

(4) Except as provided in paragraph (c) of this section, Medicaid payments to State government operated facilities and non-State government operated facilities must not exceed the individual provider's cost as documented in accordance with § 447.206.

(c) *Exception. Indian Health Services and tribal facilities.* The limitation in paragraph (b) of this section does not apply to Indian Health Services facilities and tribal facilities that are funded through the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638).

(d) *Compliance dates.* Except as permitted under paragraph (e) of this section, a State must comply with the upper payment limit described in paragraph (b) of this section by one of the following dates:

(1) For State government operated and non-State government operated hospitals—September 1, 2007.

(2) For all other facilities—March 13, 2001.

\* \* \* \*

## PART 457—ALLOTMENTS AND GRANTS TO STATES

1. The authority for part 457 continues to read as follows:

**Authority:** Sec. 1102 of the Social Security Act (42 U.S.C. 1302)

2. Section 457.220 is revised to read as follows:

### § 457.220 Funds from units of government as the State share of financial participation.

(a) Funds from units of government may be considered as the State's share in claiming FFP if they meet the conditions specified in paragraphs (b) and (c) of this section.

(b) The funds from units of government are appropriated directly to the State or local Medicaid agency, or are transferred from other units of government (including Indian tribes) to the State or local agency and are under its administrative control, or are certified by the contributing unit of government as representing expenditures eligible for FFP under this section. Certified public expenditures must be expenditures within the meaning of 45 CFR 95.13 that are supported by auditable documentation in a form approved by the Secretary that, at a minimum—

(1) Identifies the relevant category of expenditures under the State plan;

(2) Explains whether the contributing unit of government is within the scope of the exception to limitations on provider-related taxes and donations;

(3) Demonstrates the actual expenditures incurred by the

contributing unit of government in providing services to eligible individuals receiving medical assistance or in administration of the State plan; and

(4) Is subject to periodic State audit and review.

(c) The funds from units of government are not Federal funds, or are Federal funds authorized by Federal law to be used to match other Federal funds.

3. Amend § 457.628 by—

A. Republishing the introductory text to the section.

B. Revising paragraph (a).

The republication and revision read as follows:

### § 457.628 Other applicable Federal regulations.

Other regulations applicable to SCHIP programs include the following:

(a) HHS regulations in § 433.50 through § 433.74 of this chapter (sources of non-Federal share and Health Care-Related Taxes and Provider-Related Donations) and § 447.207 of this chapter (Retention of payments) apply to States' SCHIPs in the same manner as they apply to States' Medicaid programs.

\* \* \* \*

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program)

Dated: June 16, 2006.

**Mark B. McClellan,**

*Administrator, Centers for Medicare & Medicaid Services.*

Approved: December 12, 2006.

**Michael O. Leavitt,**

*Secretary.*

[FR Doc. 07-195 Filed 1-12-07; 4:21 pm]

**BILLING CODE 4120-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Chapter I

[CC Docket No. 01-92; DA 06-2548]

### Developing a Unified Intercarrier Compensation Regime

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule, reopening of reply comment period.

**SUMMARY:** This document grants a request for an extension of time to file reply comments on a proposed process to address phantom traffic issues and a related proposal for the creation and exchange of call detail records filed by the Supporters of the Missoula Plan, an intercarrier compensation reform plan filed July 24, 2006 by the National

Association of Regulatory Utility Commissioners' Task Force on Intercarrier Compensation (the NARUC Task Force). The Order modifies the pleading cycle by reopening the comment period in order to facilitate the development of a more substantive and complete record in this proceeding.

**DATES:** Submit reply comments on or before January 5, 2007.

**ADDRESSES:** You may submit comments, identified by CC Docket No. 01-92, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Federal Communications Commission Web Site:* <http://www.fcc.gov>. Follow the instructions for submitting comments on the Electronic Comment Filing System (ECFS) <http://www.fcc.gov/cgb/ecfs/>.

- *E-mail:* To [randy.clarke@fcc.gov](mailto:randy.clarke@fcc.gov). Include CC Docket 01-92 in the subject line of the message.

- *Fax:* To the attention of Randy Clarke at 202-418-1567. Include CC Docket 01-92 on the cover page.

- *Mail:* Parties should send a copy of their filings to Randy Clarke, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-A360, 445 12th Street, SW., Washington, DC 20554.

- *Hand Delivery/Courier:* The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002.

—The filing hours at this location are 8 a.m. to 7 p.m.

—All hand deliveries must be held together with rubber bands or fasteners.

—Any envelopes must be disposed of before entering the building.

—Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- *People with Disabilities:* To request materials in accessible formats for people 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 & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

**Instructions:** All submissions received must include the agency name and docket number. All comments received will be posted without change to <http://www.fcc.gov/cgb/ecfs/>, including any personal information provided. For detailed instructions on submitting

comments and additional information on the rulemaking process, see the Public Notice requesting comment on the Missoula Plan Phantom Traffic Interim Process and Call Detail Records Proposal. 71 FR 67509, November 22, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Jennifer McKee, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1530, or Randy Clarke, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1587.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Order [DA 06-2548] released December 20, 2006. The complete text of the Order is available for inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW., Room CY-A257, Washington, DC 20554. The complete text of this document also may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room, CY-B402, Washington, DC 20554. The complete text may also be downloaded at: <http://www.fcc.gov>. By the Order, the Wireline Competition Bureau (WCB) grants a request for an extension of time to file reply comments on a proposed process to address phantom traffic issues and a related proposal for the creation and exchange of call detail records filed by the Supporters of the "Missoula Plan." The Missoula Plan was filed on July 24, 2006 by the National Association of Regulatory Utility Commissioners' Task Force on Intercarrier Compensation. 71 FR 45510, August 9, 2006; 71 FR 54008, September 13, 2006; 71 FR 70709, December 6, 2006. Among other things, the Missoula Plan contained a Comprehensive Solution for Phantom Traffic, which called "for the filing of an industry proposal for a uniform process for the creation and exchange of call detail records." On November 6, 2006, the Supporters of the Missoula Plan filed a written *ex arte* proposing an interim process to address phantom traffic issues and a related proposal for the creation and exchange of call detail records. On November 8, 2006, the WCB released a Public Notice requesting comment on the proposed phantom traffic interim process and call detail record proposal. 71 FR 67509, November 22, 2006. Thirty-nine (39) comments on this proposal were filed on December 7, 2006 and reply comments are due December 22, 2006. On December 18, 2006, the Supporters of the Missoula Plan filed a request for additional time to file reply comments on the phantom traffic proposal.

The WCB determined that providing additional time to file reply comments will facilitate the development of a more substantive and complete record in this proceeding. Although it is the policy of the Commission that extensions of time shall not be routinely granted, the WCB determined that given the number of comments filed, the complexity of the issues raised in the proposal, and the importance of the phantom traffic issue to the industry, we find that good cause exists to provide parties an extension of time, from December 22, 2006 to January 5, 2007 for filing reply comments in this proceeding.

*Accordingly, it is ordered that*, pursuant to sections 4(i), 4(j), and 5(c) of the Communications Act, 47 U.S.C. 154(i), 154(j), 155(c), and §§ 0.91, 0.291, and 1.46 of the Commission's rules, 47 CFR 0.91, 0.291, 1.46, the pleading cycle established in this matter shall be modified as follows:

*Reply Comments Due:* January 5, 2007.

All other filing procedures remain unchanged from those previously established in this proceeding.

*It is further ordered that* the request of the Supporters of the Missoula Plan for an Extension of Time is *granted*, as set forth herein.

Federal Communications Commission.

**Thomas J. Navin,**

*Chief, Wireline Competition Bureau.*

[FR Doc. E7-622 Filed 1-17-07; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Chapter I

[CC Docket No. 01-92; DA 06-2577]

### Developing a Unified Intercarrier Compensation Regime

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule, reopening of reply comment period.

**SUMMARY:** This document grants a motion requesting additional time to file reply comments on an intercarrier compensation reform plan, the "Missoula Plan." The Order modifies the pleading cycle by reopening the comment period in order to facilitate the development of a more accurate and complete record in this proceeding.

**DATES:** Submit reply comments on or before February 1, 2007.

**ADDRESSES:** You may submit comments, identified by CC Docket No. 01-92, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Federal Communications Commission Web Site:* <http://www.fcc.gov>. Follow the instructions for submitting comments on the Electronic Comment Filing System (ECFS) <http://www.fcc.gov/cgb/ecfs/>.

- *E-mail:* To [victoria.goldberg@fcc.gov](mailto:victoria.goldberg@fcc.gov). Include CC Docket 01-92 in the subject line of the message.

- *Fax:* To the attention of Victoria Goldberg at 202-418-1567. Include CC Docket 01-92 on the cover page.

- *Mail:* Parties should send a copy of their filings to Victoria Goldberg, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-A266, 445 12th Street, SW., Washington, DC 20554.

- *Hand Delivery/Courier:* The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002.

—The filing hours at this location are 8 a.m. to 7 p.m.

—All hand deliveries must be held together with rubber bands or fasteners.

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- *People with Disabilities:* To request materials in accessible formats for people 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 & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

*Instructions:* All submissions received must include the agency name and docket number. All comments received will be posted without change to <http://www.fcc.gov/cgb/ecfs/>, including any personal information provided. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Notice requesting comment on the Missoula Plan. 71 FR 45510, August 9, 2006.

**FOR FURTHER INFORMATION CONTACT:**

Jennifer McKee, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1520, or Victoria Goldberg, Wireline Competition Bureau, Pricing Policy Division, (202) 418-7353.