior Attorney, or Gina Giuffreda, Attorney Advisor, by telephone at (202) 707-7658 or e-mail at [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:** As required by section 119(c)(1)(B) of the Copyright Act, title 17 of the United States Code, the Copyright Royalty Judges published a Notice in the **Federal Register** announcing the commencement of a voluntary negotiation period for the purpose of determining the royalty fees to be paid under the satellite carrier statutory license, 17 U.S.C. 119. 75 FR 32228 (June 7, 2010). The law further provides that parties that have reached a voluntary agreement as to the rates may, within ten days of publication of the Notice, "request that the royalty fees in that agreement be applied to all satellite carriers, distributors, and copyright owners without convening a proceeding under subparagraph (F)." 17 U.S.C. 119(c)(1)(D)(ii)(I). The ten-day period ended on June 17, 2010.

On June 9, 2010, the Judges received a voluntary agreement from the Program Suppliers and Joint Sports Claimants (collectively, the "Copyright Owners") and DIRECTV, Inc., DISH Network, LLC, and National Programming Service, LLC (collectively, the "Satellite Carriers"). The Copyright Owners and Satellite Carriers request that the Judges adopt the rates set forth in Article 2 of their agreement, which we are publishing today for comment. The Judges are publishing the rates as required by section 119(c)(1)(D)(ii)(II).

Section 119(c)(1)(D)(ii)(III) provides that the Judges shall adopt the negotiated rates "unless a party with an intent to participate in the proceeding and a significant interest in the outcome of that proceeding objects under clause

(II)." Any party that files an objection to the rates published in today's Notice must state their intention to participate in a proceeding and state in detail their reasons for the objection as well their significant interest in the outcome of this proceeding.

#### List of Subjects in 37 CFR Part 386

Copyright, Satellite, Television.

#### Proposed Regulations

For the reasons set forth in the preamble, the Copyright Royalty Judges propose to add part 386 to Chapter III of title 37 of the Code of Federal Regulations to read as follows:

#### PART 386—ADJUSTMENT OF ROYALTY FEES FOR SECONDARY TRANSMISSIONS BY SATELLITE CARRIERS

Sec.

386.1 General.

386.2 Royalty fee for secondary transmission by satellite carriers.

**Authority:** 17 U.S.C. 119(c), 801(b)(1).

##### § 386.1 General.

This part 386 adjusts the rates of royalties payable under the statutory license for the secondary transmission of broadcast stations under 17 U.S.C. 119.

##### § 386.2 Royalty fee for secondary transmission by satellite carriers.

(a) *General.* (1) For purposes of this section, *Per subscriber per month* shall mean for each subscriber subscribing to the station in question (or to a package including such station) on the last day of a given month.

(2) In the case of a station engaged in digital multicasting, the rates set forth in paragraph (b) of this section shall apply to each digital stream that a satellite carrier or distributor retransmits pursuant to 17 U.S.C. 119, provided however that no additional royalty shall be paid for the carriage of any material related to the programming on such stream.

(b) *Rates.* (1) *Private home viewing.* The rates applicable to Satellite Carriers' carriage of each broadcast signal for private home viewing shall be as follows:

(i) 2010: 25 cents per subscriber per month (for each month of 2010);

(ii) 2011: the 2010 rate, adjusted for the amount of inflation as measured by the change in the Consumer Price Index for all Urban Consumers All Items for October 2009 to October 2010;

(iii) 2012: the 2011 rate, adjusted for the amount of inflation as measured by the change in the Consumer Price Index

for all Urban Consumers All Items for October 2010 to October 2011;

(iv) 2013: the 2012 rate, adjusted for the amount of inflation as measured by the change in the Consumer Price Index for all Urban Consumers All Items from October 2011 to October 2012;

(v) 2014: the 2013 rate, adjusted for the amount of inflation as measured by the change in the Consumer Price Index for all Urban Consumers All Items from October 2012 to October 2013.

(2) *Viewing in Commercial Establishments.* The rates applicable to Satellite Carriers' carriage of each broadcast signal for viewing in commercial establishments shall be as follows:

(i) 2010: 50 cents per subscriber per month (for each month of 2010);

(ii) 2011: the 2010 rate, adjusted for the amount of inflation as measured by the change in the Consumer Price Index for all Urban Consumers All Items from October 2009 to October 2010;

(iii) 2012: the 2011 rate, adjusted for the amount of inflation as measured by the change in the Consumer Price Index for all Urban Consumers All Items from October 2010 to October 2011;

(iv) 2013: the 2012 rate, adjusted for the amount of inflation as measured by the change in the Consumer Price Index for all Urban Consumers All Items from October 2011 to October 2012;

(v) 2014: the 2013 rate, adjusted for the amount of inflation as measured by the change in the Consumer Price Index for all Urban Consumers All Items from October 2012 to October 2013.

Dated: July 8, 2010.

William J. Roberts, Jr.,

U.S. Copyright Royalty Judge.

[FR Doc. 2010-17037 Filed 7-12-10; 8:45 am]

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### 50 CFR Parts 679 and 680

[Docket No. 070718367-7374-01]

RIN 0648-AV33

##### Fisheries of the Exclusive Economic Zone Off Alaska; Community Development Quota Program

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes to amend regulations that govern fisheries managed under the Western Alaska Community Development Quota (CDQ) Program. These revisions are needed to comply with certain changes made to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) in 2006. Proposed changes include revising regulations associated with recordkeeping, vessel licensing, catch retention requirements, and fisheries observer requirements to ensure that they are no more restrictive than the regulations in effect for comparable non-CDQ fisheries managed under individual fishing quotas or cooperative allocations. In addition, NMFS proposes to remove CDQ Program regulations that now are inconsistent with the Magnuson-Stevens Act, including regulations associated with the CDQ allocation process, transfer of groundfish CDQ and halibut prohibited species quota, and the oversight of CDQ groups' expenditures.

**DATES:** Comments must be received no later than August 12, 2010.

**ADDRESSES:** Send comments to Sue Salvesson, Assistant Regional Administrator, Sustainable Fisheries Division, Alaska Region, NMFS, Attn: Ellen Sebastian. You may submit comments, identified by RIN 0648-AV33, by any one of the following methods:

- *Electronic Submissions:* Submit all electronic public comments via the Federal eRulemaking Portal Web site at <http://www.regulations.gov>.
- *Mail:* P.O. Box 21668, Juneau, AK 99802.

- *Fax:* (907) 586-7557.
- *Hand delivery to the Federal Building:* 709 West 9th Street, Room 420A, Juneau, AK.

All comments received are a part of the public record. No comments will be posted to <http://www.regulations.gov> for public viewing until after the comment period has closed. Comments will generally be posted without change. All Personal Identifying Information (e.g., name, address) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, WordPerfect, or Adobe portable document file (pdf) formats only.

Written comments regarding the burden-hour estimates or other aspects