

burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before August 13, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to Leslie.Smith@fcc.gov or Kristy L. LaLonde, Office of Management and Budget (OMB), Room 10236 NEOB, Washington, DC 20503, (202) 395-3087 or via the Internet at Kristy_L_LaLonde@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copy of the information collection(s) contact Les Smith at (202) 418-0217 or via the Internet at Leslie.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0854.
Title: Truth-in-Billing Format, CC Docket No. 98-170.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 10,788.

Estimated Time per Response: 5 to 465 hours.

Frequency of Response: On occasion reporting requirement, third party disclosure.

Total Annual Burden: 1,565,775 hours.

Total Annual Cost: 9,000,000.

Needs and Uses: The Commission adopted rules to make consumers' telephone bills easier to read and understand. Telephone bills do not provide necessary information in a user-friendly format. As a result, consumers are experiencing difficulty in understanding their bills, in detecting fraud, in resolving billing disputes, and in comparing carrier rates to get the best values for themselves. Consumers use this information to help them understand their telephone bills. Consumers need this information to protect them against fraud and to help them resolve billing disputes if they wish.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

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BILLING CODE 6712-01-M

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted to OMB for Review and Approval

June 28, 2004.

SUMMARY: The Federal Communications Commissions, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

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Smith at (202) 418-0217 or via the Internet at Leslie.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0027.

Title: Application for Construction Permit for Commercial Broadcast Station, FCC Form 301.

Form Number: FCC 301.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for-profit entities; Not-for-profit institutions.

Number of Respondents: 2,570.

Estimated Time per Response: 2 to 4 hours.

Frequency of Response: On occasion reporting requirements; Third party disclosure.

Total Annual Burden: 5,827 hours.

Total Annual Costs: \$30,811,550.

Privacy Impact Assessment: No impact(s).

Needs and Uses: On September 3, 2003, the United States Circuit Court of Appeals for the Third Circuit issued an *Order* staying the effectiveness of the new media ownership rules adopted by the Commission on June 2, 2003. (Report and Order, MB Docket 02-277 and MM Docket 01-235, 01-237, and 00-244, and Notice of Proposed Rulemaking, *In the Matter of 2020 Biennial Regulatory Review—Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to section 202 of the Telecommunications Act of 1996.*) 68 FR 46285, August 5, 2003. The Court ordered "that the prior ownership rules remain in effect pending resolution of these proceedings." *Prometheus Radio Project v. FCC*, No. 03-3388 (3d Cir. Sept. 3, 2003) (*per curiam*). The Court's *Order* requires that the Commission process broadcast station applications under the prior ownership rules.

Licensees/permittees use FCC Form 301 to apply for authority to construct a new commercial AM, FM, or TV broadcast station or to make changes to the existing facilities of such a station. In addition, FM licensees/permittees may use Form 301 to request upgrades on adjacent and co-channels, modifications to adjacent channels of the same class, and downgrades to adjacent channels without first submitting a petition for rulemaking. Applicants using this "one step" process must demonstrate that a suitable site exists, which complies with allotment standards, *i.e.*, minimal distance separation and city-grade coverage, and is suitable for tower construction. Commercial broadcast licensees must file Form 301 for a construction permit to receive

authorization to commence DTV operation. This application may be filed anytime after receiving the initial DTV allotment but must be filed before mid-point in a particular applicant's required construction period. The Commission will consider these applications as minor changes in facilities. Applications will not have to supply full legal or financial qualification information. Under 47 CFR 73.3580, applicants must publish a notice in a local paper of general circulation when filing for new or major changes in facilities. A copy of the public notice is to be kept with the application in the station's public file.

OMB Control Number: 3060-0031.

Title: Application for Consent to Assignment of Broadcast Station Construction Permit or License.

Form Number: 314.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; and Not-for-profit institutions.

Number of Respondents: 1,591.

Estimated Time per Response: 1 to 2 hours.

Frequency of Response: On occasion reporting requirements; Third party disclosure.

Total Annual Burden: 2,547 hours.

Total Annual Costs: \$12,356,203.

Privacy Impact Assessment: No impact(s).

Needs and Uses: On September 3, 2003, the United States Court of Appeals for the Third Circuit issued an *Order* staying the effectiveness of the new media ownership rules adopted by the Commission on June 2, 2003. (Report and Order, MB Docket 02-2777 and MM Docket 01-235, 01-317, and 00-244, and Notice of Proposed Rulemaking, *In the Matter of 2002 Biennial Regulatory Review—Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996.*) 68 FR 46285, August 5, 2003. The Court ordered "that the prior ownership rules remain in effect pending resolution of these proceedings." *Prometheus Radio Project v. FCC*, No. 03-3388 (3d Cir. Sept. 3, 2003) (*per curiam*). The Court's Order requires that the Commission process broadcast station applications under the prior ownership rules.

Applicants must file FCC Form 314 and applicable exhibits/explanations when applying for consent to assignment of an AM, FM, or TV broadcast station construction permit or license. In addition, the applicant must notify the Commission when an

approved assignment of a broadcast station construction permit or license has been consummated.

Under 47 CFR 73.3580, applicants must publish a notice in a local paper of general circulation when filing for assignment of all licenses/permits. A copy of the notice is to be kept with the application in the station's public file. Additionally, an applicant for assignment of license must broadcast the same notice from the station in the second week immediately following the tendering for the application filing. On April 4, 2000, the Commission adopted a Report and Order in MM Docket 95-31, *In the Matter of Reexamination of the Comparative Standards for Noncommercial Educational Applicants*. This Report and Order adopted new procedures to select among competing applicants for noncommercial educational (NCE) broadcast channels. The new procedures use points to compare objective characteristics whenever there are competing applications for full-service radio or television channels reserved for NCE use. The new procedure established a four-year holding period of on-air operations for license approved as a result of evaluations in a point system. FCC Form 314 has been revised to reflect the new policy and to require stations authorized under the point system, which have not operated for a four-year period, to submit with their applications an exhibit demonstrating compliance with 47 CFR 73.7005. The FCC staff use the data to determine whether the applicants meet basic statutory requirements to become a Commission licensee/permittee and to assure that the public interest is served by grant of the application.

OMB Control Number: 3060-0032.

Title: Application for Consent to Transfer Control of Entity Holding Broadcast Station Construction Permit or License, FCC Form 315.

Form Number: 315.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; and Not-for-profit institutions.

Number of Respondents: 1,591.

Estimated Time per Response: 1 to 2 hours.

Frequency of Response: On occasion reporting requirements; Third party disclosure.

Total Annual Burden: 2,547 hours.

Total Annual Costs: \$12,356,203.

Privacy Impact Assessment: No impact(s).

Needs and Uses: On September 3, 2003, the United States Court of

Appeals for the Third Circuit issues an *Order* staying the effectiveness of the new media ownership rules adopted by the Commission on June 2, 2003. (Report and Order, MB Docket 02-2777 and MM Docket 01-235, 01-317, and 00-244, and Notice of Proposed Rulemaking, *In the Matter of 2002 Biennial Regulatory Review—Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996.*) 68 FR 46285, August 5, 2003. The Court ordered "that the prior ownership rules remain in effect pending resolution of these proceedings." *Prometheus Radio Project v. FCC*, No. 03-3388 (3d Cir. Sept. 3, 2003) (*per curiam*). The Court's Order requires that the Commission process broadcast station applications under the prior ownership rules.

Applicants must file FCC Form 315 and applicable exhibits/explanations when applying for transfer of control of a corporation holding an AM, FM, or TV broadcast station construction permit or license. In addition, the applicant must notify the Commission when an approved transfer of control of a broadcast station construction permit or license has been consummated.

Under 47 CFR 73.3580, applicants must publish a notice in a local paper of general circulation when filing all applications for transfer of control any license/permit. A copy of the public notice is to be kept with the application in the station's public file. Additionally, an applicant for transfer of control of license must broadcast the same notice from the station in the second week immediately following the tendering for the application filing.

On April 4, 2000, the Commission adopted a Report and Order in MM Docket 95-31, *In the Matter of Reexamination of the Comparative Standards for Noncommercial Educational Applicants*. This Report and Order adopted new procedures to select among competing applicants for noncommercial educational (NCE) broadcast channels. The new procedures use points to compare objective characteristics whenever there are competing applications for full-service radio or television channels reserved for NCE use. The new procedure established a four-year holding period of on-air operations for license approved as a result of evaluations in a point system. The FCC Form 315 was revised to reflect the new policy and to require stations authorized under the point system, which have not operated for a four-year period, to submit with their applications an exhibit demonstrating compliance with

47 CFR 73.7005. The FCC staff use the data to determine whether the applicants meet basic statutory requirements to become a Commission licensee/permittee and to assure that the public interest is served by grant of the application.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 04-15865 Filed 7-13-04; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted to OMB for Review and Approval

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SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0034.

Title: Application for Construction Permit for Reserved Channel Noncommercial Educational Broadcast Station, FCC Form 340.

Form Number: FCC 340.

Type of Review: Revision of a currently approved collection.

Respondents: Not-for-profit institutions.

Number of Respondents: 668.

Estimated Time per Response: 2 to 4 hours.

Frequency of Response: On occasion reporting requirements; Third party disclosure.

Total Annual Burden: 2,158 hours.

Total Annual Cost: \$7,071,746.

Privacy Impact Assessment: Yes.

Needs and Uses: FCC 340 is used to apply for authority to construct a new noncommercial educational FM, TV, and DTV broadcast station, or to make changes in the existing facilities of such a station. The FCC 340 is to be used for channels that are reserved exclusively for noncommercial educational use and on non-reserved channels if the only applicants competing propose to build NCE stations. For existing authorized analog stations to receive authorization for commencement of DTV operation, noncommercial educational broadcast licensees operating on a reserved channel must file FCC Form 340 for a construction permit. This application may be filed anytime after receiving the initial DTV channel allotment, but must be filed before the mid-point in a particular applicant's required construction period. The Commission will consider these applications as minor changes in facilities. Applicants do not have to supply full legal or financial qualification information. In addition, applicants for a newly allotted DTV channel reserved for noncommercial educational use(s) must also file the FCC Form 340.

On February 28, 2001, the FCC released a Memorandum Opinion and Order, *In the Matter of Reexamination of the Comparative Standards for Noncommercial Educational Applicants* (MO&O), MM Docket No. 95-31, FCC 01-64. The MO&O established a point system to compare objective characteristics of applicants for full-

service radio or television stations on channels reserved for NCE use and on non-reserved channels if the only applicants competing propose to build NCE stations. The Commission has used the auction procedures to select among mutually exclusive commercial applications on non-reserved (commercial) channels. The MO&O, by establishing the point system, also resolved the "supplement issue" for those noncommercial stations that had previously filed pending applications filed before the Commission, but which were filed without point information (because the point system didn't exist when the applications were filed). These systems were required to file a "supplement" to their application providing the point information. Most applicants who had requested mutually exclusive NCE proposed for the reserved band have been required to supplement or settle their request(s) by 2001. A small number of these applicants remain, who were never subject to this requirement. These applicants are still required to supplement their Form 340 applications. The Commission will issue a public notice announcing the procedures to be used in this process at a future date, yet unknown.

Under 47 CFR 73.3580, applicants must publish a notice in a newspaper of general circulation of the filing of all applications for new or major changes in facilities for at least twice a week for two consecutive weeks in a three-week period. This notice must be completed within 30 days of the tendering of the application. A copy of this notice and the applications must be placed in the station's public inspection file.

OMB Control Number: 3060-0405.

Title: Application for Authority to Construct or Make Changes in an FM Translator or FM Booster Station, FCC Form 349.

Form Number: FCC 394.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities; Not-for-profit institutions; and State, local, or tribal government.

Number of Respondents: 1,000.

Estimated Time per Response: 2 to 3 hours.

Frequency of Response: One-time and on occasion reporting requirements; Third party disclosure.

Total Annual Burden: 2,700 hours.

Total Annual Cost: \$2,654,500.

Privacy Impact Assessment: No impact(s).

Needs and Uses: FCC Form 349 is used to apply for authority to construct a new FM translator or FM booster