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Part XXIII

Federal Communications Commission

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Semiannual Regulatory Agenda

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Ch. I****Unified Agenda of Federal Regulatory and Deregulatory Actions—Spring 2013**

**AGENCY:** Federal Communications Commission.

**ACTION:** Semiannual regulatory agenda.

**SUMMARY:** Twice a year, in spring and fall, the Commission publishes in the **Federal Register** a list in the Unified Agenda of those major items and other significant proceedings under development or review that pertain to the Regulatory Flexibility Act (See 5 U.S.C. 602). The Unified Agenda also provides the Code of Federal Regulations citations and legal authorities that govern these proceedings.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Maura McGowan, Telecommunications Specialist, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, 202 418–0990.

**SUPPLEMENTARY INFORMATION:****Unified Agenda of Major and Other Significant Proceedings**

The Commission encourages public participation in its rulemaking process.

To help keep the public informed of significant rulemaking proceedings, the Commission has prepared a list of important proceedings now in progress. The General Services Administration publishes the Unified Agenda in the **Federal Register** in the spring and fall of each year.

The following terms may be helpful in understanding the status of the proceedings included in this report:

**Docket Number**—assigned to a proceeding if the Commission has issued either a Notice of Proposed Rulemaking or a Notice of Inquiry concerning the matter under consideration. The Commission has used docket numbers since January 1, 1978. Docket numbers consist of the last two digits of the calendar year in which the docket was established plus a sequential number that begins at 1 with the first docket initiated during a calendar year (e.g., Docket No. 96–1 or Docket No. 99–1). The abbreviation for the responsible bureau usually precedes the docket number, as in “MM Docket No. 96–222,” which indicates that the responsible bureau is the Mass Media Bureau (now the Media Bureau). A docket number consisting of only five digits (e.g., Docket No. 29622) indicates that the docket was established before January 1, 1978.

**Notice of Inquiry (NOI)**—issued by the Commission when it is seeking information on a broad subject or trying to generate ideas on a given topic. A

comment period is specified during which all interested parties may submit comments.

**Notice of Proposed Rulemaking (NPRM)**—issued by the Commission when it is proposing a specific change to Commission rules and regulations. Before any changes are actually made, interested parties may submit written comments on the proposed revisions.

**Further Notice of Proposed Rulemaking (FNPRM)**—issued by the Commission when additional comment in the proceeding is sought.

**Memorandum Opinion and Order (MO&O)**—issued by the Commission to deny a petition for rulemaking, conclude an inquiry, modify a decision, or address a petition for reconsideration of a decision.

**Rulemaking (RM) Number**—assigned to a proceeding after the appropriate bureau or office has reviewed a petition for rulemaking, but before the Commission has taken action on the petition.

**Report and Order (R&O)**—issued by the Commission to state a new or amended rule or state that the Commission rules and regulations will not be revised.

**Marlene H. Dortch,**

*Secretary, Federal Communications Commission.*

**CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU—LONG-TERM ACTIONS**

| Sequence No. | Title                                                                                                                                                                                       | Regulation Identifier No. |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 304 .....    | Implementation of the Telecommunications Act of 1996; Access to Telecommunications Service, Telecommunications Equipment, and Customer Premises Equipment by Persons With Disabilities.     | 3060–AG58                 |
| 305 .....    | Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991 (CG Docket No. 02–278).                                                                             | 3060–AI14                 |
| 306 .....    | Rules and Regulations Implementing Section 225 of the Communications Act (Telecommunications Relay Service) (CG Docket No. 03–123).                                                         | 3060–AI15                 |
| 307 .....    | Consumer Information and Disclosure and Truth in Billing and Billing Format .....                                                                                                           | 3060–AI61                 |
| 308 .....    | Closed-Captioning of Video Programming ( <b>Section 610 Review</b> ) .....                                                                                                                  | 3060–AI72                 |
| 309 .....    | Accessibility of Programming Providing Emergency Information .....                                                                                                                          | 3060–AI75                 |
| 310 .....    | Empowering Consumers to Avoid Bill Shock (Docket No. 10–207) .....                                                                                                                          | 3060–AJ51                 |
| 311 .....    | Contributions to the Telecommunications Relay Services Fund (CG Docket No. 11–47) .....                                                                                                     | 3060–AJ63                 |
| 312 .....    | Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges (“Cramming”) .....                                                                                              | 3060–AJ72                 |
| 313 .....    | Implementation of the Middle Class Tax Relief and Job Creation Act of 2012/Establishment of a Public Safety Answering Point Do-Not-Call Registry.                                           | 3060–AJ84                 |
| 314 .....    | Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CG Docket No. 10–213). | 3060–AK00                 |
| 315 .....    | Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech.                      | 3060–AK01                 |

**CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU—COMPLETED ACTIONS**

| Sequence No. | Title                                                                                                                                             | Regulation Identifier No. |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 316 .....    | Implementation of the Middle Class Tax Relief and Job Creation Act of 2012—Establishment of a Public Safety Answering Point Do-Not-Call Registry. | 3060–AJ74                 |

## OFFICE OF ENGINEERING AND TECHNOLOGY—LONG-TERM ACTIONS

| Sequence No. | Title                                                                                                                                       | Regulation Identifier No. |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 317 .....    | New Advanced Wireless Services (ET Docket No. 00–258) .....                                                                                 | 3060–AH65                 |
| 318 .....    | Exposure to Radiofrequency Electromagnetic Fields .....                                                                                     | 3060–AI17                 |
| 319 .....    | Unlicensed Operation in the TV Broadcast Bands (ET Docket No. 04–186) .....                                                                 | 3060–AI52                 |
| 320 .....    | Fixed and Mobile Services in the Mobile Satellite Service (ET Docket No. 10–142) .....                                                      | 3060–AJ46                 |
| 321 .....    | Innovation in the Broadcast Television Bands (ET Docket No. 10–235) .....                                                                   | 3060–AJ57                 |
| 322 .....    | Radio Experimentation and Market Trials Under Part 5 of the Commission's Rules and Streamlining Other Related Rules (ET Docket No. 10–236). | 3060–AJ62                 |
| 323 .....    | Operation of Radar Systems in the 76–77 GHz Band (ET Docket No. 11–90) .....                                                                | 3060–AJ68                 |
| 324 .....    | WRC–07 Implementation (ET Docket No. 12–338) .....                                                                                          | 3060–AJ93                 |

## INTERNATIONAL BUREAU—LONG-TERM ACTIONS

| Sequence No. | Title                                                                                                                                                                                  | Regulation Identifier No. |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 325 .....    | Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310–2360 MHz Frequency Band; IB Docket No. 95–91; GEN Docket No. 90–357.                     | 3060–AF93                 |
| 326 .....    | Space Station Licensing Reform (IB Docket No. 02–34) .....                                                                                                                             | 3060–AH98                 |
| 327 .....    | Reporting Requirements for U.S. Providers of International Telecommunications Services (IB Docket No. 04–112).                                                                         | 3060–AI42                 |
| 328 .....    | Amendment of the Commission's Rules To Allocate Spectrum and Adopt Service Rules and Procedures To Govern the Use of Vehicle-Mounted Earth Stations (IB Docket No. 07–101).            | 3060–AI90                 |
| 329 .....    | Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licensees Under Section 310(b)(4) of the Communications Act of 1934, as Amended (IB Docket No. 11–133). | 3060–AJ70                 |
| 330 .....    | International Settlements Policy Reform (IB Docket No. 11–80) .....                                                                                                                    | 3060–AJ77                 |
| 331 .....    | Revisions to Parts 2 and 25 of the Commission's Rules to Govern the Use of Earth Stations Aboard Aircraft (IB Docket No. 12–376).                                                      | 3060–AJ96                 |
| 332 .....    | Reform of Rules and Policies on Foreign Carrier Entry Into the U.S. Telecommunications Market (IB Docket 12–299).                                                                      | 3060–AJ97                 |
| 333 .....    | Comprehensive Review of Licensing and Operating Rules for Satellite Services (IB Docket No. 12–267) ..                                                                                 | 3060–AJ98                 |

## MEDIA BUREAU—LONG-TERM ACTIONS

| Sequence No. | Title                                                                                                                                                                                     | Regulation Identifier No. |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 334 .....    | Competitive Availability of Navigation Devices (CS Docket No. 97–80) .....                                                                                                                | 3060–AG28                 |
| 335 .....    | Broadcast Ownership Rules .....                                                                                                                                                           | 3060–AH97                 |
| 336 .....    | Establishment of Rules for Digital Low-Power Television, Television Translator, and Television Booster Stations (MB Docket No. 03–185).                                                   | 3060–AI38                 |
| 337 .....    | Joint Sales Agreements in Local Television Markets (MB Docket No. 04–256) .....                                                                                                           | 3060–AI55                 |
| 338 .....    | Program Access Rules—Sunset of Exclusive Contracts Prohibition and Examination of Programming Tying Arrangements (MB Docket Nos. 12–68, 07–198).                                          | 3060–AI87                 |
| 339 .....    | Broadcast Localism (MB Docket No. 04–233) .....                                                                                                                                           | 3060–AJ04                 |
| 340 .....    | Creating a Low Power Radio Service (MM Docket No. 99–25) .....                                                                                                                            | 3060–AJ07                 |
| 341 .....    | Policies To Promote Rural Radio Service and To Streamline Allotment and Assignment Procedures (MB Docket No. 09–52).                                                                      | 3060–AJ23                 |
| 342 .....    | Promoting Diversification of Ownership in the Broadcast Services (MB Docket No. 07–294) .....                                                                                             | 3060–AJ27                 |
| 343 .....    | Amendment of the Commission's Rules Related to Retransmission Consent (MB Docket No. 10–71) .....                                                                                         | 3060–AJ55                 |
| 344 .....    | Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010 (MB Docket No. 11–43).                                                   | 3060–AJ56                 |
| 345 .....    | Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010 (MB Docket No. 11–154). | 3060–AJ67                 |
| 346 .....    | Noncommercial Educational Station Fundraising for Third-Party Nonprofit Organizations (MB Docket No. 12–106).                                                                             | 3060–AJ79                 |

## MEDIA BUREAU—COMPLETED ACTIONS

| Sequence No. | Title                                                      | Regulation Identifier No. |
|--------------|------------------------------------------------------------|---------------------------|
| 347 .....    | Basic Service Tier Encryption (MB Docket No. 11–169) ..... | 3060–AJ76                 |

## OFFICE OF MANAGING DIRECTOR—LONG-TERM ACTIONS

| Sequence No. | Title                                                                                                                                           | Regulation Identifier No. |
|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 348 .....    | Assessment and Collection of Regulatory Fees .....                                                                                              | 3060-AI79                 |
| 349 .....    | Amendment of Part 1 of the Commission's Rules, Concerning Practice and Procedure, Amendment of CORES Registration System; MD Docket No. 10-234. | 3060-AJ54                 |

## PUBLIC SAFETY AND HOMELAND SECURITY BUREAU—LONG-TERM ACTIONS

| Sequence No. | Title                                                                                                           | Regulation Identifier No. |
|--------------|-----------------------------------------------------------------------------------------------------------------|---------------------------|
| 350 .....    | Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems .....                 | 3060-AG34                 |
| 351 .....    | Enhanced 911 Services for Wireline .....                                                                        | 3060-AG60                 |
| 352 .....    | In the Matter of the Communications Assistance for Law Enforcement Act .....                                    | 3060-AG74                 |
| 353 .....    | Development of Operational, Technical, and Spectrum Requirements for Public Safety Communications Requirements. | 3060-AG85                 |
| 354 .....    | Implementation of 911 Act (CC Docket No. 92-105, WT Docket No. 00-110) .....                                    | 3060-AH90                 |
| 355 .....    | Commission Rules Concerning Disruptions to Communications (PS Docket No. 11-82) .....                           | 3060-AI22                 |
| 356 .....    | E911 Requirements for IP-Enabled Service Providers (Dockets Nos. GN 11-117, PS 07-114, WC 05-196, WC 04-36).    | 3060-AI62                 |
| 357 .....    | Stolen Vehicle Recovery System (SVRS) .....                                                                     | 3060-AJ01                 |
| 358 .....    | Commercial Mobile Alert System .....                                                                            | 3060-AJ03                 |
| 359 .....    | Wireless E911 Location Accuracy Requirements; PS Docket No. 07-114 .....                                        | 3060-AJ52                 |
| 360 .....    | Private Land Radio Services/Miscellaneous Wireless Communications Services .....                                | 3060-AJ99                 |

## PUBLIC SAFETY AND HOMELAND SECURITY BUREAU—COMPLETED ACTIONS

| Sequence No. | Title                        | Regulation Identifier No. |
|--------------|------------------------------|---------------------------|
| 361 .....    | Emergency Alert System ..... | 3060-AJ33                 |

## WIRELESS TELECOMMUNICATIONS BUREAU—LONG-TERM ACTIONS

| Sequence No. | Title                                                                                                                                                                                                     | Regulation Identifier No. |
|--------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 362 .....    | Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers .....                                                                                                                   | 3060-AH83                 |
| 363 .....    | Review of Part 87 of the Commission's Rules Concerning Aviation (WT Docket No. 01-289) .....                                                                                                              | 3060-AI35                 |
| 364 .....    | Implementation of the Commercial Spectrum Enhancement Act (CSEA) and Modernization of the Commission's Competitive Bidding Rules and Procedures (WT Docket No. 05-211).                                   | 3060-AI88                 |
| 365 .....    | Facilitating the Provision of Fixed and Mobile Broadband Access, Educational, and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands.                                                       | 3060-AJ12                 |
| 366 .....    | Amendment of the Rules Regarding Maritime Automatic Identification Systems (WT Docket No. 04-344)                                                                                                         | 3060-AJ16                 |
| 367 .....    | Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band .....                                                                                                                              | 3060-AJ19                 |
| 368 .....    | Service Rules for Advanced Wireless Services in the 1915 to 1920 MHz, 1995 to 2000 MHz, 2020 to 2025 MHz, and 2175 to 2180 MHz Bands.                                                                     | 3060-AJ20                 |
| 369 .....    | Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698-806 MHz Band (WT Docket No. 08-166) Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary. | 3060-AJ21                 |
| 370 .....    | Amendment of the Commission's Rules To Improve Public Safety Communications in the 800 MHz Band, and To Consolidate the 800 MHz and 900 MHz Business and Industrial/Land Transportation Pool Channels.    | 3060-AJ22                 |
| 371 .....    | Amendment of Part 101 to Accommodate 30 MHz Channels in the 6525-6875 MHz Band and Provide Conditional Authorization on Channels in the 21.8-22.0 and 23.0-23.2 GHz Band (WT Docket No. 04-114).          | 3060-AJ28                 |
| 372 .....    | In the Matter of Service Rules for the 698 to 746, 747 to 762, and 777 to 792 MHz Bands .....                                                                                                             | 3060-AJ35                 |
| 373 .....    | National Environmental Act Compliance for Proposed Tower Registrations; In the Matter of Effects on Migratory Birds.                                                                                      | 3060-AJ36                 |
| 374 .....    | Amendment of Part 90 of the Commission's Rules .....                                                                                                                                                      | 3060-AJ37                 |
| 375 .....    | Amendment of Part 101 of the Commission's Rules for Microwave Use and Broadcast Auxiliary Service Flexibility.                                                                                            | 3060-AJ47                 |
| 376 .....    | 2004 and 2006 Biennial Regulatory Reviews—Streamlining and Other Revisions of the Commission's Rules Governing Construction, Marking, and Lighting of Antenna Structures.                                 | 3060-AJ50                 |
| 377 .....    | Universal Service Reform Mobility Fund (WT Docket No. 10-208) .....                                                                                                                                       | 3060-AJ58                 |
| 378 .....    | Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, and 2000-2020 MHz and 2180-2200 MHz.                         | 3060-AJ59                 |
| 379 .....    | Improving Spectrum Efficiency Through Flexible Channel Spacing and Bandwidth Utilization for Economic Area-Based 800 MHz Specialized Mobile Radio Licensees (WT Docket Nos. 12-64 and 11-110).            | 3060-AJ71                 |
| 380 .....    | Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands .....                                                                                                           | 3060-AJ73                 |
| 381 .....    | Promoting Interoperability in the 700 MHz Commercial Spectrum; Interoperability of Mobile User Equipment Across Paired Commercial Spectrum Blocks in the 700 MHz Band.                                    | 3060-AJ78                 |

## WIRELESS TELECOMMUNICATIONS BUREAU—LONG-TERM ACTIONS—Continued

| Sequence No. | Title                                                                                                                                                                                 | Regulation Identifier No. |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 382 .....    | Service Rules for Advanced Wireless Services of the Middle Class Tax Relief and Job Creation Act of 2012 Related to the 1915–1920 MHz and 1995–2000 MHz Bands (WT Docket No. 12–357). | 3060–AJ86                 |
| 383 .....    | Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission's Rules to Improve Wireless Coverage Through the Use of Signal Boosters (WT Docket No. 10–4).                        | 3060–AJ87                 |
| 384 .....    | Amendment of the Commission's Rules Governing Certain Aviation Ground Station Equipment (Squitter) (WT Docket Nos. 10–61 and 09–42).                                                  | 3060–AJ88                 |
| 385 .....    | Amendment of the Commission's Rules Concerning Commercial Radio Operators (WT Docket No. 10–177).                                                                                     | 3060–AJ91                 |

## WIRELINE COMPETITION BUREAU—LONG-TERM ACTIONS

| Sequence No. | Title                                                                                                                                       | Regulation Identifier No. |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 386 .....    | Implementation of the Universal Service Portions of the 1996 Telecommunications Act .....                                                   | 3060–AF85                 |
| 387 .....    | 2000 Biennial Regulatory Review—Telecommunications Service Quality Reporting Requirements .....                                             | 3060–AH72                 |
| 388 .....    | Access Charge Reform and Universal Service Reform .....                                                                                     | 3060–AH74                 |
| 389 .....    | National Exchange Carrier Association Petition .....                                                                                        | 3060–AI47                 |
| 390 .....    | IP-Enabled Services .....                                                                                                                   | 3060–AI48                 |
| 391 .....    | Establishing Just and Reasonable Rates for Local Exchange Carriers (WC Docket No. 07–135) .....                                             | 3060–AJ02                 |
| 392 .....    | Jurisdictional Separations .....                                                                                                            | 3060–AJ06                 |
| 393 .....    | Service Quality, Customer Satisfaction, Infrastructure and Operating Data Gathering (WC Docket Nos. 08–190, 07–139, 07–204, 07–273, 07–21). | 3060–AJ14                 |
| 394 .....    | Form 477; Development of Nationwide Broadband Data To Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans.      | 3060–AJ15                 |
| 395 .....    | Preserving the Open Internet; Broadband Industry Practices .....                                                                            | 3060–AJ30                 |
| 396 .....    | Local Number Portability Porting Interval and Validation Requirements (WC Docket No. 07–244) .....                                          | 3060–AJ32                 |
| 397 .....    | Electronic Tariff Filing System (WC Docket No. 10–141) .....                                                                                | 3060–AJ41                 |
| 398 .....    | Implementation of Section 224 of the Act; A National Broadband Plan for Our Future (WC Docket No. 07–245, GN Docket No. 09–51).             | 3060–AJ64                 |

## FEDERAL COMMUNICATIONS COMMISSION (FCC)

## Consumer and Governmental Affairs Bureau

## Long-Term Actions

## 304. Implementation of the Telecommunications Act of 1996; Access to Telecommunications Service, Telecommunications Equipment, and Customer Premises Equipment by Persons With Disabilities

*Legal Authority:* 47 U.S.C. 255; 47 U.S.C. 251(a)(2)

*Abstract:* These proceedings implement the provisions of sections 255 and 251(a)(2) of the Communications Act and related sections of the Telecommunications Act of 1996 regarding the accessibility of telecommunications equipment and services to persons with disabilities.

*Timetable:*

| Action              | Date     | FR Cite     |
|---------------------|----------|-------------|
| R&O .....           | 08/14/96 | 61 FR 42181 |
| NOI .....           | 09/26/96 | 61 FR 50465 |
| NPRM .....          | 05/22/98 | 63 FR 28456 |
| R&O .....           | 11/19/99 | 64 FR 63235 |
| Further NOI .....   | 11/19/99 | 64 FR 63277 |
| Public Notice ..... | 01/07/02 | 67 FR 678   |
| R&O .....           | 08/06/07 | 72 FR 43546 |
| Petition for Waiver | 11/01/07 | 72 FR 61813 |

| Action                          | Date     | FR Cite     |
|---------------------------------|----------|-------------|
| Public Notice .....             | 11/01/07 | 72 FR 61882 |
| Final Rule .....                | 04/21/08 | 73 FR 21251 |
| Public Notice .....             | 08/01/08 | 73 FR 45008 |
| Extension of Waiver.            | 05/15/08 | 73 FR 28057 |
| Extension of Waiver.            | 05/06/09 | 74 FR 20892 |
| Public Notice .....             | 05/07/09 | 74 FR 21364 |
| Extension of Waiver.            | 07/29/09 | 74 FR 37624 |
| NPRM .....                      | 03/14/11 | 76 FR 13800 |
| NPRM Comment Period Extended.   | 04/12/11 | 76 FR 20297 |
| FNPRM .....                     | 12/30/11 | 76 FR 82240 |
| Comment Period End.             | 03/14/12 |             |
| R&O .....                       | 12/30/11 | 76 FR 82354 |
| Announcement of Effective Date. | 04/25/12 | 77 FR 24632 |
| Next Action Undetermined.       |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Cheryl J. King, Deputy Chief, Disability Rights Office, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2284, *TDD Phone:* 202 418–0416, *Fax:* 202 418–0037, *Email:* cheryl.king@fcc.gov.

*RIN:* 3060–AG58

## 305. Rules and Regulations Implementing the Telephone Consumer Protection Act (TCPA) of 1991 (CG Docket No. 02–278)

*Legal Authority:* 47 U.S.C. 227

*Abstract:* On July 3, 2003, the Commission released a Report and Order establishing, along with the FTC, a national do-not-call registry. The Commission's Report and Order also adopted rules on the use of predictive dialers, the transmission of caller ID information by telemarketers, and the sending of unsolicited fax advertisements.

On September 21, 2004, the Commission released an Order amending existing safe harbor rules for telemarketers subject to the do-not-call registry to require such telemarketers to access the do-not-call list every 31 days, rather than every 3 months.

On April 5, 2006, the Commission adopted a Report and Order and Third Order on Reconsideration amending its facsimile advertising rules to implement the Junk Fax Protection Act of 2005. On October 14, 2008, the Commission released an Order on Reconsideration addressing certain issues raised in petitions for reconsideration and/or

clarification of the Report and Order and Third Order on Reconsideration.

On January 4, 2008, the Commission released a Declaratory Ruling, clarifying that autodialed and prerecorded message calls to wireless numbers that are provided by the called party to a creditor in connection with an existing debt are permissible as calls made with the "prior express consent" of the called party.

Following a December 4, 2007, NPRM, on June 17, 2008, the Commission released a Report and Order amending its rules to require sellers and/or telemarketers to honor registrations with the National Do-Not-Call Registry indefinitely, unless the registration is cancelled by the consumer or the number is removed by the database administrator.

Following a January 22, 2010, NPRM, the Commission released a Report and Order requiring telemarketers to obtain prior express written consent, including by electronic means, before making an autodialed or prerecorded telemarketing call to a wireless number or before making a prerecorded telemarketing call to a residential line; eliminating the "established business relationship" exemption to the consent requirement for prerecorded telemarketing calls to residential lines; requiring telemarketers to provide an automated, interactive "opt-out" mechanism during autodialed or prerecorded telemarketing calls to wireless numbers and during prerecorded telemarketing calls to residential lines; and requiring that the abandoned call rate for telemarketing calls be calculated on a "per-campaign" basis.

On November 29, 2012, the Commission released a Declaratory Ruling clarifying that sending a one-time text message confirming a consumer's request that no further text messages be sent does not violate the Telephone Consumer Protection Act (TCPA) or the Commission's rules as long as the confirmation text only confirms receipt of the consumer's opt-out request, and does not contain marketing, solicitations, or an attempt to convince the consumer to reconsider his or her opt-out decision. The ruling applies only when the sender of the text messages has obtained prior express consent, as required by the TCPA and Commission rules, from the consumer to be sent text messages using an automatic telephone dialing system.

#### Timetable:

| Action      | Date     | FR Cite     |
|-------------|----------|-------------|
| NPRM .....  | 10/08/02 | 67 FR 62667 |
| FNPRM ..... | 04/03/03 | 68 FR 16250 |

| Action                                    | Date     | FR Cite     |
|-------------------------------------------|----------|-------------|
| Order .....                               | 07/25/03 | 68 FR 44144 |
| Order Effective ....                      | 08/25/03 |             |
| Order on Recon ..                         | 08/25/03 | 68 FR 50978 |
| Order .....                               | 10/14/03 | 68 FR 59130 |
| FNPRM .....                               | 03/31/04 | 69 FR 16873 |
| Order .....                               | 10/08/04 | 69 FR 60311 |
| Order .....                               | 10/28/04 | 69 FR 62816 |
| Order on Recon ..                         | 04/13/05 | 70 FR 19330 |
| Order .....                               | 06/30/05 | 70 FR 37705 |
| NPRM .....                                | 12/19/05 | 70 FR 75102 |
| Public Notice .....                       | 04/26/06 | 71 FR 24634 |
| Order .....                               | 05/03/06 | 71 FR 25967 |
| NPRM .....                                | 12/14/07 | 72 FR 71099 |
| Declaratory Ruling                        | 02/01/08 | 73 FR 6041  |
| R&O .....                                 | 07/14/08 | 73 FR 40183 |
| Order on Recon ..                         | 10/30/08 | 73 FR 64556 |
| NPRM .....                                | 03/22/10 | 75 FR 13471 |
| R&O .....                                 | 06/11/12 | 77 FR 34233 |
| Public Notice .....                       | 06/30/10 | 75 FR 34244 |
| Public Notice<br>(Recon Petitions Filed). | 10/03/12 | 77 FR 60343 |
| Announcement of<br>Effective Date.        | 10/16/12 | 77 FR 63240 |
| Opposition End<br>Date.                   | 10/18/12 |             |
| Rule Corrections                          | 11/08/12 | 77 FR 66935 |
| Declaratory Ruling<br>(Release Date).     | 11/29/12 |             |
| Next Action Undetermined.                 |          |             |

#### Regulatory Flexibility Analysis Required: Yes.

*Agency Contact:* Kurt Schroeder, Deputy Chief, Consumer Policy Division, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0966, *Email:* kurt.schroeder@fcc.gov.  
*RIN:* 3060-AI14

#### 306. Rules and Regulations Implementing Section 225 of the Communications Act (Telecommunications Relay Service) (CG Docket No. 03-123)

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 225

*Abstract:* This proceeding established a new docket flowing from the previous telecommunications relay service (TRS) history, CC Docket No. 98-67. This proceeding continues the Commission's inquiry into improving the quality of TRS and furthering the goal of functional equivalency, consistent with Congress' mandate that TRS regulations encourage the use of existing technology and not discourage or impair the development of new technology. In this docket, the Commission explores ways to improve emergency preparedness for TRS facilities and services, new TRS technologies, public access to information and outreach, and issues related to payments from the Interstate TRS Fund.

#### Timetable:

| Action                                       | Date     | FR Cite     |
|----------------------------------------------|----------|-------------|
| NPRM .....                                   | 08/25/03 | 68 FR 50993 |
| R&O, Order on<br>Recon.                      | 09/01/04 | 69 FR 53346 |
| FNPRM .....                                  | 09/01/04 | 69 FR 53382 |
| Public Notice .....                          | 02/17/05 | 70 FR 8034  |
| Declaratory Ruling/Interpretation.           | 02/25/05 | 70 FR 9239  |
| Public Notice .....                          | 03/07/05 | 70 FR 10930 |
| Order .....                                  | 03/23/05 | 70 FR 14568 |
| Public Notice/Announcement of<br>Date.       | 04/06/05 | 70 FR 17334 |
| Order .....                                  | 07/01/05 | 70 FR 38134 |
| Order on Recon ..                            | 08/31/05 | 70 FR 51643 |
| R&O .....                                    | 08/31/05 | 70 FR 51649 |
| Order .....                                  | 09/14/05 | 70 FR 54294 |
| Order .....                                  | 09/14/05 | 70 FR 54298 |
| Public Notice .....                          | 10/12/05 | 70 FR 59346 |
| R&O/Order on<br>Recon.                       | 12/23/05 | 70 FR 76208 |
| Order .....                                  | 12/28/05 | 70 FR 76712 |
| Order .....                                  | 12/29/05 | 70 FR 77052 |
| NPRM .....                                   | 02/01/06 | 71 FR 5221  |
| Declaratory Ruling/Clarification.            | 05/31/06 | 71 FR 30818 |
| FNPRM .....                                  | 05/31/06 | 71 FR 30848 |
| FNPRM .....                                  | 06/01/06 | 71 FR 31131 |
| Declaratory Ruling/Dismissal of<br>Petition. | 06/21/06 | 71 FR 35553 |
| Clarification .....                          | 06/28/06 | 71 FR 36690 |
| Declaratory Ruling<br>on Recon.              | 07/06/06 | 71 FR 38268 |
| Order on Recon ..                            | 08/16/06 | 71 FR 47141 |
| MO&O .....                                   | 08/16/06 | 71 FR 47145 |
| Clarification .....                          | 08/23/06 | 71 FR 49380 |
| FNPRM .....                                  | 09/13/06 | 71 FR 54009 |
| Final Rule; Clarification.                   | 02/14/07 | 72 FR 6960  |
| Order .....                                  | 03/14/07 | 72 FR 11789 |
| R&O .....                                    | 08/06/07 | 72 FR 43546 |
| Public Notice .....                          | 08/16/07 | 72 FR 46060 |
| Order .....                                  | 11/01/07 | 72 FR 61813 |
| Public Notice .....                          | 01/04/08 | 73 FR 863   |
| R&O/Declaratory<br>Ruling.                   | 01/17/08 | 73 FR 3197  |
| Order .....                                  | 02/19/08 | 73 FR 9031  |
| Order .....                                  | 04/21/08 | 73 FR 21347 |
| R&O .....                                    | 04/21/08 | 73 FR 21252 |
| Order .....                                  | 04/23/08 | 73 FR 21843 |
| Public Notice .....                          | 04/30/08 | 73 FR 23361 |
| Order .....                                  | 05/15/08 | 73 FR 28057 |
| Declaratory Ruling                           | 07/08/08 | 73 FR 38928 |
| FNPRM .....                                  | 07/18/08 | 73 FR 41307 |
| R&O .....                                    | 07/18/08 | 73 FR 41286 |
| Public Notice .....                          | 08/01/08 | 73 FR 45006 |
| Public Notice .....                          | 08/05/08 | 73 FR 45354 |
| Public Notice .....                          | 10/10/08 | 73 FR 60172 |
| Order .....                                  | 10/23/08 | 73 FR 63078 |
| 2nd R&O and<br>Order on Recon.               | 12/30/08 | 73 FR 79683 |
| Order .....                                  | 05/06/09 | 74 FR 20892 |
| Public Notice .....                          | 05/07/09 | 74 FR 21364 |
| NPRM .....                                   | 05/21/09 | 74 FR 23815 |
| Public Notice .....                          | 05/21/09 | 74 FR 23859 |
| Public Notice .....                          | 06/12/09 | 74 FR 28046 |
| Order .....                                  | 07/29/09 | 74 FR 37624 |
| Public Notice .....                          | 08/07/09 | 74 FR 39699 |
| Order .....                                  | 09/18/09 | 74 FR 47894 |
| Order .....                                  | 10/26/09 | 74 FR 54913 |
| Public Notice .....                          | 05/12/10 | 75 FR 26701 |

| Action                                      | Date     | FR Cite     |
|---------------------------------------------|----------|-------------|
| Order Denying Stay Motion (Release Date).   | 07/09/10 |             |
| Order .....                                 | 08/13/10 | 75 FR 49491 |
| Order .....                                 | 09/03/10 | 75 FR 54040 |
| NPRM .....                                  | 11/02/10 | 75 FR 67333 |
| NPRM .....                                  | 05/02/11 | 76 FR 24442 |
| Order .....                                 | 07/25/11 | 76 FR 44326 |
| Final Rule (Order)                          | 09/27/11 | 76 FR 59551 |
| Final Rule; Announcement of Effective Date. | 11/22/11 | 76 FR 72124 |
| Proposed Rule (Public Notice).              | 02/28/12 | 77 FR 11997 |
| Comment Period End.                         | 03/20/12 |             |
| Proposed Rule (FNPRM).                      | 02/01/12 | 77 FR 4948  |
| FNPRM Comment Period End.                   | 02/28/12 |             |
| First R&O .....                             | 07/25/12 | 77 FR 43538 |
| Public Notice .....                         | 10/29/12 | 77 FR 65526 |
| Comment Period End.                         | 11/29/12 |             |
| Order on Reconsideration.                   | 12/26/12 | 77 FR 75894 |
| Order .....                                 | 02/05/13 | 78 FR 8030  |
| Order (Interim Rule).                       | 02/05/13 | 78 FR 8032  |
| NPRM .....                                  | 02/05/13 | 78 FR 8090  |
| Next Action Undetermined.                   |          |             |

#### Regulatory Flexibility Analysis

Required: Yes.

**Agency Contact:** Karen Peltz Strauss, Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, Phone: 202 418-2388, Email: karen.strauss@fcc.gov.

RIN: 3060-A115

### 307. Consumer Information and Disclosure and Truth in Billing and Billing Format

**Legal Authority:** 47 U.S.C. 201; 47 U.S.C. 258

**Abstract:** In 1999, the Commission adopted truth-in-billing rules to address concerns that there is consumer confusion relating to billing for telecommunications services. On March 18, 2005, the Commission released an Order and Further Notice of Proposed Rulemaking (FNPRM) to further facilitate the ability of telephone consumers to make informed choices among competitive service offerings.

On August 28, 2009, the Commission released a Notice of Inquiry that asks questions about information available to consumers at all stages of the purchasing process for all communications services, including (1) choosing a provider; (2) choosing a service plan; (3) managing use of the service plan; and (4) deciding whether

and when to switch an existing provider or plan.

On October 14, 2010, the Commission released a Notice of Proposed Rulemaking (NPRM) proposing rules that would require mobile service providers to provide usage alerts and information that will assist consumers in avoiding unexpected charges on their bills.

On July 12, 2011, the Commission released an NPRM proposing rules that would assist consumers in detecting and preventing the placement of unauthorized charges on their telephone bills, an unlawful and fraudulent practice, commonly referred to as “cramming.”

On April 27, 2012, the Commission adopted rules to address “cramming” on wireline telephone bills and released an FNPRM seeking comment on additional measures to protect wireline and wireless consumers from unauthorized charges.

#### Timetable:

| Action                                 | Date     | FR Cite     |
|----------------------------------------|----------|-------------|
| FNPRM .....                            | 05/25/05 | 70 FR 30044 |
| R&O .....                              | 05/25/05 | 70 FR 29979 |
| NOI .....                              | 08/28/09 |             |
| Public Notice .....                    | 05/20/10 | 75 FR 28249 |
| Public Notice .....                    | 06/11/10 | 75 FR 33303 |
| NPRM .....                             | 11/26/10 | 75 FR 72773 |
| NPRM .....                             | 08/23/11 | 76 FR 52625 |
| NPRM Comment Period End.               | 11/21/11 |             |
| Order (Reply Comment Period Extended). | 11/30/11 | 76 FR 74017 |
| Reply Comment Period End.              | 12/05/11 |             |
| R&O .....                              | 05/24/12 | 77 FR 30915 |
| FNPRM .....                            | 05/24/12 | 77 FR 30972 |
| FNPRM Comment Period End.              | 07/09/12 |             |
| Order (Comment Period Extended).       | 07/17/12 | 77 FR 41955 |
| Comment Period End.                    | 07/20/12 |             |
| Announcement of Effective Dates.       | 10/26/12 | 77 FR 65230 |
| Correction of Final Rule.              | 11/30/12 | 77 FR 71353 |
| Correction of Final Rule.              | 11/30/12 | 77 FR 71354 |
| Next Action Undetermined.              |          |             |

#### Regulatory Flexibility Analysis

Required: Yes.

**Agency Contact:** John B. Adams, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, Phone: 202 418-2854, Email: johnb.adams@fcc.gov.

RIN: 3060-A161

### 308. Closed-Captioning of Video Programming (Section 610 Review)

**Legal Authority:** 47 U.S.C. 613

**Abstract:** The Commission's closed-captioning rules are designed to make video programming more accessible to deaf and hard-of-hearing Americans. This proceeding resolves some issues regarding the Commission's closed-captioning rules that were raised for comment in 2005, and also seeks comment on how a certain exemption from the closed-captioning rules should be applied to digital multicast broadcast channels.

#### Timetable:

| Action                                     | Date     | FR Cite     |
|--------------------------------------------|----------|-------------|
| NPRM .....                                 | 02/03/97 | 62 FR 4959  |
| R&O .....                                  | 09/16/97 | 62 FR 48487 |
| Order on Recon ..                          | 10/20/98 | 63 FR 55959 |
| NPRM .....                                 | 09/26/05 | 70 FR 56150 |
| Order and Declaratory Ruling.              | 01/13/09 | 74 FR 1594  |
| NPRM .....                                 | 01/13/09 | 74 FR 1654  |
| Final Rule Correction.                     | 09/11/09 | 74 FR 46703 |
| Final Rule Announcement of Effective Date. | 02/19/10 | 75 FR 7370  |
| Order .....                                | 02/19/10 | 75 FR 7368  |
| Order Suspending Effective Date.           | 02/19/10 | 75 FR 7369  |
| Waiver Order .....                         | 10/04/10 | 75 FR 61101 |
| Public Notice .....                        | 11/17/10 | 75 FR 70168 |
| Interim Final Rule (Order).                | 11/01/11 | 76 FR 67376 |
| Final Rule (MO&O).                         | 11/01/11 | 76 FR 67377 |
| NPRM .....                                 | 11/01/11 | 76 FR 67397 |
| NPRM Comment Period End.                   | 12/16/11 |             |
| Public Notice .....                        | 05/04/12 | 77 FR 26550 |
| Public Notice .....                        | 12/15/12 | 77 FR 72348 |
| Next Action Undetermined.                  |          |             |

#### Regulatory Flexibility Analysis

Required: Yes.

**Agency Contact:** Eliot Greenwald, Consumer & Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, Phone: 202 418-2235, Email: eliot.greenwald@fcc.gov.

RIN: 3060-A172

### 309. Accessibility of Programming Providing Emergency Information

**Legal Authority:** 47 U.S.C. 613

**Abstract:** In this proceeding, the Commission adopted rules detailing how video programming distributors must make emergency information accessible to persons with hearing and visual disabilities.

#### Timetable:

| Action      | Date     | FR Cite    |
|-------------|----------|------------|
| FNPRM ..... | 01/21/98 | 63 FR 3070 |

| Action                         | Date     | FR Cite     |
|--------------------------------|----------|-------------|
| NPRM .....                     | 12/01/99 | 64 FR 67236 |
| NPRM Correction                | 12/22/99 | 64 FR 71712 |
| Second R&O .....               | 05/09/00 | 65 FR 26757 |
| R&O .....                      | 09/11/00 | 65 FR 54805 |
| Final Rule; Cor-<br>rection.   | 09/20/00 | 65 FR 5680  |
| NPRM .....                     | 11/28/12 | 77 FR 70970 |
| R&O (Release<br>Date).         | 04/09/13 |             |
| FNPRM (Release<br>Date).       | 04/09/13 |             |
| Next Action Unde-<br>termined. |          |             |

*Regulatory Flexibility Analysis*  
Required: Yes.

*Agency Contact:* Eliot Greenwald, Consumer & Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2235, *Email:* eliot.greenwald@fcc.gov.  
*RIN:* 3060-AI75

**310. Empowering Consumers To Avoid Bill Shock (Docket No. 10-207)**

*Legal Authority:* 47 U.S.C. 201; 47 U.S.C. 303; 47 U.S.C. 332

*Abstract:* On October 14, 2010, the Commission released a Notice of Proposed Rulemaking which proposes a rule that would require mobile service providers to provide usage alerts and information that will assist consumers in avoiding unexpected charges on their bills.

*Timetable:*

| Action                         | Date     | FR Cite     |
|--------------------------------|----------|-------------|
| Public Notice .....            | 05/20/10 | 75 FR 28249 |
| NPRM .....                     | 11/26/10 | 75 FR 72773 |
| Next Action Unde-<br>termined. |          |             |

*Regulatory Flexibility Analysis*  
Required: Yes.

*Agency Contact:* Richard D. Smith, Special Counsel, Consumer Policy Div., Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 717 338-2797, *Fax:* 717 338-2574, *Email:* richard.smith@fcc.gov.  
*RIN:* 3060-AJ51

**311. Contributions to the Telecommunications Relay Services Fund (CG Docket No. 11-47)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 225; 47 U.S.C. 616

*Abstract:* The Commission prescribes by regulation the obligations of each provider of interconnected and non-interconnected Voice over Internet Protocol (VoIP) service to participate in and contribute to the Interstate Telecommunications Relay Services

Fund in a manner that is consistent with and comparable to such fund.

*Timetable:*

| Action                         | Date     | FR Cite     |
|--------------------------------|----------|-------------|
| NPRM .....                     | 04/04/11 | 76 FR 18490 |
| NPRM Comment<br>Period End.    | 05/04/11 |             |
| Final Rule .....               | 10/25/11 | 76 FR 65965 |
| Next Action Unde-<br>termined. |          |             |

*Regulatory Flexibility Analysis*  
Required: Yes.

*Agency Contact:* Rosaline Crawford, Attorney, Disability Rights Office, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2075, *Email:* rosaline.crawford@fcc.gov.  
*RIN:* 3060-AJ63

**312. Empowering Consumers To Prevent and Detect Billing for Unauthorized Charges ("Cramming")**

*Legal Authority:* 47 U.S.C. 201; 47 U.S.C. 301; 47 U.S.C. 303; 47 U.S.C. 332

*Abstract:* On July 12, 2011, the Commission released a Notice of Proposed Rulemaking proposing rules that would assist consumers in detecting and preventing the placement of unauthorized charges on telephone bills, an unlawful and fraudulent practice commonly referred to as "cramming."

On April 27, 2012, the Commission adopted rules to address "cramming" on wireline telephone bills and released a Further Notice of Proposed Rulemaking seeking comment on additional measures to protect wireline and wireless consumers from unauthorized charges.

*Timetable:*

| Action                                      | Date     | FR Cite     |
|---------------------------------------------|----------|-------------|
| NPRM .....                                  | 08/23/11 | 76 FR 52625 |
| NPRM Comment<br>Period End.                 | 11/21/11 |             |
| Order (Extends<br>Reply Comment<br>Period). | 11/30/11 | 76 FR 74017 |
| NPRM Comment<br>Period End.                 | 12/05/11 |             |
| FNPRM .....                                 | 05/24/12 | 77 FR 30972 |
| R&O .....                                   | 05/24/12 | 77 FR 30915 |
| FNPRM Comment<br>Period End.                | 07/09/12 |             |
| Order (Extends<br>Reply Comment<br>Period). | 07/17/12 | 77 FR 41955 |
| FNPRM Comment<br>Period End.                | 07/20/12 |             |
| Announcement of<br>Effective Dates.         | 10/26/12 | 77 FR 65230 |
| Correction of Final<br>Rule.                | 11/30/12 | 77 FR 71354 |
| Correction of Final<br>Rule.                | 11/30/12 | 77 FR 71353 |

| Action                         | Date | FR Cite |
|--------------------------------|------|---------|
| Next Action Unde-<br>termined. |      |         |

*Regulatory Flexibility Analysis*  
Required: Yes.

*Agency Contact:* John B. Adams, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2854, *Email:* johnb.adams@fcc.gov.  
*RIN:* 3060-AJ72

**313. Implementation of the Middle Class Tax Relief and Job Creation Act of 2012/Establishment of a Public Safety Answering Point Do-Not-Call Registry**

*Legal Authority:* Pub. L. 112-96 sec 6507

*Abstract:* The Commission issued, on May 22, 2012, an NPRM to initiate a proceeding to create a Do-Not-Call registry for public safety answer points (PSAPs), as required by section 6507 of the Middle Class Tax Relief and Job Creation Act of 2012. The statute requires the Commission to establish a registry that allows PSAPs to register their telephone numbers on a do-not-call list; prohibit the use of automatic dialing equipment to contact registered numbers; and implement a range of monetary penalties for disclosure of registered numbers and for use of automatic dialing equipment to contact such numbers. On October 17, 2012, the commission adopted final rules implementing the statutory requirements described above.

*Timetable:*

| Action                             | Date     | FR Cite     |
|------------------------------------|----------|-------------|
| NPRM .....                         | 06/21/12 | 77 FR 37362 |
| R&O .....                          | 10/29/12 | 77 FR 71131 |
| Correction<br>Amendments.          | 02/13/13 | 78 FR 10099 |
| Announcement of<br>Effective Date. | 03/26/13 | 78 FR 18246 |
| Next Action Unde-<br>termined.     |          |             |

*Regulatory Flexibility Analysis*  
Required: Yes.

*Agency Contact:* Richard D. Smith, Special Counsel, Consumer Policy Div., Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 717 338-2797, *Fax:* 717 338-2574, *Email:* richard.smith@fcc.gov.  
*RIN:* 3060-AJ84

**314. • Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CG Docket No. 10–213)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 255; 47 U.S.C. 617; 47 U.S.C. 618; 47 U.S.C. 619

*Abstract:* These proceedings implement sections 716, 717, and 718 of the Communications Act, which were added by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), related to the accessibility of advanced communications services and equipment (section 716), recordkeeping and enforcement requirements for entities subject to sections 255, 716, and 718 (section 717); and accessibility of Internet browsers built into mobile phones (section 718).

*Timetable:*

| Action                                                    | Date     | FR Cite     |
|-----------------------------------------------------------|----------|-------------|
| NPRM .....                                                | 03/14/11 | 76 FR 13800 |
| NPRM Comment Period Extended.                             | 04/12/11 | 76 FR 20297 |
| NPRM Comment Period End.                                  | 05/13/11 |             |
| FNPRM .....                                               | 12/30/11 | 76 FR 82240 |
| R&O .....                                                 | 12/30/11 | 76 FR 82354 |
| FNPRM Comment Period End.                                 | 03/14/12 |             |
| Announcement of Effective Date. Next Action Undetermined. | 04/25/12 | 77 FR 24632 |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Rosaline Crawford, Attorney, Disability Rights Office, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–2075, *Email:* [rosaline.crawford@fcc.gov](mailto:rosaline.crawford@fcc.gov).

*RIN:* 3060–AK00

**315. • Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 225

*Abstract:* This FCC initiated this proceeding in its effort to ensure that IP CTS is available for eligible users only. In doing so, the FCC released an Interim Order and Notice of Proposed Rulemaking (NPRM) to address certain practices related to the provision and marketing of Internet Protocol Captioned Telephone Service (IP CTS). IP CTS is a form of relay service designed to allow people with hearing

loss to speak directly to another party on a telephone call and to simultaneously listen to the other party and read captions of what that party is saying over an IP-enabled device. To ensure that IP CTS is provided efficiently to persons who need to use this service, this new Order establishes the several requirements on a temporary basis from March 7, 2013 to September 3, 2013.

*Timetable:*

| Action                    | Date     | FR Cite    |
|---------------------------|----------|------------|
| NPRM .....                | 02/05/13 | 78 FR 8090 |
| Order (Interim Rule).     | 02/05/13 | 78 FR 8032 |
| Order .....               | 02/05/13 | 78 FR 8030 |
| NPRM Comment Period End.  | 03/12/13 |            |
| Next Action Undetermined. |          |            |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Greg Hlibok, Chief, Disability Rights Office, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 559–5158, *TDD Phone:* 202 418–0413, *Email:* [gregory.hlibok@fcc.gov](mailto:gregory.hlibok@fcc.gov).

*RIN:* 3060–AK01

**FEDERAL COMMUNICATIONS COMMISSION (FCC)**

*Consumer and Governmental Affairs Bureau*

**Completed Actions**

**316. Implementation of the Middle Class Tax Relief and Job Creation Act of 2012—Establishment of a Public Safety Answering Point Do-Not-Call Registry**

*Legal Authority:* Pub. L. 112–96, sec 6507

*Abstract:* The Commission must issue by May 22, 2012, an NPRM to initiate a proceeding to create a Do-Not-Call registry for public safety answer points (PSAPs), as required by section 6507 of the Middle Class Tax Relief and Job Creation Act of 2012. The statute requires the Commission to establish a registry that allows PSAPs to register their telephone numbers on a do-not-call list; prohibit the use of automatic dialing equipment to contact registered numbers; and implement a range of monetary penalties for disclosure of registered numbers and for use of automatic dialing equipment to contact such numbers.

*Timetable:*

| Action              | Date     | FR Cite     |
|---------------------|----------|-------------|
| NPRM .....          | 06/21/12 | 77 FR 37362 |
| R&O (Release Date). | 10/17/12 |             |
| Withdrawn .....     | 05/14/13 |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Richard D. Smith, Special Counsel, Consumer Policy Div., Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 717 338–2797, *Fax:* 717 338–2574, *Email:* [richard.smith@fcc.gov](mailto:richard.smith@fcc.gov).

*RIN:* 3060–A]74

**FEDERAL COMMUNICATIONS COMMISSION (FCC)**

*Office of Engineering and Technology*

**Long-Term Actions**

**317. New Advanced Wireless Services (ET Docket No. 00–258)**

*Legal Authority:* 47 U.S.C. 154(i); 47 U.S.C. 157(a); 47 U.S.C. 303(c); 47 U.S.C. 303(f); 47 U.S.C. 303(g); 47 U.S.C. 303(r)

*Abstract:* This proceeding explores the possible uses of frequency bands below 3 GHz to support the introduction of new advanced wireless services, including third generations as well as future generations of wireless systems. Advanced wireless systems could provide for a wide range of voice data and broadband services over a variety of mobile and fixed networks.

The Third Notice of Proposed Rulemaking discusses the frequency bands that are still under consideration in this proceeding and invites additional comments on their disposition. Specifically, it addresses the Unlicensed Personal Communications Service (UPCS) band at 1910–1930 MHz, the Multipoint Distribution Service (MDS) spectrum at 2155–2160/62 MHz bands, the Emerging Technology spectrum, at 2160–2165 MHz, and the bands reallocated from MSS 9190–2000 MHz, 2020–2025 MHz, and 2165–2180 MHz. We seek comment on these bands with respect to using them for paired or unpaired Advance Wireless Service (AWS) operations or as relocation spectrum for existing services.

The seventh Report and Order facilitates the introduction of Advanced Wireless Service (AWS) in the band 1710–1755 MHz—an integral part of a 90 MHz spectrum allocation recently reallocated to allow for such new and innovative wireless services. We largely

adopt the proposals set forth in our recent AWS Fourth NPRM in this proceeding that are designed to clear the 1710–1755 MHz band of incumbent Federal Government operations that would otherwise impede the development of new nationwide AWS services. These actions are consistent with previous actions in this proceeding and with the United States Department of Commerce, National Telecommunications and Information Administration (NTIA) 2002 Viability Assessment, which addressed relocation and reaccommodation options for Federal Government operations in the band.

The eighth Report and Order reallocated the 2155–2160 MHz band for fixed and mobile services and designates the 2155–2175 MHz band for Advanced Wireless Service (AWS) use. This proceeding continues the Commission's ongoing efforts to promote spectrum utilization and efficiency with regard to the provision of new services, including Advanced Wireless Services.

The Order requires Broadband Radio Service (BRS) licensees in the 2150–2160/62 MHz band to provide information on the construction status and operational parameters of each incumbent BRS system that would be the subject of relocation.

The Notice of Proposed Rule Making requested comments on the specific relocation procedures applicable to Broadband Radio Service (BRS) operations in the 2150–2160/62 MHz band, which the Commission recently decided will be relocated to the newly restructured 2495–2690 MHz band. The Commission also requested comments on the specific relocation procedures applicable to Fixed Microwave Service (FS) operations in the 2160–2175 MHz band.

The Office of Engineering and Technology (OET) and the Wireless Telecommunications Bureau (WTB) set forth the specific data that Broadband Radio Service (BRS) licensees in the 2150–2160/62 MHz band must file along with the deadline date and procedures for filing this data on the Commission's Universal Licensing System (ULS). The data will assist in determining future AWS licensees' relocation obligations.

The ninth Report and Order established procedures for the relocation of Broadband Radio Service (BRS) operations from the 2150–2160/62 MHz band, as well as for the relocation of Fixed Microwave Service (FS) operations from the 2160–2175 MHz band, and modified existing relocation procedures for the 2110–2150 MHz and 2175–2180 MHz bands. It also

established cost-sharing rules to identify the reimbursement obligations for Advanced Wireless Service (AWS) and Mobile Satellite Service (MSS) entrants benefiting from the relocation of incumbent FS operations in the 2110–2150 MHz and 2160–2200 MHz bands and AWS entrants benefiting from the relocation of BRS incumbents in the 2150–2160/62 MHz band. The Commission continues its ongoing efforts to promote spectrum utilization and efficiency with regard to the provision of new services, including AWS. The Order dismisses a petition for reconsideration filed by the Wireless Communications Association International, Inc. (WCA) as moot.

Two petitions for Reconsideration were filed in response to the ninth Report and Order.

The Report and Orders and Declaratory Ruling concludes the Commission's longstanding efforts to relocate the Broadcast Auxiliary Service (BAS) from the 1990–2110 MHz band to the 2025–2110 MHz band, freeing up 35 megahertz of spectrum in order to foster the development of new and innovative services. This decision addresses the outstanding matter of Sprint Nextel Corporation's (Sprint Nextel) inability to agree with Mobile Satellite Service (MSS) operators in the band on the sharing of the costs to relocate the BAS incumbents. To resolve this controversy, the Commission applied its time-honored relocation principles for emerging technologies previously adopted for the BAS band to the instant relocation process, where delays and unanticipated developments have left ambiguities and misconceptions among the relocating parties. In the process, the Commission balances the responsibilities for and benefits of relocating incumbent BAS operations among all the new entrants in the different services that will operate in the band.

The Commission proposed to modify its cost-sharing requirements for the 2 GHz BAS band because the circumstances surrounding the BAS transition are very different than what was expected when the cost-sharing requirements were adopted. The Commission believed that the best course of action was to propose new requirements that would address the ambiguity of applying the literal language of the current requirements to the changed circumstances, as well as balance the responsibilities for and benefits of relocating incumbent BAS operations among all new entrants in the band based on the Commission's relocation policies set forth in the Emerging Technologies proceeding.

The Commission proposed to eliminate, as of January 1, 2009, the requirement that Broadcast Auxiliary Service (BAS) licensees in the thirty largest markets and fixed BAS links in all markets be transitioned before the Mobile Satellite Service (MSS) operators can begin offering service. The Commission also sought comments on how to mitigate interference between new MSS entrants and incumbent BAS licensees who had not completed relocation before the MSS entrants begin offering service. In addition, the Commission sought comments on allowing MSS operators to begin providing service in those markets where BAS incumbents have been transitioned.

#### *Timetable:*

| Action                                              | Date     | FR Cite     |
|-----------------------------------------------------|----------|-------------|
| NPRM .....                                          | 01/23/01 | 66 FR 7438  |
| NPRM Comment Period End.                            | 03/09/01 |             |
| Final Report .....                                  | 04/11/01 | 66 FR 18740 |
| FNPRM .....                                         | 09/13/01 | 66 FR 47618 |
| MO&O .....                                          | 09/13/01 | 66 FR 47591 |
| First R&O .....                                     | 10/25/01 | 66 FR 53973 |
| Petition for Recon                                  | 11/02/01 | 66 FR 55666 |
| Second R&O .....                                    | 01/24/03 | 68 FR 3455  |
| Third NPRM .....                                    | 03/13/03 | 68 FR 12015 |
| Seventh R&O .....                                   | 12/29/04 | 69 FR 7793  |
| Petition for Recon                                  | 04/13/05 | 70 FR 19469 |
| Eighth R&O .....                                    | 10/26/05 | 70 FR 61742 |
| Order .....                                         | 10/26/05 | 70 FR 61742 |
| NPRM .....                                          | 10/26/05 | 70 FR 61752 |
| Public Notice .....                                 | 12/14/05 | 70 FR 74011 |
| Ninth R&O and Order.                                | 05/24/06 | 71 FR 29818 |
| Petition for Recon                                  | 07/19/06 | 71 FR 41022 |
| 5th R&O, 11th R&O, 6th R&O, and Declaratory Ruling. | 11/02/10 | 75 FR 67227 |
| R&O and NPRM                                        | 06/23/09 | 74 FR 29607 |
| FNPRM .....                                         | 03/31/08 | 73 FR 16822 |
| Next Action Undetermined.                           |          |             |

#### *Regulatory Flexibility Analysis*

*Required:* Yes.

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*RIN:* 3060–AH65

#### **318. Exposure to Radiofrequency Electromagnetic Fields**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 302 and 303; 47 U.S.C. 309(j); 47 U.S.C. 336

*Abstract:* The Notice of Proposed Rulemaking (NPRM) proposed amendments to the FCC rules relating to compliance of transmitters and facilities

with guidelines for human exposure to radio frequency (RF) energy.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 09/08/03 | 68 FR 52879 |
| NPRM Comment Period End.  | 12/08/03 |             |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

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*RIN:* 3060-AI17

**319. Unlicensed Operation in the TV Broadcast Bands (ET Docket No. 04-186)**

*Legal Authority:* 47 U.S.C. 154(i); 47 U.S.C. 302; 47 U.S.C. 303(e) and 303(f); 47 U.S.C. 303(r); 47 U.S.C. 307

*Abstract:* The Commission adopted rules to allow unlicensed radio transmitters to operate in the broadcast television spectrum at locations where that spectrum is not being used by licensed services (this unused TV spectrum is often termed “white spaces”). This action will make a significant amount of spectrum available for new and innovative products and services, including broadband data and other services for businesses and consumers. The actions taken are a conservative first step that includes many safeguards to prevent harmful interference to incumbent communications services. Moreover, the Commission will closely oversee the development and introduction of these devices to the market and will take whatever actions may be necessary to avoid, and if necessary correct, any interference that may occur.

The Second Memorandum Opinion and Order finalizes rules to make the unused spectrum in the TV bands available for unlicensed broadband wireless devices. This particular spectrum has excellent propagation characteristics that allow signals to reach farther and penetrate walls and other structures. Access to this spectrum could enable more powerful public Internet connections—super Wi-Fi hot spots—with extended range, fewer dead spots, and improved individual speeds as a result of reduced congestion on existing networks. This type of “opportunistic use” of spectrum has great potential for enabling access to other spectrum bands and improving

spectrum efficiency. The Commission’s actions here are expected to spur investment and innovation in applications and devices that will be used not only in the TV band but eventually in other frequency bands as well.

*Timetable:*

| Action                         | Date     | FR Cite     |
|--------------------------------|----------|-------------|
| NPRM .....                     | 06/18/04 | 69 FR 34103 |
| First R&O .....                | 11/17/06 | 71 FR 66876 |
| FNPRM .....                    | 11/17/06 | 71 FR 66897 |
| R&O and MO&O .....             | 02/17/09 | 74 FR 7314  |
| Petitions for Reconsideration. | 04/13/09 | 74 FR 16870 |
| Second MO&O ....               | 12/06/10 | 75 FR 75814 |
| Petitions for Recon.           | 02/09/11 | 76 FR 7208  |
| Next Action Undetermined.      |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

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*RIN:* 3060-AI52

**320. Fixed and Mobile Services in the Mobile Satellite Service (ET Docket No. 10-142)**

*Legal Authority:* 47 U.S.C. 154(i) and 301; 47 U.S.C. 303(c) and 303(f); 47 U.S.C. 303(r) and 303(y); 47 U.S.C. 310

*Abstract:* The Notice of Proposed Rulemaking proposed to take a number of actions to further the provision of terrestrial broadband services in the MSS bands. In the 2 GHz MSS band, the Commission proposed to add co-primary Fixed and Mobile allocations to the existing Mobile-Satellite allocation. This would lay the groundwork for providing additional flexibility in use of the 2 GHz spectrum in the future. The Commission also proposed to apply the terrestrial secondary market spectrum leasing rules and procedures to transactions involving terrestrial use of the MSS spectrum in the 2 GHz, Big LEO, and L-bands in order to create greater certainty and regulatory parity with bands licensed for terrestrial broadband service.

The Commission also asked, in a Notice of Inquiry, about approaches for creating opportunities for full use of the 2 GHz band for stand-alone terrestrial uses. The Commission requested comment on ways to promote innovation and investment throughout the MSS bands while also ensuring market-wide mobile satellite capability

to serve important needs like disaster recovery and rural access.

In the Report and Order the Commission amended its rules to make additional spectrum available for new investment in mobile broadband networks while also ensuring that the United States maintains robust mobile satellite service capabilities. First, the Commission adds co-primary Fixed and Mobile allocations to the Mobile Satellite Service (MSS) 2 GHz band, consistent with the International Table of Allocations, allowing more flexible use of the band, including for terrestrial broadband services, in the future. Second, to create greater predictability and regulatory parity with the bands licensed for terrestrial mobile broadband service, the Commission extends its existing secondary market spectrum manager spectrum leasing policies, procedures, and rules that currently apply to wireless terrestrial services to terrestrial services provided using the Ancillary Terrestrial Component (ATC) of an MSS system.

Petitions for Reconsideration have been filed in the Commission’s rulemaking proceeding concerning Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525–1559 MHz and 1626.5–1660.5 MHz, 1610–1626.5 MHz and 2483.5–2500 MHz, and 2000–2020 MHz and 2180–2200 MHz, and published pursuant to 47 CFR 1.429(e). See 1.4(b)(1) of the Commission’s rules.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 08/16/10 | 75 FR 49871 |
| NPRM Comment Period End.  | 09/15/10 |             |
| Reply Comment Period End. | 09/30/10 |             |
| R&O .....                 | 05/31/11 | 76 FR 31252 |
| Petitions for Recon.      | 08/10/11 | 76 FR 49364 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

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*RIN:* 3060-AJ46

**321. Innovation in the Broadcast Television Bands (ET Docket No. 10-235)**

*Legal Authority:* 47 U.S.C. 154(i); 47 U.S.C. 301; 47 U.S.C. 302; 47 U.S.C. 303(e); 47 U.S.C. 303(f); 47 U.S.C. 303(r)

**Abstract:** The Commission initiated this proceeding to further its ongoing commitment to addressing America's growing demand for wireless broadband services, to spur ongoing innovation and investment in mobile technology, and to ensure that America keeps pace with the global wireless revolution by making a significant amount of new spectrum available for broadband. The approach proposed is consistent with the goal set forth in the National Broadband Plan (the Plan) to repropose up to 120 megahertz from the broadcast television bands for new wireless broadband uses through, in part, voluntary contributions of spectrum to an incentive auction. Reallocation of this spectrum as proposed will provide the necessary flexibility for meeting the requirements of these new applications.

In the Report and Order, the Commission took preliminary steps toward making a significant portion of the UHF and VHF frequency bands (U/V Bands) currently used by the broadcast television service available for new uses. This action serves to further address the nation's growing demand for wireless broadband services, promote the ongoing innovation and investment in mobile communications, and ensure that the United States keeps pace with the global wireless revolution. At the same time, the approach helps preserve broadcast television as a healthy, viable medium and would be consistent with the general proposal set forth in the National Broadband Plan to repurpose spectrum from the U/V bands for new wireless broadband uses through, in part, voluntary contributions of spectrum to an incentive auction. This action is consistent with the recent enactment by Congress of new incentive auction authority for the Commission (Spectrum Act). Specifically, this item sets out a framework by which two or more television licensees may share a single six MHz channel in connection with an incentive auction.

However, the Report and Order did not act on the proposals in the Notice of Proposed Rulemaking to establish fixed and mobile allocations in the U/V bands or to improve TV service on VHF channels. The Report and Order stated that the Commission will undertake a broader rulemaking to implement the Spectrum Act's provisions relating to an incentive auction for U/V band spectrum, and that it believes it will be more efficient to act on new allocations in the context of that rulemaking. In addition, the record created in response to the Notice of Proposed Rulemaking does not establish a clear way forward to significantly increase the utility of the VHF bands for

the operation of television services. The Report and Order states that the Commission will revisit this matter in a future proceeding.

**Timetable:**

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 02/01/11 | 76 FR 5521  |
| NPRM Comment Period End.  | 03/18/11 |             |
| R&O .....                 | 05/23/12 | 77 FR 30423 |
| Next Action Undetermined. |          |             |

**Regulatory Flexibility Analysis**

**Required:** Yes.

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*RIN:* 3060-AJ57

**322. Radio Experimentation and Market Trials Under Part 5 of the Commission's Rules and Streamlining Other Related Rules (ET Docket No. 10-236)**

**Legal Authority:** 47 U.S.C. 154(i); 47 U.S.C. 301 and 303

**Abstract:** The Commission initiated this proceeding to promote innovation and efficiency in spectrum use in the Experimental Radio Service (ERS). For many years, the ERS has provided fertile ground for testing innovative ideas that have led to new services and new devices for all sectors of the economy. The Commission proposed to leverage the power of experimental radio licensing to accelerate the rate at which these ideas transform from prototypes to consumer devices and services. Its goal is to inspire researchers to dream, discover, and deliver the innovations that push the boundaries of the broadband ecosystem. The resulting advancements in devices and services available to the American public and greater spectrum efficiency over the long term will promote economic growth, global competitiveness, and a better way of life for all Americans.

In the Report and Order (R&O), the Commission revised and streamlined its rules to modernize the Experimental Radio Service (ERS). The rules adopted in the R&O updated the ERS to a more flexible framework to keep pace with the speed of modern technological change while continuing to provide an environment where creativity can thrive. To accomplish this transition, the Commission created three new types of ERS licenses—the program license, the medical testing license, and the compliance testing license—to benefit the development of new technologies,

expedite their introduction to the marketplace, and unleash the full power of innovators to keep the United States at the forefront of the communications industry. The Commission's actions also modified the market trial rules to eliminate confusion and more clearly articulate its policies with respect to marketing products prior to equipment certification. The Commission believes that these actions will remove regulatory barriers to experimentation, thereby permitting institutions to move from concept to experimentation to finished product more rapidly and to more quickly implement creative problem-solving methodologies.

**Timetable:**

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 02/08/11 | 76 FR 6928  |
| NPRM Comment Period End.  | 03/10/11 |             |
| R&O .....                 | 04/29/13 | 78 FR 25138 |
| Next Action Undetermined. |          |             |

**Regulatory Flexibility Analysis**

**Required:** Yes.

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*RIN:* 3060-AJ62

**323. Operation of Radar Systems in the 76-77 GHz Band (ET Docket No. 11-90)**

**Legal Authority:** 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i); 47 U.S.C. 301; 47 U.S.C. 302; 47 U.S.C. 303(f)

**Abstract:** The Commission proposes to amend its rules to enable enhanced vehicular radar technologies in the 76-77 GHz band to improve collision avoidance and driver safety. Vehicular radars can determine the exact distance and relative speed of objects in front of, beside, or behind a car to improve the driver's ability to perceive objects under bad visibility conditions or objects that are in blind spots. These modifications to the rules will provide more efficient use of spectrum, and enable the automotive and fixed radar application industries to develop enhanced safety measures for drivers and the general public. The Commission takes this action in response to petitions for rulemaking filed by Toyota Motor Corporation ("TMC") and Era Systems Corporation ("Era").

This Report and Order amends the Commission's rules to provide a more efficient use of the 76-77 GHz band, and to enable the automotive and aviation industries to develop enhanced safety

measures for drivers and the general public. Specifically, the Commission is eliminated the in-motion and not-in-motion distinction for vehicular radars, and instead adopted new uniform emission limits for forward, side, and rear-looking vehicular radars. This will facilitate enhanced vehicular radar technologies to improve collision avoidance and driver safety. The Commission also amended its rules to allow the operation of fixed radars at airport locations in the 76–77 GHz band for purposes of detecting foreign object debris on runways and monitoring aircraft and service vehicles on taxiways and other airport vehicle service areas that have no public vehicle access. The Commission took this action in response to petitions for rulemaking filed by Toyota Motor Corporation (“TMC”) and Era Systems Corporation (“Era”).

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 06/16/11 | 76 FR 35176 |
| R&O .....                 | 08/13/12 | 77 FR 48097 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

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*RIN:* 3060–AJ68

**324. • WRC–07 Implementation (ET Docket No. 12–338)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 301; 47 U.S.C. 302(a); 47 U.S.C. 303

*Abstract:* In the Notice of Proposed Rulemaking (NPRM), the Commission proposed to amend Parts 1, 2, 74, 78, 87, 90, and 97 of its rules to implement allocation decisions from the World Radiocommunication Conference (Geneva, 2007) (WRC 07) concerning portions of the radio frequency (RF) spectrum between 108 MHz and 20.2 GHz and to make certain updates to its rules in this frequency range. The NPRM follows the Commission’s July 2010 WRC–07 Table Clean-up Order, 75 FR 62924, October 13, 2010, which made certain nonsubstantive, editorial revisions to the Table of Frequency Allocations (Allocation Table) and to other related rules. The Commission also addressed the recommendations for implementation of the WRC–07 Final Acts that the National Telecommunications and Information Administration (NTIA) submitted to the Commission in August 2009. As part of

its comprehensive review of the Allocation Table, the Commission also proposed to make allocation changes that are not related to the WRC–07 Final Acts and update certain service rules, and requested comment on other allocation issues that concern portions of the RF spectrum between 137.5 kHz and 54.25 GHz.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 12/27/12 | 77 FR 76250 |
| NPRM Comment Period End.  | 02/25/13 |             |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

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*RIN:* 3060–AJ93

**FEDERAL COMMUNICATIONS COMMISSION (FCC)**

*International Bureau*

*Long-Term Actions*

**325. Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310–2360 MHz Frequency Band; IB Docket No. 95–91; GEN Docket No. 90–357**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 151(i); 47 U.S.C. 154(j); 47 U.S.C. 157; 47 U.S.C. 309(j)

*Abstract:* In 1997, the Commission adopted service rules for the satellite digital audio radio service (SDARS) in the 2320–2345 MHz frequency band and sought further comment on proposed rules governing the use of complementary SDARS terrestrial repeaters. The Commission released a second further notice of proposed rulemaking in January 2008, to consider new proposals for rules to govern terrestrial repeaters operations. The Commission released a Second Report and Order on May 20, 2010, which adopted rules governing the operation of SDARS terrestrial repeaters, including establishing a blanket licensing regime for repeaters operating up to 12 kilowatts average equivalent isotropically radiated power.

On October 17, 2012, the Commission released an Order on Reconsideration that addressed various petitions for

reconsideration of the 2010 Second Report and Order.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 06/15/95 | 60 FR 35166 |
| R&O .....                 | 03/11/97 | 62 FR 11083 |
| FNPRM .....               | 04/18/97 | 62 FR 19095 |
| Second FNPRM ..           | 01/15/08 | 73 FR 2437  |
| FNPRM Comment Period End. | 03/17/08 |             |
| 2nd R&O .....             | 05/20/10 | 75 FR 45058 |
| Order on Recon ..         | 03/13/13 | 78 FR 2013  |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

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*RIN:* 3060–AF93

**326. Space Station Licensing Reform (IB Docket No. 02–34)**

*Legal Authority:* 47 U.S.C. 154(i); 47 U.S.C. 157; 47 U.S.C. 303(c); 47 U.S.C. 303(g); \* \* \*

*Abstract:* The Commission adopted a Notice of Proposed Rulemaking (NPRM) to streamline its procedures for reviewing satellite license applications. Before 2003, the Commission used processing rounds to review those applications. In a processing round, when an application is filed, the International Bureau (Bureau) issued a public notice establishing a cutoff date for other mutually exclusive satellite applications, and then considered all those applications together. In cases where sufficient spectrum to accommodate all the application was not available, the Bureau directed the applicants to negotiate a mutually agreeable solution. Those negotiations took a long time, and delayed provision of satellite services to the public.

The NPRM invited comment on two alternatives for expediting the satellite application process. One alternative was to replace the processing round procedure with a “first-come, first-served” procedure that would allow the Bureau to issue a satellite license to the first party filing a complete, acceptable application. The other alternative was to streamline the processing round procedure by adopting one or more of the following proposals: (1) Place a time limit on negotiations; (2) establish criteria to select among competing applicants; (3) divide the available spectrum evenly among the applicants.

In the First Report and Order in this proceeding, the Commission determined

that different procedures were better-suited for different kinds of satellite applications. For most geostationary orbit (GSO) satellite applications, the Commission adopted a first-come, first-served approach. For most non-geostationary orbit (NGSO) satellite applications, the Commission adopted a procedure in which the available spectrum is divided evenly among the qualified applicants. The Commission also adopted measures to discourage applicants from filing speculative applications, including a bond requirement, payable if a licensee misses a milestone. The bond amounts originally were \$5 million for each GSO satellite, and \$7.5 million for each NGSO satellite system. These were interim amounts. Concurrently with the First Report and Order, the Commission adopted an FNPRM to determine whether to revise the bond amounts on a long-term basis.

In the Second Report and Order, the Commission adopted a streamlined procedure for certain kinds of satellite license modification requests.

In the Third Report and Order, the Commission adopted a standardized application form for satellite licenses, and adopted a mandatory electronic filing requirement for certain satellite applications.

In the Fourth Report and Order, the Commission revised the bond amounts based on the record developed in response to FNPRM. The bond amounts are now \$3 million for each GSO satellite, and \$5 million for each NGSO satellite system.

*Timetable:*

| Action                                          | Date     | FR Cite     |
|-------------------------------------------------|----------|-------------|
| NPRM .....                                      | 03/19/02 | 67 FR 12498 |
| NPRM Comment Period End.                        | 07/02/02 |             |
| Second R&O (Release Date).                      | 06/20/03 | 68 FR 62247 |
| Second FNPRM (Release Date).                    | 07/08/03 | 68 FR 53702 |
| Third R&O (Release Date).                       | 07/08/03 | 68 FR 63994 |
| FNPRM .....                                     | 08/27/03 | 68 FR 51546 |
| First R&O .....                                 | 08/27/03 | 68 FR 51499 |
| FNPRM Comment Period End.                       | 10/27/03 |             |
| Fourth R&O (Release Date).                      | 04/16/04 | 69 FR 67790 |
| Fifth R&O, First Order on Recon (Release Date). | 07/06/04 | 69 FR 51586 |
| Next Action Undetermined.                       |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

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*RIN:* 3060-AH98

**327. Reporting Requirements for U.S. Providers of International Telecommunications Services (IB Docket No. 04-112)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 161; 47 U.S.C. 201 to 205; \* \* \*

*Abstract:* FCC is reviewing the reporting requirements to which carriers providing U.S.-international services are subject under 47 CFR part 43. The FCC adopted a First Report and Order that eliminated certain of those requirements. Specifically, it eliminated the quarterly reporting requirements for large carriers and foreign-affiliated switched resale carriers, 47 CFR 43.61(b), (c); the circuit addition report, 47 CFR 63.23(e); the division of telegraph tolls report, 47 CFR 43.53; and requirement to report separately for U.S. offshore points, 43.61(a), 43.82(a). The FCC adopted a Second Report and Order that made additional reforms to further streamline and modernize the reporting requirements, including requiring providers of interconnected Voice over Internet Protocol (VoIP) to submit data regarding their provision of international telephone services.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 04/12/04 | 69 FR 29676 |
| First R&O .....           | 05/12/11 | 76 FR 42567 |
| FNPRM .....               | 05/12/11 | 76 FR 42613 |
| FNPRM Comment Period End. | 09/02/11 |             |
| Second R&O .....          | 01/15/13 | 78 FR 15615 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

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*RIN:* 3060-AI42

**328. Amendment of the Commission's Rules To Allocate Spectrum and Adopt Service Rules and Procedures To Govern the Use of Vehicle-Mounted Earth Stations (IB Docket No. 07-101)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i) and (j); 47 U.S.C. 157(a); 47 U.S.C. 301; 47 U.S.C. 303(c); 47 U.S.C. 303(f); 47 U.S.C. 303(g); 47 U.S.C. 303(r); 47 U.S.C. 303(y); 47 U.S.C. 308

*Abstract:* The Commission seeks comment on the proposed amendment of parts 2 and 25 of the Commission's rules to allocate spectrum for use with Vehicle-Mounted Earth Stations (VMES) in the Fixed-Satellite Service in the Ku-band uplink at 14.0-14.5 GHz and Ku-band downlink 11.72-12.2 GHz on a primary basis, and in the extended Ku-band downlink at 10.95-11.2 GHz and 11.45-11.7 GHz on a non-protected basis, and to adopt Ku-band VMES licensing and service rules modeled on the FCC's rules for Ku-band Earth Stations on Vessels (ESVs). The record in this proceeding will provide a basis for Commission action to facilitate introduction of this proposed service.

*Timetable:*

| Action                        | Date     | FR Cite     |
|-------------------------------|----------|-------------|
| NPRM .....                    | 07/08/07 | 72 FR 39357 |
| NPRM Comment Period End.      | 09/04/07 |             |
| R&O .....                     | 11/04/09 | 74 FR 57092 |
| Petition for Reconsideration. | 04/14/10 | 75 FR 19401 |
| Order on Recon ..             | 02/11/13 | 78 FR 9602  |
| Next Action Undetermined.     |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

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*RIN:* 3060-AI90

**329. Review of Foreign Ownership Policies for Common Carrier and Aeronautical Radio Licensees Under Section 310(B)(4) of the Communications Act of 1934, as Amended (IB Docket No. 11-133)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154; 47 U.S.C. 211; 47 U.S.C. 303(r); 47 U.S.C. 309; 47 U.S.C. 310; 47 U.S.C. 403

*Abstract:* FCC seeks comment on changes and other options to revise and simplify its policies and procedures implementing section 310(b)(4) for common carrier and aeronautical radio station licensees while continuing to ensure that we have the information we need to carry out our statutory duties. (The NPRM does not address our policies with respect to the application of section 310(b)(4) to broadcast licensees.) The proposals are designed to reduce to the extent possible the regulatory costs and burdens imposed on wireless common carrier and aeronautical applicants, licensees, and spectrum lessees; provide greater

transparency and more predictability with respect to the Commission's filing requirements and review process; and facilitate investment from new sources of capital, while continuing to protect important interests related to national security, law enforcement, foreign policy, and trade policy. The streamlining proposals in the NPRM may reduce costs and burdens currently imposed on licensees, including those licensees that are small entities, and accelerate the foreign ownership review process, while continuing to ensure that the Commission has the information it needs to carry out its statutory duties.

*Timetable:*

| Action                                                                               | Date                 | FR Cite     |
|--------------------------------------------------------------------------------------|----------------------|-------------|
| NPRM .....<br>NPRM Comment<br>Period End.                                            | 08/09/11<br>01/04/12 | 76 FR 65472 |
| First R&O .....<br>Second R&O (Re-<br>lease Date).<br>Next Action Unde-<br>termined. | 08/22/12<br>04/18/13 | 77 FR 50628 |

*Regulatory Flexibility Analysis  
Required: Yes.*

*Agency Contact:* James Ball, Chief, Policy Division, International Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0427, *Email:* james.ball@fcc.gov.  
*RIN:* 3060-AJ70

**330. International Settlements Policy Reform (IB Docket No. 11-80)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154; 47 U.S.C. 201-205; 47 U.S.C. 208; 47 U.S.C. 211; 47 U.S.C. 214; 47 U.S.C. 303(r); 47 U.S.C. 309; 47 U.S.C. 403

*Abstract:* FCC is reviewing the International Settlements Policy (ISP), which governs how U.S. carriers negotiate with foreign carriers for the exchange of international traffic and is the structure by which the Commission has sought to respond to concerns that foreign carriers with market power are able to take advantage of the presence of multiple U.S. carriers serving a particular market. In the NPRM, the FCC proposes to further deregulate the international telephony market and enable U.S. consumers to enjoy competitive prices when they make calls to international destinations. First, it proposes to remove the ISP from all international routes, except Cuba. Second, the FCC seeks comment on a proposal to enable the Commission to better protect U.S. consumers from the effects of anticompetitive conduct by foreign carriers in instances necessitating Commission intervention.

Specifically, it seeks comments on proposals and issues regarding the application of the Commission's benchmarks policy.

*Timetable:*

| Action                                                                                                             | Date                                 | FR Cite     |
|--------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------|
| NPRM .....<br>NPRM Comment<br>Period End.<br>Report and Order<br>(release date).<br>Next Action Unde-<br>termined. | 05/13/11<br>09/02/11<br><br>11/29/12 | 76 FR 42625 |

*Regulatory Flexibility Analysis  
Required: Yes.*

*Agency Contact:* James Ball, Chief, Policy Division, International Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0427, *Email:* james.ball@fcc.gov.  
*RIN:* 3060-AJ77

**331. • Revisions to Parts 2 and 25 of the Commission's Rules To Govern the Use of Earth Stations Aboard Aircraft (IB Docket No. 12-376)**

*Legal Authority:* 47 U.S.C. 154(i) and (j); 47 U.S.C. 157(a); 47 U.S.C. 302(a); 47 U.S.C. 303(c), (e), (f), (g), (j), (r), and (y)

*Abstract:* In this docket, the Commission provide for the efficient licensing of two-way in-flight broadband services, including Internet access, to passengers and flight crews aboard commercial airliners and private aircraft. The Report and Order establishes technical and licensing rules for Earth Stations Aboard Aircraft (ESAA), i.e., Earth stations on aircraft communicating with Fixed-Satellite Service (FSS) geostationary-orbit (GSO) space stations operating in the 10.95-11.2 GHz, 11.45-11.7 GHz, 11.7-12.2 GHz (space-to-Earth or downlink) and 14.0-14.5 GHz (Earth-to-space or uplink) frequency bands. The Notice of Proposed Rulemaking requests comment on a proposal to elevate the allocation status of ESAA in the 14.0-14.5 GHz band from secondary to primary, which would make the ESAA allocation equal to the allocations of Earth Stations on Vessels (ESV) and Vehicle-Mounted Earth Stations (VMES).

*Timetable:*

| Action                                                                                                 | Date                                         | FR Cite                                   |
|--------------------------------------------------------------------------------------------------------|----------------------------------------------|-------------------------------------------|
| NPRM .....<br>R&O .....<br>NPRM .....<br>NPRM Comment<br>Period End.<br>Next Action Unde-<br>termined. | 04/20/05<br>03/08/13<br>03/18/13<br>06/21/13 | 70 FR 20508<br>78 FR 14920<br>78 FR 14952 |

*Regulatory Flexibility Analysis  
Required: Yes.*

*Agency Contact:* Howard Griboff, Deputy Chief, Policy Division, Federal Communications Commission, International Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0657, *Fax:* 202 418-2824, *Email:* howard.griboff@fcc.gov.  
*RIN:* 3060-AJ96

**332. • Reform of Rules and Policies on Foreign Carrier Entry Into the U.S. Telecommunications Market (IB Docket 12-299)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i)-(j); 47 U.S.C. 201-205; \* \* \*

*Abstract:* FCC is considering proposed changes in the criteria under which it considers certain applications from foreign carriers or affiliates of foreign carriers for entry into the U.S. market for international telecommunications services. It proposes to eliminate, or in the alternative, simplify the effective competitive opportunities test (ECO Text) adopted in 1995 for Commission review of foreign carrier applications.

*Timetable:*

| Action                                                                                                                | Date                                 | FR Cite     |
|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------|
| NPRM .....<br>NPRM Comment<br>Period End.<br>NPRM Reply<br>Comment Pe-<br>riod End.<br>Next Action Unde-<br>termined. | 11/26/12<br>12/26/12<br><br>01/15/13 | 77 FR 70400 |

*Regulatory Flexibility Analysis  
Required: Yes.*

*Agency Contact:* James Ball, Chief, Policy Division, International Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0427, *Email:* james.ball@fcc.gov.  
*RIN:* 3060-AJ97

**333. • Comprehensive Review of Licensing and Operating Rules for Satellite Services (IB Docket No. 12-267)**

*Legal Authority:* 47 U.S.C. 154(i); 47 U.S.C. 157(a); 47 U.S.C. 161; 47 U.S.C. 303 (c); 47 U.S.C. 303(g); 47 U.S.C. 303(r)

*Abstract:* The Commission adopted a Notice of Proposed Rulemaking (NPRM) as part of its ongoing efforts to update and streamline regulatory requirements. The NPRM initiated a comprehensive review of part 25 of the Commission's rules, which governs licensing and operation of space stations and Earth stations. The amendments proposed in the NPRM modernize the rules to better

reflect evolving technology and reorganize and simplify existing requirements. Furthermore, the changes will remove unnecessary filing requirements for applicants requesting space and Earth station licenses, allowing applicants and licensees to save time, effort, and costs in preparing applications. Other changes are designed to remove unnecessary technical restrictions, enabling applicants to submit fewer waiver requests, which will ease administrative burdens in submitting and processing applications and reduce the amount of time spent on applications by applicants, licensees, and the Commission.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 11/25/12 | 77 FR 67172 |
| NPRM Comment Period End.  | 12/24/12 |             |
| Reply Comment Period End. | 01/22/13 |             |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Andrea Kelly, Associate Chief, Satellite Division, Federal Communications Commission, International Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-7877, *Fax:* 202 418-0748, *Email:* andrea.kelly@fcc.gov.

*RIN:* 3060-AJ98

## FEDERAL COMMUNICATIONS COMMISSION (FCC)

### Media Bureau

#### Long-Term Actions

### 334. Competitive Availability of Navigation Devices (CS Docket No. 97-80)

*Legal Authority:* 47 U.S.C. 549

*Abstract:* The Commission has adopted rules to address the mandate expressed in section 629 of the Communications Act to ensure the commercial availability of "navigation devices," the equipment used to access video programming and other services from multichannel video programming systems.

Specifically, the Commission required MVPDs to make available by a security element (known as a "cablecard") separate from the basic navigation device (e.g., cable set-top boxes, digital video recorders, and television receivers with navigation capabilities). The separation of the security element from

the host device required by this rule (referred to as the "integration ban") was designed to enable unaffiliated manufacturers, retailers, and other vendors to commercially market host devices while allowing MVPDs to retain control over their system security. Also, in this proceeding, the Commission adopted unidirectional "plug and play" rules, to govern compatibility between MVPDs and navigation devices manufactured by consumer electronics manufacturers not affiliated with cable operators.

In the most recent action, the Commission made rule changes to improve the operation of the CableCard regime.

*Timetable:*

| Action                      | Date     | FR Cite     |
|-----------------------------|----------|-------------|
| NPRM .....                  | 03/05/97 | 62 FR 10011 |
| R&O .....                   | 07/15/98 | 63 FR 38089 |
| Order on Recon ..           | 06/02/99 | 64 FR 29599 |
| FNPRM & Declaratory Ruling. | 09/28/00 | 65 FR 58255 |
| FNPRM .....                 | 01/16/03 | 68 FR 2278  |
| Order and FNPRM.            | 06/17/03 | 68 FR 35818 |
| Second R&O .....            | 11/28/03 | 68 FR 66728 |
| FNPRM .....                 | 11/28/03 | 68 FR 66776 |
| Order on Recon ..           | 01/28/04 | 69 FR 4081  |
| Second R&O .....            | 06/22/05 | 70 FR 36040 |
| Third FNPRM .....           | 07/25/07 | 72 FR 40818 |
| 4th FNPRM .....             | 05/14/10 | 75 FR 27256 |
| 3rd R&O .....               | 07/08/11 | 76 FR 40263 |
| Next Action Undetermined.   |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Brendan Murray, Attorney Advisor, Policy Division, Federal Communications Commission, Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-1573, *Email:* brendan.murray@fcc.gov.

*RIN:* 3060-AG28

### 335. Broadcast Ownership Rules

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152(a); 47 U.S.C. 154(i); 47 U.S.C. 303; 47 U.S.C. 307; 47 U.S.C. 309 and 310

*Abstract:* Section 202(h) of the Telecommunications Act of 1996 requires the Commission to review its ownership rules every four years and determine whether any such rules are necessary in the public interest as the result of competition.

In 2002, the Commission undertook a comprehensive review of its broadcast multiple and cross-ownership limits examining: Cross-ownership of TV and radio stations; local TV ownership limits; national TV cap; and dual network rule.

The Report and Order replaced the newspaper/broadcast cross-ownership

and radio and TV rules with a tiered approach based on the number of television stations in a market. In June 2006, the Commission adopted a Further Notice of Proposed Rulemaking initiating the 2006 review of the broadcast ownership rules. The further notice also sought comment on how to address the issues raised by the Third Circuit. Additional questions are raised for comment in a Second Further Notice of Proposed Rulemaking.

In the Report and Order and Order on Reconsideration, the Commission adopted rule changes regarding newspaper/broadcast cross-ownership, but otherwise generally retained the other broadcast ownership rules currently in effect.

For the 2010 quadrennial review, five of the Commission's media rules are the subject of review: The local TV ownership rule; the local radio ownership rule; the newspaper broadcast cross-ownership rule; the radio/TV cross-ownership rule; and the dual network rule.

*Timetable:*

| Action                   | Date     | FR Cite     |
|--------------------------|----------|-------------|
| NPRM .....               | 10/05/01 | 66 FR 50991 |
| R&O .....                | 08/05/03 | 68 FR 46286 |
| Public Notice .....      | 02/19/04 | 69 FR 9216  |
| FNPRM .....              | 08/09/06 | 71 FR 4511  |
| Second FNPRM ..          | 08/08/07 | 72 FR 44539 |
| R&O and Order on Recon.  | 02/21/08 | 73 FR 9481  |
| Notice of Inquiry ..     | 06/11/10 | 75 FR 33227 |
| NPRM .....               | 01/19/12 | 77 FR 2868  |
| NPRM Comment Period End. | 03/19/11 |             |
| Next Action Undetermined |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Hillary DeNigro, Chief, Industry Analysis Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-7334.

*RIN:* 3060-AH97

### 336. Establishment of Rules for Digital Low-Power Television, Television Translator, and Television Booster Stations (MB Docket No. 03-185)

*Legal Authority:* 47 U.S.C. 309; 47 U.S.C. 336

*Abstract:* This proceeding initiates the digital television conversion for low-power television (LPTV) and television translator stations. The rules and policies adopted as a result of this proceeding provide the framework for these stations' conversion from analog to digital broadcasting. The Report and Order adopts definitions and

permissible use provisions for digital TV translator and LPTV stations. The Second Report and Order takes steps to resolve the remaining issues in order to complete the low-power television digital transition.

*Timetable:*

| Action                   | Date     | FR Cite     |
|--------------------------|----------|-------------|
| NPRM .....               | 09/26/03 | 68 FR 55566 |
| NPRM Comment Period End. | 11/25/03 |             |
| R&O .....                | 11/29/04 | 69 FR 69325 |
| FNPRM and MO&O.          | 10/18/10 | 75 FR 63766 |
| 2nd R&O .....            | 07/07/11 | 76 FR 44821 |
| Next Action Undetermined |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Shaun Maher, Attorney, Video Division, Federal Communications Commission, Mass Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2324, *Fax:* 202 418-2827, *Email:* shaun.maher@fcc.gov.

*RIN:* 3060-AI38

**337. Joint Sales Agreements in Local Television Markets (MB Docket No. 04-256)**

*Legal Authority:* 47 U.S.C. 151 to 152(a); 47 U.S.C. 154(i); 47 U.S.C. 303; \* \* \*

*Abstract:* A joint sales agreement (JSA) is an agreement with a licensee of a brokered station that authorizes a broker to sell some or all of the advertising time for the brokered station in return for a fee or percentage of revenues paid to the licensee. The Commission has sought comment on whether TV JSAs should be attributed for purposes of determining compliance with the Commission's multiple ownership rules.

*Timetable:*

| Action                   | Date     | FR Cite     |
|--------------------------|----------|-------------|
| NPRM .....               | 08/26/04 | 69 FR 52464 |
| NPRM Comment Period End. | 09/27/04 |             |
| Next Action Undetermined |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Hillary DeNigro, Chief, Industry Analysis Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-7334.

*RIN:* 3060-AI55

**338. Program Access Rules—Sunset of Exclusive Contracts Prohibition and Examination of Programming Tying Arrangements (MB Docket Nos. 12-68, 07-198)**

*Legal Authority:* 47 U.S.C. 548

*Abstract:* The program access provisions of the Communications Act (section 628) generally prohibit exclusive contracts for satellite delivered programming between programmers in which a cable operator has an attributable interest (vertically integrated programmers) and cable operators. This limitation was set to expire on October 5, 2007, unless circumstances in the video programming marketplace indicate that an extension of the prohibition continues "to be necessary to preserve and protect competition and diversity in the distribution of video programming." The October 2007 Report and Order concluded the prohibition continues to be necessary, and accordingly, retained it until October 5, 2012. The accompanying Notice of Proposed Rulemaking (NPRM) sought comment on revisions to the Commission's program access and retransmission consent rules. The associated Report and Order adopted rules to permit complainants to pursue program access claims regarding terrestrially delivered cable affiliated programming.

In October 2012, the Commission declined to extend the prohibition on exclusive contracts beyond the October 5, 2012, expiration date. The Commission also affirmed its expanded discovery procedures for program access complaints. In the accompanying FNPRM, the Commission sought comment on additional revisions to the program access rules.

*Timetable:*

| Action                          | Date     | FR Cite     |
|---------------------------------|----------|-------------|
| NPRM .....                      | 03/01/07 | 72 FR 9289  |
| NPRM Comment Period End.        | 04/02/07 |             |
| R&O .....                       | 10/04/07 | 72 FR 56645 |
| Second NPRM .....               | 10/31/07 | 72 FR 61590 |
| Second NPRM Comment Period End. | 11/30/07 |             |
| R&O .....                       | 03/02/10 | 75 FR 9692  |
| NPRM .....                      | 04/23/12 | 77 FR 24302 |
| R&O .....                       | 10/31/12 | 77 FR 66026 |
| FNPRM .....                     | 10/31/12 | 77 FR 66052 |
| Next Action Undetermined        |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Mary Beth Murphy, Chief, Policy Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC

20554, *Phone:* 202 418-2132, *Email:* marybeth.murphy@fcc.gov.  
*RIN:* 3060-AI87

**339. Broadcast Localism (MB Docket No. 04-233)**

*Legal Authority:* 47 U.S.C. 154(i); 47 U.S.C. 303; 47 U.S.C. 532; 47 U.S.C. 536

*Abstract:* The concept of localism has been a cornerstone of broadcast regulation. The Commission has consistently held that as temporary trustee of the public's airwaves, broadcasters are obligated to operate their stations to serve the public interest. Specifically, broadcasters are required to air programming responsive to the needs and issues of the people in their licensed communities. The Commission opened this proceeding to seek input on a number of issues related to broadcast localism.

*Timetable:*

| Action                   | Date     | FR Cite    |
|--------------------------|----------|------------|
| Report and NPRM          | 02/13/08 | 73 FR 8255 |
| NPRM Comment Period End. | 03/14/08 |            |
| Next Action Undetermined |          |            |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Mary Beth Murphy, Chief, Policy Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2132, *Email:* marybeth.murphy@fcc.gov.  
*RIN:* 3060-AJ04

**340. Creating a low Power Radio Service (MM Docket No. 99-25)**

*Legal Authority:* 47 U.S.C. 151 to 152; 47 U.S.C. 154(i); 47 U.S.C. 303; 47 U.S.C. 403; 47 U.S.C. 405

*Abstract:* This proceeding was initiated to establish a new noncommercial educational low power FM radio service for nonprofit community organizations and public safety entities. In January 2000, the Commission adopted a Report and Order establishing two classes of LPFM stations, 100 watt (LP100) and 10 watt (LP10) facilities, with service radii of approximately 3.5 miles and 1 to 2 miles, respectively. The Report and Order also established ownership and eligibility rules for the LPFM service. The Commission generally restricted ownership to entities with no attributable interest in any other broadcast station or other media. To choose among entities filing mutually exclusive applications for LPFM licenses, the Commission established a point system favoring local ownership and locally-originated programming.

The Report and Order imposed separation requirements for LPFM with respect to full power stations operating on co-, first, and second-adjacent and intermediate frequency (IF) channels.

In a Further Notice issued in 2005, the Commission reexamined some of its rules governing the LPFM service, noting that the rules may need adjustment in order to ensure that the Commission maximizes the value of the LPFM service without harming the interests of full-power FM stations or other Commission licensees. The Commission sought comment on a number of issues with respect to LPFM ownership restrictions and eligibility.

The Third Report and Order resolves issues raised in the Further Notice. The accompanying Second Further Notice of Proposed Rulemaking (FNPRM) considers rule changes to avoid the potential loss of LPFM stations.

In the third FNPRM, the Commission seeks comment on the impact of the Local Community Radio Act on the procedures previously adopted. The Fourth Report and Order adopts translator application necessary policies to effectuate the requirement of the Local Community Radio Act of 2010. In the Fifth Report and Order, the Commission modified rules to implement provisions of the Local Community Radio Act of 2010.

In the sixth Report and Order, the Commission adopted an LPFM service standard for second and adjacent channel spacing waivers. The Commission also adopted procedures for third adjacent channel interference complaints and remediation requirements.

*Timetable:*

| Action                           | Date     | FR Cite      |
|----------------------------------|----------|--------------|
| NPRM .....                       | 02/16/99 | 64 FR 7577   |
| R&O .....                        | 02/15/00 | 65 FR 7616   |
| MO&O and Order on Recon.         | 11/09/00 | 65 FR 67289  |
| Second R&O .....                 | 05/10/01 | 66 FR 23861  |
| Second Order on Recon and FNPRM. | 07/07/05 | 70 FR 3918   |
| Third R&O .....                  | 01/17/08 | 73 FR 3202   |
| Second FNPRM ..                  | 03/26/08 | 73 FR 12061  |
| Third FNPRM .....                | 07/29/11 | 76 FR 454901 |
| 4th R&O .....                    | 04/09/12 | 77 FR 21002  |
| 5th R&O .....                    | 04/05/12 | 77 FR 20555  |
| 6th R&O .....                    | 01/19/13 | 78 FR 2078   |
| Next Action Undetermined         |          |              |

*Regulatory Flexibility Analysis*

*Required:* Yes.

*Agency Contact:* Peter Doyle, Chief, Audio Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554,

*Phone:* 202 418-2700, *Email:* peter.doyle@fcc.gov.

*RIN:* 3060-AJ07

**341. Policies To Promote Rural Radio Service and To Streamline Allotment and Assignment Procedures (MB Docket No. 09-52)**

*Legal Authority:* 47 U.S.C. 151 and 152; 47 U.S.C. 154(i); 47 U.S.C. 303; 47 U.S.C. 307 and 309(j)

*Abstract:* This proceeding was commenced to consider a number of changes to the Commission's rules and procedures to carry out the statutory goal of distributing radio service fairly and equitably, and to increase the transparency and efficiency of radio broadcast auction and licensing processes. In the NPRM, comment is sought on specific proposals regarding the procedures used to award commercial broadcast spectrum in the AM and FM broadcast bands. The accompanying Report and Order adopts rules that provide tribes a priority to obtain broadcast radio licenses in tribal communities. The Commission concurrently adopted a Further Notice of Proposed Rulemaking seeking comment on whether to extend the tribal priority to tribes that do not possess tribal land.

The Commission adopted a second FNPRM in order to develop a more comprehensive record regarding measures to assist Federally recognized Native American tribes and Alaska native villages in obtaining commercial FM station authorizations. In the second R&O, the Commission adopted a number of procedures, procedural changes, and clarifications of existing rules and procedures, designed to promote ownership and programming diversity, especially by Native American tribes, and to promote the initiation and retention of radio service in and to smaller communities and rural areas.

In the Third R&O, the Commission adopted procedures to enable a tribe or tribal entity to qualify for tribal allotments added to the FM allotment table.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 05/13/09 | 74 FR 22498 |
| NPRM Comment Period End.  | 07/10/09 |             |
| First R&O .....           | 03/04/10 | 75 FR 9797  |
| FNPRM .....               | 03/04/10 | 75 FR 9856  |
| 2nd FNPRM .....           | 03/16/11 | 76 FR 14362 |
| 2nd R&O .....             | 04/06/11 | 76 FR 18942 |
| 3rd R&O .....             | 01/20/12 | 77 FR 2916  |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Peter Doyle, Chief, Audio Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2700, *Email:* peter.doyle@fcc.gov.

*RIN:* 3060-AJ23

**342. Promoting Diversification of Ownership in the Broadcast Services (MB Docket No. 07-294)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152(a); 47 U.S.C. 154 i and (j); 47 U.S.C. 257; 47 U.S.C. 303(r); 47 U.S.C. 307 to 310; 47 U.S.C. 336; 47 U.S.C. 534 and 535

*Abstract:* Diversity and competition are longstanding and important Commission goals. The measures proposed, as well as those adopted in this proceeding, are intended to promote diversity of ownership of media outlets. In the Report and Order and third FNPRM, measures are enacted to increase participation in the broadcasting industry by new entrants and small businesses, including minority- and women-owned businesses. In the Report and Order and fourth FNPRM, the Commission adopts improvements to its data collection in order to obtain an accurate and comprehensive assessment of minority and female broadcast ownership in the United States. The Memorandum Opinion & Order addressed petitions for reconsideration of the rules, and also sought comment on a proposal to expand the reporting requirements to non attributable interests.

Pursuant to a remand from the Third Circuit, the measures adopted in the 2009 Diversity Order were put forth for comment in the NPRM for the 2010 review of the Commission's Broadcast Ownership rules.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| R&O .....                 | 05/16/08 | 73 FR 28361 |
| 3rd FNPRM .....           | 05/16/08 | 73 FR 28400 |
| R&O .....                 | 05/27/09 | 74 FR 25163 |
| 4th FNPRM .....           | 05/27/09 | 74 FR 25305 |
| MO&O .....                | 10/30/09 | 74 FR 56131 |
| NPRM .....                | 01/19/12 | 77 FR 2868  |
| 5th NPRM .....            | 01/15/13 | 78 FR 2934  |
| 6th FNPRM .....           | 01/15/13 | 78 FR 2925  |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Hillary DeNigro, Chief, Industry Analysis Division, Media Bureau, Federal Communications Commission, 445 12th Street SW.,

Washington, DC 20554, *Phone:* 202 418-7334.

*RIN:* 3060-AJ27

### 343. Amendment of the Commission's Rules Related to Retransmission Consent (MB Docket No. 10-71)

*Legal Authority:* 47 U.S.C. 154; 47 U.S.C. 325; 47 U.S.C. 534

*Abstract:* Cable systems and other multichannel video programming distributors are not entitled to retransmit a broadcast station's signal without the station's consent. This consent is known as "retransmission consent." Since Congress enacted the retransmission consent regime in 1992, there have been significant changes in the video programming marketplace. In this proceeding, comment is sought on a series of proposals to streamline and clarify the Commission's rules concerning or affecting retransmission consent negotiations.

*Timetable:*

| Action                                                                         | Date                 | FR Cite     |
|--------------------------------------------------------------------------------|----------------------|-------------|
| NPRM .....<br>NPRM Comment<br>Period End.<br>Next Action Under-<br>terminated. | 03/28/11<br>05/27/11 | 76 FR 17071 |

*Regulatory Flexibility Analysis*  
*Required:* Yes.

*Agency Contact:* Diana Sokolow, Attorney, Policy Division, Federal Communications Commission, Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2120, *Email:* diana.sokolow@fcc.gov.  
*RIN:* 3060-AJ55

### 344. Video Description: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010 (MB Docket No. 11-43)

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i); 47 U.S.C. 303

*Abstract:* The Twenty-First Century Communications and Video Accessibility Act of 2010 ("CVAA") requires reinstatement of the video description rules adopted by the Commission in 2000. "Video description," which is the insertion of narrated descriptions of a television program's key visual elements into natural pauses in the program's dialogue, makes video programming more accessible to individuals who are blind or visually impaired. This proceeding was initiated to enable compliance with the CVAA.

*Timetable:*

| Action                                                                                      | Date                             | FR Cite                    |
|---------------------------------------------------------------------------------------------|----------------------------------|----------------------------|
| NPRM .....<br>NPRM Comment<br>Period End.<br>R&O .....<br>Next Action Under-<br>terminated. | 03/18/11<br>04/18/11<br>09/08/11 | 76 FR 14856<br>76 FR 55585 |

*Regulatory Flexibility Analysis*

*Required:* Yes.

*Agency Contact:* Lyle Elder, Attorney, Policy Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2120, *Email:* lyle.elder@fcc.gov.  
*RIN:* 3060-AJ56

### 345. Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010 (MB Docket No. 11-154)

*Legal Authority:* 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 303; 47 U.S.C. 330(b); 47 U.S.C. 613; 47 U.S.C. 617

*Abstract:* Pursuant to the Commission's responsibilities under the Twenty-First Century Communications and Video Accessibility Act of 2010, this proceeding was initiated to adopt rules to govern the closed captioning requirements for the owners, providers, and distributors of video programming delivered using Internet protocol.

*Timetable:*

| Action                                                       | Date                 | FR Cite                    |
|--------------------------------------------------------------|----------------------|----------------------------|
| NPRM .....<br>R&O .....<br>Next Action Under-<br>terminated. | 09/28/11<br>03/20/12 | 76 FR 59963<br>77 FR 19480 |

*Regulatory Flexibility Analysis*  
*Required:* Yes.

*Agency Contact:* Diana Sokolow, Attorney, Policy Division, Federal Communications Commission, Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2120, *Email:* diana.sokolow@fcc.gov.  
*RIN:* 3060-AJ67

### 346. Noncommercial Educational Station Fundraising for Third-Party Nonprofit Organizations (MB Docket No. 12-106)

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 303(r); 47 U.S.C. 399(b)

*Abstract:* The proceeding was initiated to analyze the Commission's longstanding policy prohibiting noncommercial educational broadcast stations from conducting on-air fundraising activities that interrupt regular programming for the benefit of third-party nonprofit organizations.

*Timetable:*

| Action                                                                         | Date                 | FR Cite     |
|--------------------------------------------------------------------------------|----------------------|-------------|
| NPRM .....<br>NPRM Comment<br>Period End.<br>Next Action Under-<br>terminated. | 06/22/12<br>07/23/12 | 77 FR 37638 |

*Regulatory Flexibility Analysis*

*Required:* Yes.

*Agency Contact:* Mary Beth Murphy, Chief, Policy Division, Media Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2132, *Email:* marybeth.murphy@fcc.gov.  
*RIN:* 3060-AJ79

## FEDERAL COMMUNICATIONS COMMISSION (FCC)

*Media Bureau*

Completed Actions

### 347. Basic Service Tier Encryption (MB Docket No. 11-169)

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 303(r); 47 U.S.C. 403; 47 U.S.C. 544q

*Abstract:* In this proceeding, the Commission evaluates a proposed rule to allow cable operators to encrypt the basic service tier in all-digital cable systems, provided that those operators undertake certain consumer protection measures.

*Timetable:*

| Action                               | Date                 | FR Cite     |
|--------------------------------------|----------------------|-------------|
| NPRM .....<br>Comment Period<br>End. | 10/27/11<br>11/28/11 | 76 FR 66666 |

*Regulatory Flexibility Analysis*  
*Required:* Yes.

*Agency Contact:* Brendan Murray, Attorney Advisor, Policy Division, Federal Communications Commission, Media Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-1573, *Email:* brendan.murray@fcc.gov.  
*RIN:* 3060-AJ76

## FEDERAL COMMUNICATIONS COMMISSION (FCC)

*Office of Managing Director*

Long-Term Actions

### 348. Assessment and Collection of Regulatory Fees

*Legal Authority:* 47 U.S.C. 159  
*Abstract:* Section 9 of the Communications Act of 1934, as

amended, 47 U.S.C. 159, requires the FCC to recover the cost of its activities by assessing and collecting annual regulatory fees from beneficiaries of the activities.

*Timetable:*

| Action                         | Date     | FR Cite     |
|--------------------------------|----------|-------------|
| NPRM .....                     | 04/06/06 | 71 FR 17410 |
| R&O .....                      | 08/02/06 | 71 FR 43842 |
| NPRM .....                     | 05/02/07 | 72 FR 24213 |
| R&O .....                      | 08/16/07 | 72 FR 45908 |
| FNPRM .....                    | 08/16/07 | 72 FR 46010 |
| NPRM .....                     | 05/28/08 | 73 FR 30563 |
| R&O .....                      | 08/26/08 | 73 FR 50201 |
| FNPRM .....                    | 08/26/08 | 73 FR 50285 |
| 2nd R&O .....                  | 05/12/09 | 74 FR 22104 |
| NPRM and Order                 | 06/02/09 | 74 FR 26329 |
| R&O .....                      | 08/11/09 | 74 FR 40089 |
| NPRM .....                     | 04/26/10 | 75 FR 21536 |
| R&O .....                      | 07/19/10 | 75 FR 41932 |
| NPRM .....                     | 05/26/11 | 76 FR 30605 |
| NPRM Comment<br>Period End.    | 06/09/11 |             |
| R&O .....                      | 08/10/11 | 76 FR 49333 |
| NPRM .....                     | 05/17/12 | 77 FR 29275 |
| NPRM Comment<br>Period End.    | 05/31/12 |             |
| Reply Comment<br>Period End.   | 06/07/12 |             |
| R&O .....                      | 08/03/12 | 77 FR 46307 |
| NPRM .....                     | 08/17/12 | 77 FR 49749 |
| Next Action Unde-<br>termined. |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

*Agency Contact:* Roland Helvajian, Office of the Managing Director, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0444, *Email:* roland.helvajian@fcc.gov.

*RIN:* 3060-A179

**349. Amendment of Part 1 of the Commission's Rules, Concerning Practice and Procedure, Amendment of Cores Registration System; Md Docket No. 10-234**

*Legal Authority:* 47 U.S.C. 154(i); 47 U.S.C. 158(c)(2); 47 U.S.C. 159(c)(2); 47 U.S.C. 303(r); 5 U.S.C. 5514; 31 U.S.C. 7701(c)(1)

*Abstract:* This Notice of Proposed Rulemaking proposes revisions intended to make the Commission's Registration System (CORES) more feature-friendly and improve the Commission's ability to comply with various statutes that govern debt collection and the collection of personal information by the Federal Government. The proposed modifications to CORES partly include: Requiring entities and individuals to rely primarily upon a single FRN that may, at their discretion, be linked to subsidiary or associated accounts; allowing entities to identify multiple points of contact; eliminating some of our exceptions to the

requirement that entities and individuals provide their Taxpayer Identification Number (TIN) at the time of registration; requiring FRN holders to provide their email addresses; modifying CORES log-in procedures; adding attention flags and automated notices that would inform FRN holders of their financial standing before the Commission; and adding data fields to enable FRN holders to indicate their tax-exempt status and notify the Commission of pending bankruptcy proceedings.

*Timetable:*

| Action                         | Date     | FR Cite    |
|--------------------------------|----------|------------|
| NPRM .....                     | 02/01/11 | 76 FR 5652 |
| NPRM Comment<br>Period End.    | 03/03/11 |            |
| Public Notice .....            | 02/15/11 |            |
| Next Action Unde-<br>termined. |          |            |

*Regulatory Flexibility Analysis*

*Required:* Yes.

*Agency Contact:* Warren Firschein, Attorney, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0844, *Email:* warren.firschein@fcc.gov. *RIN:* 3060-AJ54

**FEDERAL COMMUNICATIONS COMMISSION (FCC)**

*Public Safety and Homeland Security Bureau*

*Long-Term Actions*

**350. Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems**

*Legal Authority:* 47 U.S.C. 134(i); 47 U.S.C. 151; 47 U.S.C. 201; 47 U.S.C. 208; 47 U.S.C. 215; 47 U.S.C. 303; 47 U.S.C. 309

*Abstract:* In a series of orders in several related proceedings issued since 1996, the Federal Communications Commission has taken action to improve the quality and reliability of 911 emergency services for wireless phone users. Rules have been adopted governing the availability of basic 911 services and the implementation of enhanced 911 (E911) for wireless services.

*Timetable:*

| Action           | Date     | FR Cite     |
|------------------|----------|-------------|
| FNPRM .....      | 08/02/96 | 61 FR 40374 |
| R&O .....        | 08/02/96 | 61 FR 40348 |
| MO&O .....       | 01/16/98 | 63 FR 2631  |
| Second R&O ..... | 06/28/99 | 64 FR 34564 |
| Third R&O .....  | 11/04/99 | 64 FR 60126 |
| Second MO&O .... | 12/29/99 | 64 FR 72951 |

| Action                              | Date     | FR Cite     |
|-------------------------------------|----------|-------------|
| Fourth MO&O .....                   | 10/02/00 | 65 FR 58657 |
| FNPRM .....                         | 06/13/01 | 66 FR 31878 |
| Order .....                         | 11/02/01 | 66 FR 55618 |
| R&O .....                           | 05/23/02 | 67 FR 36112 |
| Public Notice .....                 | 07/17/02 | 67 FR 46909 |
| Order to Stay .....                 | 07/26/02 |             |
| Order on Recon ..                   | 01/22/03 | 68 FR 2914  |
| FNPRM .....                         | 01/23/03 | 68 FR 3214  |
| R&O, Second<br>FNPRM.               | 02/11/04 | 69 FR 6578  |
| Second R&O .....                    | 09/07/04 | 69 FR 54037 |
| NPRM .....                          | 06/20/07 | 72 FR 33948 |
| NPRM Comment<br>Period End.         | 09/18/07 |             |
| R&O .....                           | 02/14/08 | 73 FR 8617  |
| Public Notice .....                 | 09/25/08 | 73 FR 55473 |
| Comment Period<br>End.              | 10/18/08 |             |
| Public Notice .....                 | 11/18/09 | 74 FR 59539 |
| Comment Period<br>End.              | 12/04/09 |             |
| FNPRM, NOI .....                    | 11/02/10 | 75 FR 67321 |
| Second R&O .....                    | 11/18/10 | 75 FR 70604 |
| Order, Comment<br>Period Extension. | 01/07/11 | 76 FR 1126  |
| Comment Period<br>End.              | 02/18/11 |             |
| Final Rule .....                    | 04/28/11 | 76 FR 23713 |
| NPRM .....                          | 08/04/11 | 76 FR 47114 |
| Second FNPRM ..                     | 08/04/11 | 76 FR 47114 |
| 3rd R&O .....                       | 09/28/11 | 76 FR 59916 |
| NPRM Comment<br>Period End.         | 11/02/11 |             |
| Next Action Unde-<br>termined.      |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

*Agency Contact:* Tom Beers, Chief, Policy Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0952, *Email:* tom.beers@fcc.gov.

*RIN:* 3060-AG34

**351. Enhanced 911 Services for Wireline**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 201; 47 U.S.C. 222; 47 U.S.C. 251

*Abstract:* The rules generally will assist State governments in drafting legislation that will ensure that multiline telephone systems are compatible with the enhanced 911 network. The Public Notice seeks comment on whether the Commission, rather than States, should regulate multiline telephone systems, and whether part 68 of the Commission's rules should be revised.

*Timetable:*

| Action          | Date     | FR Cite     |
|-----------------|----------|-------------|
| NPRM .....      | 10/11/94 | 59 FR 54878 |
| FNPRM .....     | 01/23/03 | 68 FR 3214  |
| Second FNPRM .. | 02/11/04 | 69 FR 6595  |

| Action                            | Date     | FR Cite    |
|-----------------------------------|----------|------------|
| R&O .....                         | 02/11/04 | 69 FR 6578 |
| Public Notice .....               | 01/13/05 | 70 FR 2405 |
| Comment Period End.               | 03/29/05 |            |
| NOI .....                         | 01/13/11 | 76 FR 2297 |
| NOI Comment Period End.           | 03/14/11 |            |
| Public Notice (Release Date).     | 05/21/12 |            |
| Public Notice Comment Period End. | 08/06/12 |            |
| Next Action Undetermined.         |          |            |

*Regulatory Flexibility Analysis**Required: Yes.*

*Agency Contact:* Tom Beers, Chief, Policy Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0952, *Email:* tom.beers@fcc.gov.

*RIN:* 3060-AG60**352. In the Matter of the Communications Assistance for Law Enforcement Act**

*Legal Authority:* 47 U.S.C. 229; 47 U.S.C. 1001 to 1008

*Abstract:* All of the decisions in this proceeding thus far are aimed at implementation of provisions of the Communications Assistance for Law Enforcement Act.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 10/10/97 | 62 FR 63302 |
| Order .....               | 01/13/98 | 63 FR 1943  |
| FNPRM .....               | 11/16/98 | 63 FR 63639 |
| R&O .....                 | 01/29/99 | 64 FR 51462 |
| Order .....               | 03/29/99 | 64 FR 14834 |
| Second R&O .....          | 09/23/99 | 64 FR 51462 |
| Third R&O .....           | 09/24/99 | 64 FR 51710 |
| Order on Recon ..         | 09/28/99 | 64 FR 52244 |
| Policy Statement          | 10/12/99 | 64 FR 55164 |
| Second Order on Recon.    | 05/04/01 | 66 FR 22446 |
| Order .....               | 10/05/01 | 66 FR 50841 |
| Order on Remand           | 05/02/02 | 67 FR 21999 |
| NPRM .....                | 09/23/04 | 69 FR 56976 |
| First R&O .....           | 10/13/05 | 70 FR 59704 |
| Second R&O .....          | 07/05/06 | 71 FR 38091 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis**Required: Yes.*

*Agency Contact:* Tom Beers, Chief, Policy Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0952, *Email:* tom.beers@fcc.gov.

*RIN:* 3060-AG74**353. Development of Operational, Technical, and Spectrum Requirements for Public Safety Communications Requirements**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 160; 47 U.S.C. 201 and 202; 47 U.S.C. 303; 47 U.S.C. 337(a); 47 U.S.C. 403

*Abstract:* This item takes steps toward developing a flexible regulatory framework to meet vital current and future public safety communications needs.

*Timetable:*

| Action                            | Date     | FR Cite     |
|-----------------------------------|----------|-------------|
| NPRM .....                        | 10/09/97 | 62 FR 60199 |
| Second NPRM ....                  | 11/07/97 | 62 FR 60199 |
| First R&O .....                   | 11/02/98 | 63 FR 58645 |
| Third NPRM .....                  | 11/02/98 | 63 FR 58685 |
| MO&O .....                        | 11/04/99 | 64 FR 60123 |
| Second R&O .....                  | 08/08/00 | 65 FR 48393 |
| Fourth NPRM .....                 | 08/25/00 | 65 FR 51788 |
| Second MO&O ....                  | 09/05/00 | 65 FR 53641 |
| Third MO&O .....                  | 11/07/00 | 65 FR 66644 |
| Third R&O .....                   | 11/07/00 | 65 FR 66644 |
| Fifth NPRM .....                  | 02/16/01 | 66 FR 10660 |
| Fourth R&O .....                  | 02/16/01 | 66 FR 10632 |
| Fourth MO&O .....                 | 09/27/02 | 67 FR 61002 |
| Sixth NPRM .....                  | 11/08/02 | 67 FR 68079 |
| Fifth R&O .....                   | 12/13/02 | 67 FR 76697 |
| Seventh NPRM ...                  | 04/27/05 | 70 FR 21726 |
| Sixth R&O .....                   | 04/27/05 | 70 FR 21671 |
| Eighth NPRM .....                 | 04/07/06 | 71 FR 17786 |
| NPRM .....                        | 09/21/06 | 71 FR 55149 |
| Ninth NPRM .....                  | 01/10/07 | 72 FR 1201  |
| Ninth NPRM Comment Period End.    | 02/26/07 |             |
| R&O and FNPRM                     | 05/02/07 | 72 FR 24238 |
| R&O and FNPRM Comment Period End. | 05/23/07 |             |
| Second R&O .....                  | 08/24/07 | 72 FR 48814 |
| Second FNPRM ..                   | 05/21/08 | 73 FR 29582 |
| Third FNPRM .....                 | 10/03/08 | 73 FR 57750 |
| Third R&O .....                   | 01/25/11 | 76 FR 51271 |
| Fourth FNPRM ....                 | 01/25/11 | 76 FR 51271 |
| Fourth FNPRM Comment Period End.  | 05/10/11 |             |
| Fourth R&O .....                  | 07/20/11 | 76 FR 62309 |
| Next Action Undetermined.         |          |             |

*Regulatory Flexibility Analysis**Required: Yes.*

*Agency Contact:* Brian Marenco, Electronics Engineer, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0838, *Email:* brian.marenco@fcc.gov.

*RIN:* 3060-AG85**354. Implementation of 911 Act (CC Docket No. 92-105, WT Docket No. 00-110)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 157; 47 U.S.C. 160; 47 U.S.C. 202; 47 U.S.C.

208; 47 U.S.C. 210; 47 U.S.C. 214; 47 U.S.C. 251(e); 47 U.S.C. 301; 47 U.S.C. 303; 47 U.S.C. 308 to 309(j); 47 U.S.C. 310

*Abstract:* This proceeding is separate from the Commission's proceeding on Enhanced 911 Emergency Systems (E911) in that it is intended to implement provisions of the Wireless Communications and Public Safety Act of 1999 through the promotion of public safety by the deployment of a seamless, nationwide emergency communications infrastructure that includes wireless communications services. More specifically, a chief goal of the proceeding is to ensure that all emergency calls are routed to the appropriate local emergency authority to provide assistance. The E911 proceeding goes a step further and is aimed at improving the effectiveness and reliability of wireless 911 dispatchers with additional information on wireless 911 calls.

*Timetable:*

| Action                          | Date     | FR Cite     |
|---------------------------------|----------|-------------|
| Fourth R&O, Third NPRM.         | 09/19/00 | 65 FR 56752 |
| NPRM .....                      | 09/19/00 | 65 FR 56757 |
| Fifth R&O, First R&O, and MO&O. | 01/14/02 | 67 FR 1643  |
| Final Rule .....                | 01/25/02 | 67 FR 3621  |
| Next Action Undetermined.       |          |             |

*Regulatory Flexibility Analysis**Required: Yes.*

*Agency Contact:* David H. Siehl, Attorney, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-1313, *Fax:* 202 418-2816, *Email:* david.siehl@fcc.gov.

*RIN:* 3060-AH90**355. Commission Rules Concerning Disruptions to Communications (PS Docket No. 11-82)**

*Legal Authority:* 47 U.S.C. 155; 47 U.S.C. 154; 47 U.S.C. 201; 47 U.S.C. 251

*Abstract:* The 2004 Report and Order extended the Commission's outage reporting requirements to non-wireline carriers and streamlined reporting through a new electronic template. Nine petitions for reconsideration were filed and remain pending. A Further Notice of Proposed Rulemaking regarding the unique communications needs of airports also remains pending.

The 2012 Report and Order extended the Commission's outage reporting requirements to interconnected Voice over Internet Protocol (VoIP) services where there is a complete loss of

connectivity that has the potential to affect at least 900,000 user minutes. Interconnected VoIP service providers will file outage reports through the same electronic mechanism as providers of other services. They will be required to submit a "Notification" and a "Final Report." A notification is due within 4 hours of discovering a reportable outage when the outage affects a facility serving a 911 call center, and within 24 hours when the outage does not affect such facilities. A Final Report is due within 30 days. The Commission deferred action on extending the outage reporting requirements to broadband Internet services and to circumstances where technical conditions (such as packet loss, latency, and/or jitter) effectively prevent communication.

*Timetable:*

| Action                                           | Date     | FR Cite     |
|--------------------------------------------------|----------|-------------|
| NPRM .....                                       | 03/26/04 | 69 FR 15761 |
| FNPRM .....                                      | 11/26/04 | 69 FR 68859 |
| R&O .....                                        | 12/03/04 | 69 FR 70316 |
| Announcement of Effective Date and Partial Stay. | 12/30/04 | 69 FR 78338 |
| Petition for Recon                               | 02/15/05 | 70 FR 7737  |
| Amendment of Delegated Authority.                | 02/21/08 | 73 FR 9462  |
| Public Notice .....                              | 08/02/10 |             |
| NPRM .....                                       | 05/13/11 | 76 FR 33686 |
| NPRM Comment Period End.                         | 08/08/11 |             |
| R&O .....                                        | 02/21/12 | 77 FR 25088 |
| Final Rule; Correction.                          | 01/30/13 | 78 FR 6216  |
| Next Action Undetermined.                        |          |             |

*Regulatory Flexibility Analysis*

*Required: Yes.*

*Agency Contact:* Lisa Fowlkes, Deputy Bureau Chief, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-7452, *Email:* [lisa.fowlkes@fcc.gov](mailto:lisa.fowlkes@fcc.gov).

*RIN:* 3060-A122

**356. E911 Requirements for IP-Enabled Service Providers (Dockets Nos. GN 11-117, PS 07-114, WC 05-196, WC 04-36)**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 251(e); 47 U.S.C. 303(r)

*Abstract:* The notice seeks comment on what additional steps the Commission should take to ensure that providers of Voice over Internet Protocol services that interconnect with the public switched telephone network provide ubiquitous and reliable enhanced 911 service.

*Timetable:*

| Action                              | Date     | FR Cite     |
|-------------------------------------|----------|-------------|
| NPRM .....                          | 03/29/04 | 69 FR 16193 |
| NPRM .....                          | 06/29/05 | 70 FR 37307 |
| R&O .....                           | 06/29/05 | 70 FR 37273 |
| NPRM Comment Period End.            | 09/12/05 |             |
| NPRM .....                          | 06/20/07 | 72 FR 33948 |
| NPRM Comment Period End.            | 09/18/07 |             |
| FNPRM, NOI .....                    | 11/02/10 | 75 FR 67321 |
| Order, Extension of Comment Period. | 01/07/11 | 76 FR 1126  |
| Comment Period End.                 | 02/18/11 |             |
| 2nd FNPRM, NPRM.                    | 08/04/11 | 76 FR 47114 |
| 2nd FNPRM Comment Period End.       | 11/02/11 |             |
| Next Action Undetermined.           |          |             |

*Regulatory Flexibility Analysis*

*Required: Yes.*

*Agency Contact:* Tom Beers, Chief, Policy Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0952, *Email:* [tom.beers@fcc.gov](mailto:tom.beers@fcc.gov).

*RIN:* 3060-A162

**357. Stolen Vehicle Recovery System (SVRS)**

*Legal Authority:* 47 U.S.C. 151 and 152; 47 U.S.C. 154(i); 47 U.S.C. 301 to 303

*Abstract:* The Report and Order amends 47 CFR 90.20(e)(6) governing stolen vehicle recovery system operations at 173.075 MHz, by increasing the radiated power limit for narrowband base stations; increasing the power output limit for narrowband base stations; increasing the power output limit for narrowband mobile transceivers; modifying the base station duty cycle; increasing the tracking duty cycle for mobile transceivers; and retaining the requirement for TV channel 7 interference studies and that such studies must be served on TV channel 7 stations.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 08/23/06 | 71 FR 49401 |
| NPRM Comment Period End.  | 10/10/06 |             |
| R&O .....                 | 10/14/08 | 73 FR 60631 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis*

*Required: Yes.*

*Agency Contact:* Zenji Nakazawa, Associate Chief, Policy Division, Federal Communications Commission,

Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-7949, *Email:* [zenji.nakazawa@fcc.gov](mailto:zenji.nakazawa@fcc.gov).  
*RIN:* 3060-AJ01

**358. Commercial Mobile Alert System**

*Legal Authority:* Pub. L. 109-347 title VI; EO 13407; 47 U.S.C. 151; 47 U.S.C. 154(i)

*Abstract:* In the Notice of Proposed Rulemaking (NPRM), the Commission initiated a comprehensive rulemaking to establish a commercial mobile alert system under which commercial mobile service providers may elect to transmit emergency alerts to the public. The Commission has issued three orders adopting CMAS rules as required by statute. Issues raised in an FNPRM regarding testing requirements for noncommercial educational and public broadcast television stations remain outstanding.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 01/03/08 | 73 FR 545   |
| NPRM Comment Period End.  | 02/04/08 |             |
| First R&O .....           | 07/24/08 | 73 FR 43009 |
| Second R&O .....          | 08/14/08 | 73 FR 47550 |
| FNPRM .....               | 08/14/08 | 73 FR 47568 |
| FNPRM Comment Period End. | 09/15/08 |             |
| Third R&O .....           | 09/22/08 | 73 FR 54511 |
| Order .....               | 02/25/13 | 78 FR 16806 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis*

*Required: Yes.*

*Agency Contact:* Lisa Fowlkes, Deputy Bureau Chief, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-7452, *Email:* [lisa.fowlkes@fcc.gov](mailto:lisa.fowlkes@fcc.gov).  
*RIN:* 3060-AJ03

**359. Wireless E911 Location Accuracy Requirements; PS Docket No. 07-114**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154; 47 U.S.C. 332

*Abstract:* Related to the proceedings in which the FCC has previously acted to improve the quality of all emergency services, this action requires wireless carriers to take steps to provide more specific automatic location information in connection with 911 emergency calls to Public Safety Answering Points (PSAPs) in areas where wireless carriers have not done so in the past. Wireless licensees must now satisfy amended Enhanced 911 location accuracy standards at either a county-based or a PSAP-based geographic level.

*Timetable:*

| Action                          | Date     | FR Cite     |
|---------------------------------|----------|-------------|
| NPRM .....                      | 06/20/07 | 72 FR 33948 |
| R&O .....                       | 02/14/08 | 73 FR 8617  |
| Public Notice .....             | 09/25/08 | 73 FR 55473 |
| Public Notice .....             | 11/18/09 | 74 FR 59539 |
| 2nd R&O .....                   | 11/18/10 | 75 FR 70604 |
| Second NPRM ....                | 08/04/11 | 76 FR 47114 |
| Second NPRM Comment Period End. | 11/02/11 |             |
| FNPRM; NOI .....                | 11/02/10 | 75 FR 67321 |
| Final Rule .....                | 04/28/11 | 76 FR 23713 |
| 3rd R&O .....                   | 09/28/11 | 76 FR 59916 |
| Next Action Undetermined.       |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Tom Beers, Chief, Policy Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0952, *Email:* tom.beers@fcc.gov.

*RIN:* 3060-AJ52

### 360. • Private Land Radio Services/ Miscellaneous Wireless Communications Services

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 301-303; 47 U.S.C. 307-309; Pub. L. 112-96

*Abstract:* This action proposes technical rules to protect against harmful radio frequency interference in the spectrum designated for public safety services under the Middle Class Tax Relief and Job Creation Act of 2012.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 04/24/13 | 78 FR 24138 |
| NPRM Comment Period End.  | 05/24/13 |             |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Genaro Fullano, Legal Counsel, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-1400, *Email:* genaro.fullano@fcc.gov.

*RIN:* 3060-AJ99

## FEDERAL COMMUNICATIONS COMMISSION (FCC)

### Public Safety and Homeland Security Bureau

#### Completed Actions

### 361. Emergency Alert System

*Legal Authority:* 47 U.S.C. 151 and 152; 47 U.S.C. 154(i) and 154(o); 47 U.S.C. 301; 47 U.S.C. 393(r) and 303(v); 47 U.S.C. 307 and 309; 47 U.S.C. 335 and 403; 47 U.S.C. 544(g); 47 U.S.C. 606 and 615

*Abstract:* This revision of 47 CFR part 11 provides for national-level testing of the Emergency Alert System.

*Timetable:*

| Action                   | Date     | FR Cite     |
|--------------------------|----------|-------------|
| NPRM .....               | 01/12/10 | 75 FR 4760  |
| NPRM Comment Period End. | 03/30/10 |             |
| 3rd R&O .....            | 02/03/11 | 76 FR 12600 |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Eric Ehrenreich, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-1726, *Email:* eric.ehrenreich@fcc.gov.

*RIN:* 3060-AJ33

## FEDERAL COMMUNICATIONS COMMISSION (FCC)

### Wireless Telecommunications Bureau

#### Long-Term Actions

### 362. Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152(n); 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 201(b); 47 U.S.C. 251(a); 47 U.S.C. 253; 47 U.S.C. 303(r); 47 U.S.C. 332(c)(1)(B); 47 U.S.C. 309

*Abstract:* This rulemaking considers whether the Commission should adopt an automatic roaming rule for voice services for Commercial Mobile Radio Services and whether the Commission should adopt a roaming rule for mobile data services.

*Timetable:*

| Action           | Date     | FR Cite     |
|------------------|----------|-------------|
| NPRM .....       | 11/21/00 | 65 FR 69891 |
| NPRM .....       | 09/28/05 | 70 FR 56612 |
| NPRM .....       | 01/19/06 | 71 FR 3029  |
| FNPRM .....      | 08/30/07 | 72 FR 50085 |
| Final Rule ..... | 08/30/07 | 72 FR 50064 |
| Final Rule ..... | 04/28/10 | 75 FR 22263 |
| FNPRM .....      | 04/28/10 | 75 FR 22338 |
| 2nd R&O .....    | 05/06/11 | 76 FR 26199 |

| Action                    | Date | FR Cite |
|---------------------------|------|---------|
| Next Action Undetermined. |      |         |

*Regulatory Flexibility Analysis Required: Yes.*

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Christina Clearwater, Assistant Division Chief, SCPD, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-1893, *Email:* christina.clearwater@fcc.gov.

*RIN:* 3060-AH83

### 363. Review of Part 87 of the Commission's Rules Concerning Aviation (WT Docket No. 01-289)

*Legal Authority:* 47 U.S.C. 154; 47 U.S.C. 303; 47 U.S.C. 307(e)

*Abstract:* This proceeding is intended to streamline, consolidate, and revise our part 87 rules governing the Aviation Radio Service. The rule changes are designed to ensure these rules reflect current technological advances.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 10/16/01 | 66 FR 64785 |
| NPRM Comment Period End.  | 03/14/02 |             |
| R&O and FNPRM .....       | 10/16/03 |             |
| FNPRM .....               | 04/12/04 | 69 FR 19140 |
| FNPRM Comment Period End. | 07/12/04 |             |
| R&O .....                 | 06/14/04 | 69 FR 32577 |
| NPRM .....                | 12/06/06 | 71 FR 70710 |
| NPRM Comment Period End.  | 03/06/07 |             |
| Final Rule .....          | 12/06/06 | 71 FR 70671 |
| 3rd R&O .....             | 03/29/11 | 76 FR 17347 |
| Stay Order .....          | 03/29/11 | 76 FR 17353 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Jeff Tobias, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0680, *Email:* jeff.tobias@fcc.gov.

*RIN:* 3060-AI35

### 364. Implementation of the Commercial Spectrum Enhancement Act (CSEA) and Modernization of the Commission's Competitive Bidding Rules and Procedures (WT Docket No. 05–211)

**Legal Authority:** 15 U.S.C. 79; 47 U.S.C. 151; 47 U.S.C. 154(i) and (j); 47 U.S.C. 155; 47 U.S.C. 155(c); 47 U.S.C. 157; 47 U.S.C. 225; 47 U.S.C. 303(r); 47 U.S.C. 307; 47 U.S.C. 309; 47 U.S.C. 309(j); 47 U.S.C. 325(e); 47 U.S.C. 334; 47 U.S.C. 336; 47 U.S.C. 339; 47 U.S.C. 554

**Abstract:** This proceeding implements rules and procedures needed to comply with the recently enacted Commercial Spectrum Enhancement Act (CSEA). It establishes a mechanism for reimbursing Federal agencies out of spectrum auction proceeds for the cost of relocating their operations from certain "eligible frequencies" that have been reallocated from Federal to non-Federal use. It also seeks to improve the Commission's ability to achieve Congress' directives with regard to designated entities and to ensure that, in accordance with the intent of Congress, every recipient of its designated entity benefits is an entity that uses its licenses to directly provide facilities-based telecommunications services for the benefit of the public.

#### Timetable:

| Action                                | Date     | FR Cite     |
|---------------------------------------|----------|-------------|
| NPRM .....                            | 06/14/05 | 70 FR 43372 |
| NPRM Comment Period End.              | 08/26/05 |             |
| Declaratory Ruling                    | 06/14/05 | 70 FR 43322 |
| R&O .....                             | 01/24/06 | 71 FR 6214  |
| FNPRM .....                           | 02/03/06 | 71 FR 6992  |
| FNPRM Comment Period End.             | 02/24/06 |             |
| Second R&O .....                      | 04/25/06 | 71 FR 26245 |
| Order on Recon of Second R&O.         | 06/02/06 | 71 FR 34272 |
| NPRM .....                            | 06/21/06 | 71 FR 35594 |
| NPRM Comment Period End.              | 08/21/06 |             |
| Reply Comment Period End.             | 09/19/06 |             |
| Second Order and Recon of Second R&O. | 04/04/08 | 73 FR 18528 |
| Order .....                           | 02/01/12 | 77 FR 16470 |
| Next Action Undetermined.             |          |             |

**Regulatory Flexibility Analysis Required:** Yes.

**Agency Contact:** Kelly Quinn, Assistant Chief, Auctions and Spectrum Access Division, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, Phone: 202 418–7384, Email: [kelly.quinn@fcc.gov](mailto:kelly.quinn@fcc.gov).

RIN: 3060–A188

### 365. Facilitating the Provision of Fixed and Mobile Broadband Access, Educational, and Other Advanced Services in the 2150–2162 and 2500–2690 MHz Bands

**Legal Authority:** 47 U.S.C. 154; 47 U.S.C. 301 to 303; 47 U.S.C. 307; 47 U.S.C. 309; 47 U.S.C. 332; 47 U.S.C. 336 and 337

**Abstract:** The Commission seeks comment on whether to assign Educational Broadband Service (EBS) spectrum in the Gulf of Mexico. It also seeks comment on how to license unassigned and available EBS spectrum. Specifically, we seek comment on whether it would be in the public interest to develop a scheme for licensing unassigned EBS spectrum that avoids mutual exclusivity; we ask whether EBS eligible entities could participate fully in a spectrum auction; we seek comment on the use of small business size standards and bidding credits for EBS if we adopt a licensing scheme that could result in mutually exclusive applications; we seek comment on the proper market size and size of spectrum blocks for new EBS licenses; and we seek comment on issuing one license to a State agency designated by the Governor to be the spectrum manager, using frequency coordinators to avoid mutually exclusive EBS applications, as well as other alternative licensing schemes. The Commission must develop a new licensing scheme for EBS in order to achieve the Commission's goal of facilitating the development of new and innovative wireless services for the benefit of students throughout the nation.

In addition, the Commission has sought comment on a proposal intended to make it possible to use wider channel bandwidths for the provision of broadband services in these spectrum bands. The proposed changes may permit operators to use spectrum more efficiently, and to provide higher data rates to consumers, thereby advancing key goals of the National Broadband Plan.

#### Timetable:

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 04/02/03 | 68 FR 34560 |
| NPRM Comment Period End.  | 09/08/03 |             |
| FNPRM .....               | 07/29/04 | 69 FR 72048 |
| FNPRM Comment Period End. | 01/10/03 |             |
| R&O .....                 | 07/29/04 | 69 FR 72020 |
| MO&O .....                | 04/27/06 | 71 FR 35178 |
| FNPRM .....               | 03/20/08 | 73 FR 26067 |
| FNPRM Comment Period End. | 07/07/08 |             |
| MO&O .....                | 03/20/08 | 73 FR 26032 |

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| MO&O .....                | 09/28/09 | 74 FR 49335 |
| FNPRM .....               | 09/28/09 | 74 FR 49356 |
| FNPRM Comment Period End. | 10/13/09 |             |
| R&O .....                 | 06/03/10 | 75 FR 33729 |
| FNPRM .....               | 05/27/11 | 76 FR 32901 |
| FNPRM Comment Period End. | 07/22/11 |             |
| Next Action Undetermined. |          |             |

#### Regulatory Flexibility Analysis

**Required:** Yes.

**Agency Contact:** John Schauble, Deputy Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, Phone: 202 418–0797, Email: [john.schauble@fcc.gov](mailto:john.schauble@fcc.gov).

RIN: 3060–AJ12

### 366. Amendment of the Rules Regarding Maritime Automatic Identification Systems (WT Docket No. 04–344)

**Legal Authority:** 47 U.S.C. 154; 47 U.S.C. 302(a); 47 U.S.C. 303; 47 U.S.C. 306; 47 U.S.C. 307(e); 47 U.S.C. 332; 47 U.S.C. 154(i); 47 U.S.C. 161

**Abstract:** This action adopts additional measures for domestic implementation of Automatic Identification Systems (AIS), an advanced marine vessel tracking and navigation technology that can significantly enhance our Nation's homeland security as well as maritime safety.

#### Timetable:

| Action                              | Date     | FR Cite     |
|-------------------------------------|----------|-------------|
| Final Rule .....                    | 01/29/09 | 74 FR 5117  |
| Final Rule Effective.               | 03/02/09 |             |
| Petition for Recon Final Rule ..... | 04/03/09 | 74 FR 15271 |
| Next Action Undetermined.           | 05/26/11 | 76 FR 33653 |

#### Regulatory Flexibility Analysis

**Required:** Yes.

**Agency Contact:** Jeff Tobias, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, Phone: 202 418–0680, Email: [jeff.tobias@fcc.gov](mailto:jeff.tobias@fcc.gov).

RIN: 3060–AJ16

### 367. Service Rules for Advanced Wireless Services in the 2155–2175 MHz Band

**Legal Authority:** 47 U.S.C. 151 and 152; 47 U.S.C. 154(i); 47 U.S.C. 157; 47 U.S.C. 160; 47 U.S.C. 201; 47 U.S.C. 214; 47 U.S.C. 301

**Abstract:** This proceeding explores the possible uses of the 2155–2175 MHz frequency band (AWS–3) to support the introduction of new advanced wireless services, including third generations as well as future generations of wireless systems. Advanced wireless systems could provide for a wide range of voice data and broadband services over a variety of mobile and fixed networks.

The Notice of Proposed Rulemaking (NPRM) sought comment on what service rules should be adopted in the AWS–3 band. We requested comment on rules for licensing this spectrum in a manner that will permit it to be fully and promptly utilized to bring advanced wireless services to American consumers. Our objective is to allow for the most effective and efficient use of the spectrum in this band, while also encouraging development of robust wireless broadband services. We proposed to apply our flexible, market-oriented rules to the band in order to meet this objective.

Thereafter, the Commission released a Further Notice of Proposed Rulemaking (FNPRM), seeking comment on the Commission's proposed AWS–3 rules, which include adding 5 megahertz of spectrum (2175–80 MHz) to the AWS–3 band, and requiring licensees of that spectrum to provide—using up to 25 percent of its wireless network capacity—free, two-way broadband Internet service at engineered data rates of at least 768 kbps downstream.

**Timetable:**

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 11/14/07 | 72 FR 64013 |
| NPRM Comment Period End.  | 01/14/08 |             |
| FNPRM .....               | 06/25/08 | 73 FR 35995 |
| FNPRM Comment Period End. | 08/11/08 |             |
| Next Action Undetermined. |          |             |

**Regulatory Flexibility Analysis Required:** Yes.

**Agency Contact:** Peter Daronco, Associate Division Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, Phone: 202 418–7235, Email: [peter.daronco@fcc.gov](mailto:peter.daronco@fcc.gov).

RIN: 3060–AJ19

**368. Service Rules for Advanced Wireless Services in the 1915 to 1920 MHz, 1995 to 2000 MHz, 2020 to 2025 MHz, and 2175 to 2180 MHz Bands**

**Legal Authority:** 47 U.S.C. 151 and 152; 47 U.S.C. 154(i); 47 U.S.C. 157; 47

U.S.C. 160; 47 U.S.C. 201; 47 U.S.C. 214; 47 U.S.C. 301; . . .

**Abstract:** This proceeding explores the possible uses of the 1915–1920 MHz, 1995–2000 MHz, 2020–2025 MHz, and 2175–2180 MHz Bands (collectively AWS–2) to support the introduction of new advanced wireless services, including third generations as well as future generations of wireless systems. Advanced wireless systems could provide for a wide range of voice data and broadband services over a variety of mobile and fixed networks.

The Notice of Proposed Rulemaking (NPRM) sought comment on what service rules should be adopted in the AWS–2 band. We requested comment on rules for licensing this spectrum in a manner that will permit it to be fully and promptly utilized to bring advanced wireless services to American consumers. Our objective is to allow for the most effective and efficient use of the spectrum in this band, while also encouraging development of robust wireless broadband services.

Thereafter, the Commission released a Further Notice of Proposed Rulemaking (FNPRM), seeking comment on the Commission's proposed rules for the 1915–1920 MHz and 1995–2000 MHz bands. In addition, the Commission proposed to add 5 megahertz of spectrum (2175–80 MHz band) to the 2155–2175 MHz band, and would require the licensee of the 2155–2180 MHz band to provide—using up to 25 percent of its wireless network capacity—free, two-way broadband Internet service at engineered data rates of at least 768 kbps downstream.

**Timetable:**

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 11/02/04 | 69 FR 63489 |
| NPRM Comment Period End.  | 01/24/05 |             |
| FNPRM .....               | 06/25/08 | 73 FR 35995 |
| FNPRM Comment Period End. | 08/11/08 |             |
| Next Action Undetermined. |          |             |

**Regulatory Flexibility Analysis Required:** Yes.

**Agency Contact:** Peter Daronco, Associate Division Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, Phone: 202 418–7235, Email: [peter.daronco@fcc.gov](mailto:peter.daronco@fcc.gov).

RIN: 3060–AJ20

**369. Rules Authorizing the Operation of Low Power Auxiliary Stations in the 698–806 MHz Band (WT Docket No. 08–166) Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary**

**Legal Authority:** 47 U.S.C. 151 and 152; 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 301 and 302(a); 47 U.S.C. 303; 47 U.S.C. 303(r); 47 U.S.C. 304; 47 U.S.C. 307 to 309; 47 U.S.C. 316; 47 U.S.C. 332; 47 U.S.C. 336 and 337

**Abstract:** In the Notice of Proposed Rulemaking and Order, to facilitate the DTV transition the Commission tentatively concludes to amend its rules to make clear that the operation of low power auxiliary stations within the 700 MHz Band will no longer be permitted after the end of the DTV transition. The Commission also tentatively concludes to prohibit the manufacture, import, sale, offer for sale, or shipment of devices that operate as low power auxiliary stations in the 700 MHz Band. In addition, for those licensees that have obtained authorizations to operate low power auxiliary stations in spectrum that includes the 700 MHz Band beyond the end of the DTV transition, the Commission tentatively concludes that it will modify these licenses so as not to permit such operations in the 700 MHz Band after February 17, 2009. The Commission also seeks comment on issues raised by the Public Interest Spectrum Coalition (PISC) in its informal complaint and petition for rulemaking.

The Commission also imposes a freeze on the filing of new license applications that seek to operate on any 700 MHz Band frequencies (698–806 MHz) after the end of the DTV transition, February 17, 2009, as well as on granting any request for equipment authorization of low power auxiliary station devices that would operate in any of the 700 MHz Band frequencies. The Commission also holds in abeyance, until the conclusion of this proceeding, any pending license applications and equipment authorization requests that involve operation of low power auxiliary devices on frequencies in the 700 MHz Band after the end of the DTV transition.

On January 15, 2010, the Commission released a Report and Order that prohibits the distribution and sale of wireless microphones that operate in the 700 MHz Band (698–806 MHz, channels 52–69) and includes a number of provisions to clear these devices from that band. These actions help complete an important part of the DTV transition by clearing the 700 MHz Band to enable

the rollout of communications services for public safety and the deployment of next generation wireless devices.

On January 15, 2010, the Commission also released a Further Notice of Proposed Rulemaking seeking comment on the operation of low power auxiliary stations, including wireless microphones, in the core TV bands (channels 2–51, excluding channel 37). Among the issues the Commission is considering in the Further Notice are revisions to its rules to expand eligibility for licenses to operate wireless microphones under part 74; the operation of wireless microphones on an unlicensed basis in the core TV bands under part 15; technical rules to apply to low power wireless audio devices, including wireless microphones, operating in the core TV bands on an unlicensed basis under part 15 of the rules; and long-term solutions to address the operation of wireless microphones and the efficient use of the core TV spectrum.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 09/03/08 | 73 FR 51406 |
| NPRM Comment Period End.  | 10/20/08 |             |
| R&O .....                 | 01/22/10 | 75 FR 3622  |
| FNPRM .....               | 01/22/10 | 75 FR 3682  |
| FNPRM Comment Period End. | 03/22/10 |             |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

*Agency Contact:* G. William Stafford, Attorney, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0563, *Fax:* 202 418–3956, *Email:* bill.stafford@fcc.gov.

*RIN:* 3060–AJ21

**370. Amendment of the Commission's Rules To Improve Public Safety Communications in the 800 MHz Band, and To Consolidate the 800 MHz and 900 MHz Business and Industrial/Land Transportation Pool Channels**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 303; 47 U.S.C. 309; 47 U.S.C. 332

*Abstract:* This action adopts rules that retain the current site-based licensing paradigm for the 900 MHz B/ILT “white space”; adopts interference protection rules applicable to all licensees operating in the 900 MHz B/ILT spectrum; and lifts, on a rolling basis, the freeze placed on applications for new 900 MHz B/ILT licenses in September 2004—the lift being tied to the completion of rebanding in each 800

MHz National Public Safety Planning Advisory Committee (NPSPAC) region.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 03/18/05 | 70 FR 13143 |
| NPRM Comment Period End.  | 06/12/05 | 70 FR 23080 |
| Final Rule .....          | 12/16/08 | 73 FR 67794 |
| Petition for Recon        | 03/12/09 | 74 FR 10739 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Katherine M. Harris, Deputy Chief, Commercial Wireless Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0609, *Fax:* 202 418–7224, *Email:* kharris@fcc.gov.

*RIN:* 3060–AJ22

**371. Amendment of Part 101 To Accommodate 30 MHz Channels in the 6525–6875 MHz Band and Provide Conditional Authorization on Channels in the 21.8–22.0 and 23.0–23.2 GHz Band (WT Docket No. 04–114)**

*Legal Authority:* 47 U.S.C. 151 and 152; 47 U.S.C. 154(i); 47 U.S.C. 157; 47 U.S.C. 160; 47 U.S.C. 201; 47 U.S.C. 214; 47 U.S.C. 301 to 303; 47 U.S.C. 307 to 310; 47 U.S.C. 319; 47 U.S.C. 324; 47 U.S.C. 332 and 333

*Abstract:* The Commission seeks comments on modifying its rules to authorize channels with bandwidths of as much as 30 MHz in the 6525–6875 MHz band. We also propose to allow conditional authorization on additional channels in the 21.8–22.0 and 23.0–23.2 GHz bands.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 06/29/09 | 74 FR 36134 |
| NPRM Comment Period End.  | 07/22/09 |             |
| R&O .....                 | 06/11/10 | 75 FR 41767 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* John Schauble, Deputy Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–0797, *Email:* john.schauble@fcc.gov.

*RIN:* 3060–AJ28

**372. In the Matter of Service Rules for the 698 to 746, 747 to 762, and 777 to 792 MHz Bands**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 303(r); 47 U.S.C. 309

*Abstract:* This is one of several docketed proceedings involved in the establishment of rules governing wireless licenses in the 698–806 MHz Band (the 700 MHz Band). This spectrum is being vacated by television broadcasters in TV Channels 52–69. It is being made available for wireless services, including public safety and commercial services, as a result of the digital television (DTV) transition. This docket has to do with service rules for the commercial services, and is known as the 700 MHz Commercial Services proceeding.

*Timetable:*

| Action                           | Date     | FR Cite     |
|----------------------------------|----------|-------------|
| NPRM .....                       | 08/03/06 | 71 FR 48506 |
| NPRM .....                       | 09/20/06 |             |
| FNPRM .....                      | 05/02/07 | 72 FR 24238 |
| FNPRM Comment Period End.        | 05/23/07 |             |
| R&O .....                        | 07/31/07 | 72 FR 48814 |
| Order on Recon ..                | 09/24/07 | 72 FR 56015 |
| Second FNPRM ..                  | 05/14/08 | 73 FR 29582 |
| Second FNPRM Comment Period End. | 06/20/08 |             |
| Third FNPRM .....                | 09/05/08 | 73 FR 57750 |
| Third FNPRM Comment Period End.  | 11/03/08 |             |
| Second R&O .....                 | 02/20/09 | 74 FR 8868  |
| Final Rule .....                 | 03/04/09 | 74 FR 8868  |
| Order on Recon ..                | 03/01/13 | 78 FR 19424 |
| Next Action Undetermined.        |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Paul D'Ari, Spectrum and Competition Policy Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1550, *Fax:* 202 418–7447, *Email:* paul.dari@fcc.gov.

*RIN:* 3060–AJ35

**373. National Environmental Act Compliance for Proposed Tower Registrations; in the Matter of Effects on Migratory Birds**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 303(q); 47 U.S.C. 303(r); 47 U.S.C. 309(g); 42 U.S.C. 4321 et seq.

*Abstract:* On April 14, 2009, American Bird Conservancy, Defenders of Wildlife, and National Audubon Society filed a Petition for Expedited Rulemaking and Other Relief. The petitioners request that the Commission

adopt on an expedited basis a variety of new rules, which they assert are necessary to comply with environmental statutes and their implementing regulations. This proceeding addresses the Petition for Expedited Rulemaking and Other Relief.

*Timetable:*

| Action                       | Date     | FR Cite     |
|------------------------------|----------|-------------|
| NPRM .....                   | 11/22/06 | 71 FR 67510 |
| NPRM Comment Period End.     | 02/20/07 |             |
| New NPRM Comment Period End. | 05/23/07 |             |
| Order on Remand              | 01/26/12 | 77 FR 3935  |
| Next Action Undetermined.    |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Jeff Steinberg, Deputy Chief, Spectrum and Competition Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0896 *RIN:* 3060-AJ36

### 374. Amendment of Part 90 of the Commission's Rules

*Legal Authority:* 47 U.S.C. 154; 47 U.S.C. 303

*Abstract:* This proceeding considers rule changes impacting miscellaneous part 90 Private Land Mobile Radio rules.

*Timetable:*

| Action                   | Date     | FR Cite     |
|--------------------------|----------|-------------|
| NPRM .....               | 06/13/07 | 72 FR 32582 |
| FNPRM .....              | 04/14/10 | 75 FR 19340 |
| Order on Recon ..        | 05/27/10 | 75 FR 29677 |
| 5th R&O (Release Date).  | 04/18/13 |             |
| Next Action Undetermined | .....    |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Rodney P. Conway, Engineer, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2904, *Fax:* 202 418-1944, *Email:* rodney.conway@fcc.gov. *RIN:* 3060-AJ37

### 375. Amendment of Part 101 of the Commission's Rules For Microwave use and Broadcast Auxiliary Service Flexibility

*Legal Authority:* 47 U.S.C. 151 and 152; 47 U.S.C. 154(i) and 157; 47 U.S.C. 160 and 201; 47 U.S.C. 214; 47 U.S.C. 301 to 303; 47 U.S.C. 307 to 310; 47 U.S.C. 319 and 324; 47 U.S.C. 332 and 333

*Abstract:* In this document, the Commission commences a proceeding to remove regulatory barriers to the use of spectrum for wireless backhaul and other point-to-point and point-to-multipoint communications.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 08/05/10 | 75 FR 52185 |
| NPRM Comment Period End.  | 11/22/10 |             |
| R&O .....                 | 09/27/11 | 76 FR 59559 |
| FNPRM .....               | 09/27/11 | 76 FR 59614 |
| FNPRM Comment Period End. | 10/25/11 |             |
| R&O .....                 | 09/05/12 | 77 FR 54421 |
| FNPRM .....               | 09/05/12 | 77 FR 54511 |
| FNPRM Comment Period End. | 10/22/12 |             |
| Next Action Undetermined  | .....    |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* John Schauble, Deputy Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0797, *Email:* john.schauble@fcc.gov

*RIN:* 3060-AJ47

### 376. 2004 and 2006 Biennial Regulatory Reviews—Streamlining and Other Revisions of the Commission's Rules Governing Construction, Marking, and Lighting of Antenna Structures

*Legal Authority:* 47 U.S.C. 154(i)–(j) and 161; 47 U.S.C. 303(q)

*Abstract:* In this NPRM, in WT Docket No. 10–88, the Commission seeks comment on revisions to part 17 of the Commission's rules governing construction, marking, and lighting of antenna structures. The Commission initiated this proceeding to update and modernize the part 17 rules. These proposed revisions are intended to improve compliance with these rules and allow the Commission to enforce them more effectively, helping to better ensure the safety of pilots and aircraft passengers nationwide. The proposed revisions would also remove outdated and burdensome requirements without compromising the Commission's statutory responsibility to prevent antenna structures from being hazards or menaces to air navigation.

*Timetable:*

| Action                   | Date     | FR Cite     |
|--------------------------|----------|-------------|
| NPRM .....               | 05/21/10 | 75 FR 28517 |
| NPRM Comment Period End. | 07/20/10 |             |

| Action                         | Date     | FR Cite |
|--------------------------------|----------|---------|
| NPRM Reply Comment Period End. | 08/19/10 |         |
| Next Action Undetermined       | .....    |         |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Dan Abeyta, Attorney, Federal Communications Commission, Washington, DC 20554, *Phone:* 202 418-1538, *Email:* dan.abeyta@fcc.gov. *RIN:* 3060-AJ50

### 377. Universal Service Reform Mobility Fund (WT Docket No. 10–208)

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 155; 47 U.S.C. 160; 47 U.S.C. 201; 47 U.S.C. 205; 47 U.S.C. 225; 47 U.S.C. 254; 47 U.S.C. 301; 47 U.S.C. 303; 47 U.S.C. 303(c); 47 U.S.C. 303(f); 47 U.S.C. 303(r); 47 U.S.C. 303(y); 47 U.S.C. 309; 47 U.S.C. 310

*Abstract:* This proceeding proposes the creation of the Mobility Fund to provide an initial infusion of funds toward solving persistent gaps in mobile services through targeted, one-time support for the build-out of current and next-generation wireless infrastructure in areas where these services are unavailable.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 10/14/10 | 75 FR 67060 |
| NPRM Comment Period End.  | 01/18/11 |             |
| R&O .....                 | 11/29/11 | 76 FR 73830 |
| FNPRM .....               | 12/16/11 | 76 FR 78384 |
| R&O .....                 | 12/28/11 | 76 FR 81562 |
| 2nd R&O .....             | 07/03/12 | 77 FR 39435 |
| 4th Order on Recon.       | 08/14/12 | 77 FR 48453 |
| Next Action Undetermined. | .....    |             |

*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact:* Scott Mackoul, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-0660. *RIN:* 3060-AJ58

### 378. Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525–1559 MHz and 1626.5–1660.5 MHz, 1610–1626.5 MHz and 2483.5–2500 MHz, and 2000–2020 MHz and 2180–2200 MHz

*Legal Authority:* 47 U.S.C. 151 and 154; 47 U.S.C. 303 and 310

*Abstract:* The Commission proposes steps to make additional spectrum

available for new investment in mobile broadband networks while ensuring that the United States maintains robust mobile satellite service capabilities. Mobile broadband is emerging as one of America's most dynamic innovation and economic platforms. Yet tremendous demand growth will soon test the limits of spectrum availability. 90 megahertz of spectrum allocated to the Mobile Satellite Service (MSS)—in the 2 GHz band, Big LEO band, and L-band—are potentially available for terrestrial mobile broadband use. The Commission seeks to remove regulatory barriers to terrestrial use, and to promote additional investments, such as those recently made possible by a transaction between Harbinger Capital Partners and SkyTerra Communications, while retaining sufficient market wide MSS capability. The Commission proposes to add co-primary Fixed and Mobile allocations to the 2 GHz band, consistent with the International Table of Allocations. This allocation modification is a precondition for more flexible licensing of terrestrial services within the band. Second, the Commission proposes to apply the Commission's secondary market policies and rules applicable to terrestrial services to all transactions involving the use of MSS bands for terrestrial services in order to create greater predictability and regulatory parity with bands licensed for terrestrial mobile broadband service. The Commission also requests comment on further steps we can take to increase the value, utilization, innovation, and investment in MSS spectrum generally.

#### Timetable:

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 07/15/10 | 75 FR 49871 |
| NPRM Comment Period End.  | 09/30/10 |             |
| R&O .....                 | 04/06/11 | 76 FR 31252 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Jeremy Marcus, Assistant Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, Phone: 202 418-0059, Fax: 202 418-7257, Email: jeremy.marcus@fcc.gov.

RIN: 3060-AJ59

### 379. Improving Spectrum Efficiency Through Flexible Channel Spacing and Bandwidth Utilization for Economic Area-Based 800 MHz Specialized Mobile Radio Licensees (WT Docket Nos. 12-64 AND 11-110)

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154; 47 U.S.C. 301; 47 U.S.C. 302(a); 47 U.S.C. 303; 47 U.S.C. 307; 47 U.S.C. 308

*Abstract:* This proceeding was initiated to allow EA-based 800 MHz SMR Licensees in 813.5-824/858.5-869 MHz to exceed the channel spacing and bandwidth limitation in section 90.209 of the Commission's rules subject to conditions.

#### Timetable:

| Action                                    | Date     | FR Cite     |
|-------------------------------------------|----------|-------------|
| NPRM .....                                | 03/29/12 | 77 FR 18991 |
| NPRM Comment Period End.                  | 04/13/12 |             |
| R&O .....                                 | 05/24/12 | 77 FR 33972 |
| Petition for Recon Public Notice.         | 08/16/12 | 77 FR 53163 |
| Petition for Recon PN Comment Period End. | 09/27/12 |             |
| Next Action Undetermined.                 |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Brian Regan, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, Phone: 202 418-2849, Email: brian.regan@fcc.gov.

RIN: 3060-AJ71

### 380. Service Rules for Advanced Wireless Services in the 2000-2020 MHz and 2180-2200 MHz Bands

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 153; 47 U.S.C. 154(i); 47 U.S.C. 227; 47 U.S.C. 301; 47 U.S.C. 302; 47 U.S.C. 303; 47 U.S.C. 307; 47 U.S.C. 308; 47 U.S.C. 309; 47 U.S.C. 310; 47 U.S.C. 316; 47 U.S.C. 319; 47 U.S.C. 324; 47 U.S.C. 332; 47 U.S.C. 333

*Abstract:* In the Report and Order, the Commission increased the Nation's supply of spectrum for mobile broadband by removing unnecessary barriers to flexible use of spectrum currently assigned to the Mobile Satellite Service (MSS) in the 2 GHz band. This action carries out a recommendation in the National Broadband Plan that the Commission enable the provision of stand-alone terrestrial services in this spectrum. We do so by adopting service, technical, assignment, and licensing rules for this spectrum. These rules are designed to provide for flexible use of this spectrum, to encourage innovation and investment in mobile broadband, and to provide a

stable regulatory environment in which broadband deployment could develop.

#### Timetable:

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM Comment Period End.  | 04/17/12 |             |
| NPRM .....                | 04/17/12 | 77 FR 22720 |
| R&O .....                 | 05/05/13 | 78 FR 8229  |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Jeremy Marcus, Assistant Chief, Broadband Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street SW., Washington, DC 20554, Phone: 202 418-0059, Fax: 202 418-7257, Email: jeremy.marcus@fcc.gov. RIN: 3060-AJ73

### 381. Promoting Interoperability in the 700 MHz Commercial Spectrum; Interoperability of Mobile User Equipment Across Paired Commercial Spectrum Blocks in the 700 MHz Band

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154(i); 47 U.S.C. 154 (j); 47 U.S.C. 301; 47 U.S.C. 302(a); 47 U.S.C. 303(b); 47 U.S.C. 303(e); 47 U.S.C. 303(f); 47 U.S.C. 303(g); 47 U.S.C. 303(r); 47 U.S.C. 304; 47 U.S.C. 307(a); 47 U.S.C. 309(j)(3); 47 U.S.C. 316(a)(1); 47 CFR 1.401 *et seq.*

*Abstract:* The Commission seeks comment on whether the customers of lower 700 MHz B and C block licensees would experience harmful interference—and if so, to what degree—if the lower 700 MHz band were interoperable. The Commission also explores the next steps should it find that interoperability would cause limited or no harmful interference to lower 700 MHz B and C block licensees, or that such interference can reasonably be mitigated through industry efforts and/or through modifications to the Commission's technical rules or other regulatory measures.

#### Timetable:

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 04/02/12 | 77 FR 19575 |
| NPRM Comment Period End.  | 06/01/12 |             |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Brenda Boykin, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, Phone: 202 418-2062, Email: brenda.boykin@fcc.gov.

RIN: 3060-AJ78

**382. • Service Rules for Advanced Wireless Services of the Middle Class Tax Relief and Job Creation Act of 2012 Related to the 1915–1920 MHz and 1995–2000 MHz Bands (WT Docket No. 12–357)**

*Legal Authority:* 47 U.S.C. 301; 47 U.S.C. 302; 47 U.S.C. 303; 47 U.S.C. 307; 47 U.S.C. 308; 47 U.S.C. 309; 47 U.S.C. 310

*Abstract:* The Commission proposes rules for the Advanced Wireless Services (AWS) H Block that would make available ten megahertz of flexible use. The proposal would extend the widely deployed Personal Communications Services (PCS) band, which is used by the four national providers as well as regional and rural providers to offer mobile service across the nation. The additional spectrum for mobile use will help ensure that the speed, capacity, and ubiquity of the nation's wireless networks keeps pace with the skyrocketing demand for mobile services.

Today's action is a first step in implementing the Congressional directive in the Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act) that we grant new initial licenses for the 1915–1920 MHz and 1995–2000 MHz bands (the Lower H Block and Upper H Block, respectively) through a system of competitive bidding—unless doing so would cause harmful interference to commercial mobile service licenses in the 1930–1985 MHz (PCS downlink) band. The potential for harmful interference to the PCS downlink band relates only to the Lower H Block transmissions, and may be addressed by appropriate technical rules, including reduced power limits on H Block devices. We therefore propose to pair and license the Lower H Block and the Upper H Block for flexible use, including mobile broadband, with an aim to assign the licenses through competitive bidding in 2013. In the event that we conclude that the Lower H Block cannot be used without causing harmful interference to PCS, we propose to license the Upper H Block for full power and seek comment on appropriate use for the Lower H Block, including Unlicensed PCS.

*Timetable:*

| Action                    | Date     | FR Cite    |
|---------------------------|----------|------------|
| NPRM .....                | 01/08/13 | 78 FR 1166 |
| NPRM Comment Period End.  | 03/06/13 |            |
| Next Action Undetermined. |          |            |

*Regulatory Flexibility Analysis Required: Yes.*

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RIN: 3060-AJ86

**383. • Amendment of Parts 1, 2, 22, 24, 27, 90 and 95 of the Commission's Rules To Improve Wireless Coverage Through the Use of Signal Boosters (WT Docket No. 10–4)**

*Legal Authority:* 15 U.S.C. 79; 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 155; 47 U.S.C. 157; 47 U.S.C. 225; 47 U.S.C. 227; 47 U.S.C. 303(r)

*Abstract:* This action adopts new technical, operational, and registration requirements for signal boosters, and creates two classes of signal boosters—Consumer and Industrial—with distinct regulatory requirements for each, thereby establishing a two-step transition process for equipment certification for both consumer and industrial signal boosters sold and marketed in the United States.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 05/10/11 | 76 FR 26983 |
| R&O .....                 | 04/11/13 | 78 FR 21555 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

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RIN: 3060-AJ87

**384. • Amendment of the Commission's Rules Governing Certain Aviation Ground Station Equipment (Squitter) (WT Docket Nos. 10–61 AND 09–42)**

*Legal Authority:* 48 Stat 1066, 1082 as amended; 47 U.S.C. 154; 47 U.S.C. 303; 47 U.S.C. 307(e); 47 U.S.C. 151–156; 47 U.S.C. 301; \* \* \*

*Abstract:* This action amends part 87 rules to authorize new ground station technologies to promote safety and allow use of frequency 1090 MHz by aeronautical utility mobile stations for airport surface detection equipment commonly referred to as “squitters,” to help reduce collisions between aircraft and airport ground vehicles.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 04/28/10 | 75 FR 22352 |
| R&O (Release Date).       | 03/01/13 |             |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

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RIN: 3060-AJ88

**385. • Amendment of the Commission's Rules Concerning Commercial Radio Operators (WT Docket No. 10–177)**

*Legal Authority:* 47 U.S.C. 154(i); 47 U.S.C. 303(r); 47 U.S.C. 332(a)2

*Abstract:* This action amends parts 0, 1, 13, 80, and 87 of the Commission's rules concerning commercial radio operator licenses for maritime and aviation radio stations in order to reduce administrative burdens on the telecom industry.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 10/29/10 | 75 FR 66709 |
| R&O .....                 | 04/18/13 | 78 FR 23150 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required: Yes.*

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RIN: 3060-AJ91

**FEDERAL COMMUNICATIONS COMMISSION (FCC)***Wireline Competition Bureau**Long-Term Actions***386. Implementation of the Universal Service Portions of the 1996 Telecommunications Act**

*Legal Authority:* 47 U.S.C. 151 *et seq.*

*Abstract:* The goals of Universal Service, as mandated by the 1996 Act, are to promote the availability of quality services at just, reasonable, and affordable rates; increase access to advanced telecommunications services throughout the Nation; advance the availability of such services to all consumers, including those in low-income, rural, insular, and high-cost

areas at rates that are reasonably comparable to those charged in urban areas. In addition, the 1996 Act states that all providers of telecommunications services should contribute to Federal universal service in some equitable and nondiscriminatory manner; there should be specific, predictable, and sufficient Federal and State mechanisms to preserve and advance universal service; all schools, classrooms, health care providers, and libraries should, generally, have access to advanced telecommunications services; and finally, that the Federal-State Joint Board and the Commission should determine those other principles that, consistent with the 1996 Act, are necessary to protect the public interest. More recently, modernization efforts for continuous improvements to the universal service programs are being realized consistent and in keeping with the goals envisioned by the National Broadband Plan.

On February 19, 2010, the Commission released an Order and Notice of Proposed Rulemaking that enabled schools that receive funding from the E-rate program to allow members of the general public to use the schools' Internet access during nonoperating hours through funding year 2010 (July 1, 2010, through June 30, 2011) and sought comment on revising its rules to make this change permanent.

On March 18, 2010, the Commission issued a Report & Order and Memorandum Opinion & Order. In this order, the Commission addressed an inequitable asymmetry in the Commission's current rules governing the receipt of universal service high-cost local switching support (LSS) by small incumbent local exchange carriers (LECs). By modifying the Commission's rules to permit incumbent LECs that lose lines to receive additional LSS when they cross a threshold, the order provides LSS to all small LECs on the same basis. Nothing in the order is intended to address the long-term role of LSS in the Commission's high-cost on universal service policies, which the Commission is considering as part of comprehensive universal service reform. April 16, 2010, the Commission issued an Order and NPRM addressing high-cost universal service support for nonrural carriers serving insular areas. In the NPRM, the Commission sought comment on amending its rules to provide additional low-income support in Puerto Rico.

On April 21, 2010, the Commission issued a Notice of Inquiry and Notice of Proposed Rulemaking, the first in a series of proceedings to kick off universal service support reform that is

key to making broadband service available for millions of Americans who lack access. This NOI and NPRM sought comment on first steps to reform the distribution of universal service high-cost support.

*Timetable:*

| Action                                                             | Date     | FR Cite     |
|--------------------------------------------------------------------|----------|-------------|
| Recommended Decision Federal-State Joint Board, Universal Service. | 11/08/96 | 61 FR 63778 |
| First R&O .....                                                    | 05/08/97 | 62 FR 32862 |
| Second R&O .....                                                   | 05/08/97 | 62 FR 32862 |
| Order on Recon ..                                                  | 07/10/97 | 62 FR 40742 |
| R&O and Second Order on Recon.                                     | 07/18/97 | 62 FR 41294 |
| Second R&O, and FNPRM.                                             | 08/15/97 | 62 FR 47404 |
| Third R&O .....                                                    | 10/14/97 | 62 FR 56118 |
| Second Order on Recon.                                             | 11/26/97 | 62 FR 65036 |
| Fourth Order on Recon.                                             | 12/30/97 | 62 FR 2093  |
| Fifth Order on Recon.                                              | 06/22/98 | 63 FR 43088 |
| Fifth R&O .....                                                    | 10/28/98 | 63 FR 63993 |
| Eighth Order on Recon.                                             | 11/21/98 |             |
| Second Recommended Decision.                                       | 11/25/98 | 63 FR 67837 |
| Thirteenth Order on Recon.                                         | 06/09/99 | 64 FR 30917 |
| FNPRM .....                                                        | 06/14/99 | 64 FR 31780 |
| FNPRM .....                                                        | 09/30/99 | 64 FR 52738 |
| Fourteenth Order on Recon.                                         | 11/16/99 | 64 FR 62120 |
| Fifteenth Order on Recon.                                          | 11/30/99 | 64 FR 66778 |
| Tenth R&O .....                                                    | 12/01/99 | 64 FR 67372 |
| Ninth R&O and Eighteenth Order on Recon.                           | 12/01/99 | 64 FR 67416 |
| Nineteenth Order on Recon.                                         | 12/30/99 | 64 FR 73427 |
| Twentieth Order on Recon.                                          | 05/08/00 | 65 FR 26513 |
| Public Notice .....                                                | 07/18/00 | 65 FR 44507 |
| Twelfth R&O, MO&O and FNPRM.                                       | 08/04/00 | 65 FR 47883 |
| FNPRM and Order.                                                   | 11/09/00 | 65 FR 67322 |
| FNPRM .....                                                        | 01/26/01 | 66 FR 7867  |
| R&O and Order on Recon.                                            | 03/14/01 | 66 FR 16144 |
| NPRM .....                                                         | 05/08/01 | 66 FR 28718 |
| Order .....                                                        | 05/22/01 | 66 FR 35107 |
| Fourteenth R&O and FNPRM.                                          | 05/23/01 | 66 FR 30080 |
| FNPRM and Order.                                                   | 01/25/02 | 67 FR 7327  |
| NPRM .....                                                         | 02/15/02 | 67 FR 9232  |
| NPRM and Order                                                     | 02/15/02 | 67 FR 10846 |
| FNPRM and R&O                                                      | 02/26/02 | 67 FR 11254 |
| NPRM .....                                                         | 04/19/02 | 67 FR 34653 |
| Order and Second FNPRM.                                            | 12/13/02 | 67 FR 79543 |
| NPRM .....                                                         | 02/25/03 | 68 FR 12020 |
| Public Notice .....                                                | 02/26/03 | 68 FR 10724 |

| Action                                              | Date     | FR Cite     |
|-----------------------------------------------------|----------|-------------|
| Second R&O and FNPRM.                               | 06/20/03 | 68 FR 36961 |
| Twenty-Fifth Order on Recon, R&O, Order, and FNPRM. | 07/16/03 | 68 FR 41996 |
| NPRM .....                                          | 07/17/03 | 68 FR 42333 |
| Order .....                                         | 07/24/03 | 68 FR 47453 |
| Order .....                                         | 08/06/03 | 68 FR 46500 |
| Order and Order on Recon.                           | 08/19/03 | 68 FR 49707 |
| Order on Remand, MO&O, FNPRM.                       | 10/27/03 | 68 FR 69641 |
| R&O, Order on Recon, FNPRM.                         | 11/17/03 | 68 FR 74492 |
| R&O, FNPRM .....                                    | 02/26/04 | 69 FR 13794 |
| R&O, FNPRM .....                                    | 04/29/04 |             |
| NPRM .....                                          | 05/14/04 | 69 FR 3130  |
| NPRM .....                                          | 06/08/04 | 69 FR 40839 |
| Order .....                                         | 06/28/04 | 69 FR 48232 |
| Order on Recon & Fourth R&O.                        | 07/30/04 | 69 FR 55983 |
| Fifth R&O and Order.                                | 08/13/04 | 69 FR 55097 |
| Order .....                                         | 08/26/04 | 69 FR 57289 |
| Second FNPRM ..                                     | 09/16/04 | 69 FR 61334 |
| Order & Order on Recon.                             | 01/10/05 | 70 FR 10057 |
| Sixth R&O .....                                     | 03/14/05 | 70 FR 19321 |
| R&O .....                                           | 03/17/05 | 70 FR 29960 |
| MO&O .....                                          | 03/30/05 | 70 FR 21779 |
| NPRM & FNPRM                                        | 06/14/05 | 70 FR 41658 |
| Order .....                                         | 10/14/05 | 70 FR 65850 |
| Order .....                                         | 10/27/05 |             |
| NPRM .....                                          | 01/11/06 | 71 FR 1721  |
| Report Number 2747.                                 | 01/12/06 | 71 FR 2042  |
| Order .....                                         | 02/08/06 | 71 FR 6485  |
| FNPRM .....                                         | 03/15/06 | 71 FR 13393 |
| R&O and NPRM                                        | 07/10/06 | 71 FR 38781 |
| Order .....                                         | 01/01/06 | 71 FR 6485  |
| Order .....                                         | 05/16/06 | 71 FR 30298 |
| MO&O and FNPRM.                                     | 05/16/06 | 71 FR 29843 |
| R&O .....                                           | 06/27/06 | 71 FR 38781 |
| Public Notice .....                                 | 08/11/06 | 71 FR 50420 |
| Order .....                                         | 09/29/06 | 71 FR 65517 |
| Public Notice .....                                 | 03/12/07 | 72 FR 36706 |
| Public Notice .....                                 | 03/13/07 | 72 FR 40816 |
| Public Notice .....                                 | 03/16/07 | 72 FR 39421 |
| Notice of Inquiry ..                                | 04/16/07 |             |
| NPRM .....                                          | 05/14/07 | 72 FR 28936 |
| Recommended Decision.                               | 11/20/07 |             |
| Order .....                                         | 02/14/08 | 73 FR 8670  |
| NPRM .....                                          | 03/04/08 | 73 FR 11580 |
| NPRM .....                                          | 03/04/08 | 73 FR 11591 |
| R&O .....                                           | 05/05/08 | 73 FR 11837 |
| Public Notice .....                                 | 07/02/08 | 73 FR 37882 |
| NPRM .....                                          | 08/19/08 | 73 FR 48352 |
| Notice of Inquiry ..                                | 10/14/08 | 73 FR 60689 |
| Order on Remand, R&O, FNPRM.                        | 11/12/08 | 73 FR 66821 |
| R&O .....                                           | 05/22/09 | 74 FR 2395  |
| Order & NPRM .....                                  | 03/24/10 | 75 FR 10199 |
| R&O and MO&O                                        | 04/08/10 | 75 FR 17872 |
| NOI and NPRM ..                                     | 05/13/10 | 75 FR 26906 |
| Order and NPRM                                      | 05/28/10 | 75 FR 30024 |
| NPRM .....                                          | 06/09/10 | 75 FR 32699 |
| NPRM .....                                          | 08/09/10 | 75 FR 48236 |
| NPRM .....                                          | 09/21/10 | 75 FR 56494 |

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| R&O .....                 | 12/03/10 | 75 FR 75393 |
| Order .....               | 01/27/11 | 76 FR 4827  |
| NPRM .....                | 03/02/11 | 76 FR 11407 |
| NPRM .....                | 03/02/11 | 76 FR 11632 |
| NPRM .....                | 03/23/11 | 76 FR 16482 |
| Order and NPRM            | 06/27/11 | 76 FR 37307 |
| R&O .....                 | 12/28/11 | 76 FR 81562 |
| Order .....               | 03/09/12 | 77 FR 14297 |
| R&O .....                 | 03/30/12 | 77 FR 19125 |
| Order .....               | 05/23/12 | 77 FR 30411 |
| 3rd Order on Recon.       | 05/24/12 | 77 FR 30904 |
| Public Notice .....       | 05/31/12 | 77 FR 32113 |
| FNPRM .....               | 06/07/12 | 77 FR 33896 |
| Public Notice .....       | 07/26/12 | 77 FR 43773 |
| Order .....               | 08/30/12 | 77 FR 52616 |
| Next Action Undetermined. |          |             |

#### Regulatory Flexibility Analysis

Required: Yes.

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#### 387. 2000 Biennial Regulatory Review—Telecommunications Service Quality Reporting Requirements

*Legal Authority:* 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 201(b); 47 U.S.C. 303(r); 47 U.S.C. 403

*Abstract:* This NPRM proposes to eliminate our current service quality reports (ARMIS Report 43-05 and 43-06) and replace them with a more consumer-oriented report. The NPRM proposes to reduce the reporting categories from more than 30 to 6, and addresses the needs of carriers, consumers, State public utility commissions, and other interested parties.

On February 15, 2005, the Commission adopted an Order that extended the Federal-State Joint Conference on Accounting Issues until March 1, 2007.

#### Timetable:

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 12/04/00 | 65 FR 75657 |
| Order .....               | 02/06/02 | 67 FR 5670  |
| Order .....               | 03/22/05 | 70 FR 14466 |
| Next Action Undetermined. |          |             |

#### Regulatory Flexibility Analysis

Required: Yes.

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RIN: 3060-AH72

#### 388. Access Charge Reform and Universal Service Reform

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 201 to 205; 47 U.S.C. 254; 47 U.S.C. 403  
*Abstract:* On October 11, 2001, the Commission adopted an Order reforming the interstate access charge and universal service support system for rate-of-return incumbent carriers. The Order adopts three principal reforms. First, the Order modifies the interstate access rate structure for small carriers to align it more closely with the manner in which costs are incurred. Second, the Order removes implicit support for universal service from the rate structure and replaces it with explicit, portable support. Third, the Order permits small carriers to continue to set rates based on the authorized rate of return of 11.25 percent. The Order became effective on January 1, 2002, and the support mechanism established by the Order was implemented beginning July 1, 2002.

The Commission also adopted a Further Notice of Proposed Rulemaking (FNPRM) seeking additional comment on proposals for incentive regulation, increased pricing flexibility for rate-of-return carriers, and proposed changes to the Commission's "all-or-nothing" rule. Comments on the FNPRM were due on February 14, 2002, and reply comments on March 18, 2002.

On February 12, 2004, the Commission adopted a Second Report and Order resolving several issues on which the Commission sought comment in the FNPRM. First, the Commission modified the "all-or-nothing" rule to permit rate-of-return carriers to bring recently acquired price cap lines back to rate-of-return regulation. Second, the Commission granted rate-of-return carriers the authority immediately to provide geographically deaveraged transport and special access rates, subject to certain limitations. Third, the Commission merged Long Term Support (LTS) with Interstate Common Line Support (ICLS).

The Commission also adopted a Second FNPRM seeking comment on two specific plans that propose establishing optional alternative regulation mechanisms for rate-of-return carriers. In conjunction with the consideration of those alternative regulation proposals, the Commission sought comment on modification that would permit a rate-of-return carrier to adopt an alternative regulation plan for some study areas, while retaining rate-of-return regulation for other of its study areas. Comments on the Second FNPRM

were due on April 23, 2004, and May 10, 2004.

#### Timetable:

| Action                           | Date     | FR Cite     |
|----------------------------------|----------|-------------|
| NPRM .....                       | 01/25/01 | 66 FR 7725  |
| NPRM Comment Period End.         | 02/26/01 |             |
| FNPRM .....                      | 11/30/01 | 66 FR 59761 |
| FNPRM Comment Period End.        | 12/31/01 |             |
| R&O .....                        | 11/30/01 | 66 FR 59719 |
| Second FNPRM ..                  | 03/23/04 | 69 FR 13794 |
| Second FNPRM Comment Period End. | 04/23/04 |             |
| Order .....                      | 05/06/04 | 69 FR 25325 |
| Next Action Undetermined.        |          |             |

#### Regulatory Flexibility Analysis

Required: Yes.

*Agency Contact:* Douglas Slotten, Attorney-Advisor, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-1572, *Email:* [douglas.slotten@fcc.gov](mailto:douglas.slotten@fcc.gov), *RIN:* 3060-AH74

#### 389. National Exchange Carrier Association Petition

*Legal Authority:* 47 U.S.C. 151 and 152; 47 U.S.C. 201 and 202; . . .

*Abstract:* In a Notice of Proposed Rulemaking (NPRM) released on July 19, 2004, the Commission initiated a rulemaking proceeding to examine the proper number of end user common line charges (commonly referred to as subscriber line charges or SLCs) that carriers may assess upon customers that obtain derived channel T-1 service where the customer provides the terminating channelization equipment and upon customers that obtain Primary Rate Interface (PRI) Integrated Service Digital Network (ISDN) service.

#### Timetable:

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 08/13/04 | 69 FR 50141 |
| NPRM Comment Period End.  | 11/12/04 |             |
| Next Action Undetermined. |          |             |

#### Regulatory Flexibility Analysis

Required: Yes.

*Agency Contact:* Douglas Slotten, Attorney-Advisor, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-1572, *Email:* [douglas.slotten@fcc.gov](mailto:douglas.slotten@fcc.gov), *RIN:* 3060-A147

**390. IP-Enabled Services**

*Legal Authority:* 47 U.S.C. 151 and 152; \* \* \*

*Abstract:* The notice seeks comment on ways in which the Commission might categorize or regulate IP-enabled services. It poses questions regarding the proper allocation of jurisdiction over each category of IP-enabled service. The notice then requests comment on whether the services comprising each category constitute “telecommunications services” or “information services” under the definitions set forth in the Act. Finally, noting the Commission’s statutory forbearance authority and title I ancillary jurisdiction, the notice describes a number of central regulatory requirements (including, for example, those relating to access charges, universal service, E911, and disability accessibility), and asks which, if any, should apply to each category of IP-enabled services.

*Timetable:*

| Action                             | Date     | FR Cite     |
|------------------------------------|----------|-------------|
| NPRM .....                         | 03/29/04 | 69 FR 16193 |
| NPRM Comment Period End.           | 07/14/04 |             |
| First R&O .....                    | 06/03/05 | 70 FR 37273 |
| Public Notice .....                | 06/16/05 | 70 FR 37403 |
| First R&O Effective.               | 07/29/05 | 70 FR 43323 |
| Public Notice .....                | 08/31/05 | 70 FR 51815 |
| R&O .....                          | 07/10/06 | 71 FR 38781 |
| R&O and FNPRM                      | 06/08/07 | 72 FR 31948 |
| FNPRM Comment Period End.          | 07/09/07 | 72 FR 31782 |
| R&O .....                          | 08/06/07 | 72 FR 43546 |
| Public Notice .....                | 08/07/07 | 72 FR 44136 |
| R&O .....                          | 08/16/07 | 72 FR 45908 |
| Public Notice .....                | 11/01/07 | 72 FR 61813 |
| Public Notice .....                | 11/01/07 | 72 FR 61882 |
| Public Notice .....                | 12/13/07 | 72 FR 70808 |
| Public Notice .....                | 12/20/07 | 72 FR 72358 |
| R&O .....                          | 02/21/08 | 73 FR 9463  |
| NPRM .....                         | 02/21/08 | 73 FR 9507  |
| Order .....                        | 05/15/08 | 73 FR 28057 |
| Order .....                        | 07/29/09 | 74 FR 37624 |
| R&O .....                          | 08/07/09 | 74 FR 39551 |
| Public Notice .....                | 10/14/09 | 74 FR 52808 |
| Announcement of Effective Date.    | 03/19/10 | 75 FR 13235 |
| Public Notice .....                | 05/20/10 | 75 FR 28249 |
| Public Notice .....                | 06/11/10 | 75 FR 33303 |
| NPRM, Order, & NOI (Release Date). | 04/13/13 |             |
| Next Action Undetermined.          |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

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*Phone:* 202 418–0942, *Email:*

*tim.stelzig@fcc.gov.*

*RIN:* 3060–A148

**391. Establishing Just and Reasonable Rates for Local Exchange Carriers (WC Docket No. 07–135)**

*Legal Authority:* Not Yet Determined

*Abstract:* The Federal Communications Commission (Commission) is examining whether its existing rules governing the setting of tariff rates by local exchange carriers (LECs) provide incentives and opportunities for carriers to increase access demand endogenously with the result that the tariff rates are no longer just and reasonable. The Commission tentatively concluded that it must revise its tariff rules so that it can be confident that tariffed rates remain just and reasonable even if a carrier experiences or induces significant increases in access demand. The Commission sought comment on the types of activities that are caused increases in interstate access demand and the effects of such demand increases on the cost structures of LECs. The Commission also sought comment on several means of ensuring just and reasonable rates going forward. The NPRM invited comment on potential traffic stimulation by rate-of-return LECs, price cap LECs, and competitive LECs, as well as other forms of intercarrier traffic stimulation. Comments were received on December 17, 2007, and reply comments were received on January 16, 2008.

On February 8, 2011, the Commission adopted a Further Notice of Proposed Rulemaking seeking comment on proposed rule revisions to address access stimulation. The Commission sought comment on a proposal to require rate-of-return LECs and competitive LECs to file revised tariffs if they enter into or have existing revenue sharing agreements. The proposed tariff filing requirements vary depending on the type of LEC involved. The Commission also sought comment on other record proposals and on possible rules for addressing access stimulation in the context of intra-MTA call terminations by CMRS providers. Comments were filed on April 1, 2011, and reply comments were filed on April 18, 2011.

In the USF/ICC Transformation Order, we defined access stimulation. The access stimulation definition we adopted has two conditions: (1) A revenue sharing condition; and (2) an additional traffic volume condition, which is met where the LEC either: (a) has a three-to-one interstate terminating-to-originating traffic ratio in a calendar month; or (b) has had more than a 100

percent growth in interstate originating and/or terminating switched access minutes of use in a month compared to the same month in the preceding year. If both conditions are satisfied, the LEC generally must file revised tariffs to account for its increased traffic.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 11/15/07 | 72 FR 64179 |
| NPRM Comment Period End.  | 12/17/07 |             |
| FNPRM .....               | 03/02/11 | 76 FR 11632 |
| R&O and FNPRM             | 12/08/11 | 76 FR 76623 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis*

*Required:* Yes.

*Agency Contact:* Douglas Slotten, Attorney-Advisor, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1572, *Email:* *douglas.slotten@fcc.gov.*

*RIN:* 3060–AJ02

**392. Jurisdictional Separations**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i) and 154(j); 47 U.S.C. 205; 47 U.S.C. 221(c); 47 U.S.C. 254; 47 U.S.C. 403; 47 U.S.C. 410

*Abstract:* Jurisdictional separations is the process, pursuant to part 36 of the Commission’s rules, by which incumbent local exchange carriers apportion regulated costs between the intrastate and interstate jurisdictions. In 1997, the Commission initiated a proceeding seeking comment on the extent to which legislative changes, technological changes, and market changes warrant comprehensive reform of the separations process. In 2001, the Commission adopted the Federal-State Joint Board on Jurisdictional Separations’ recommendation to impose an interim freeze on the part 36 category relationships and jurisdictional cost allocation factors for a period of 5 years, pending comprehensive reform of the part 36 separations rules. In 2006, the Commission adopted an Order and Further Notice of Proposed Rulemaking, which extended the separations freeze for a period of 3 years and sought comment on comprehensive reform. In 2009, the Commission adopted a Report and Order extending the separations freeze an additional year to June 2010. In 2010, the Commission adopted a Report and Order extending the separations freeze for an additional year to June 2011. In 2011, the Commission adopted a Report and Order extending the separations freeze for an additional year to June 2012. In 2012, the

Commission adopted a Report and Order extending the separations freeze for an additional 2 years to June 2014.  
*Timetable:*

| Action                              | Date     | FR Cite     |
|-------------------------------------|----------|-------------|
| NPRM .....                          | 11/05/97 | 62 FR 59842 |
| NPRM Comment Period End.            | 12/10/97 |             |
| Order .....                         | 06/21/01 | 66 FR 33202 |
| Order and FNPRM.                    | 05/26/06 | 71 FR 29882 |
| Order and FNPRM Comment Period End. | 08/22/06 |             |
| Report and Order                    | 05/15/09 | 74 FR 23955 |
| R&O .....                           | 05/25/10 | 75 FR 30301 |
| R&O .....                           | 05/27/11 | 76 FR 30840 |
| Report and Order                    | 05/23/12 | 77 FR 30410 |
| Next Action Undetermined.           |          |             |

#### *Regulatory Flexibility Analysis*

*Required:* Yes.

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*RIN:* 3060-AJ06

#### **393. Service Quality, Customer Satisfaction, Infrastructure and Operating Data Gathering (WC Docket Nos. 08-190, 07-139, 07-204, 07-273, 07-21)**

*Legal Authority:* 47 U.S.C. 151 to 155; 47 U.S.C. 160 and 161; 47 U.S.C. 20 to 205; 47 U.S.C. 215; 47 U.S.C. 218 to 220; 47 U.S.C. 251 to 271; 47 U.S.C. 303(r) and 332; 47 U.S.C. 403; 47 U.S.C. 502 and 503

*Abstract:* This NPRM tentatively proposes to collect infrastructure and operating data that is tailored in scope to be consistent with Commission objectives from all facilities-based providers of broadband and telecommunications. Similarly, the NPRM also tentatively proposes to collect data concerning service quality and customer satisfaction from all facilities-based providers of broadband and telecommunications. The NPRM seeks comment on the proposals, on the specific information to be collected, and on the mechanisms for collecting information.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 10/15/08 | 73 FR 60997 |
| NPRM Comment Period End.  | 11/14/08 |             |
| Reply Comment Period End. | 12/15/08 |             |
| NPRM .....                | 02/28/11 | 76 FR 12308 |
| NPRM Comment Period End.  | 03/30/11 |             |

| Action                    | Date     | FR Cite |
|---------------------------|----------|---------|
| Reply Comment Period End. | 04/14/11 |         |
| Next Action Undetermined. | .....    |         |

#### *Regulatory Flexibility Analysis* *Required:* Yes.

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*RIN:* 3060-AJ14

#### **394. Form 477; Development of Nationwide Broadband Data to Evaluate Reasonable and Timely Deployment of Advanced Services to All Americans**

*Legal Authority:* 15 U.S.C. 251; 47 U.S.C. 252; 47 U.S.C. 257; 47 U.S.C. 271; 47 U.S.C. 1302; 47 U.S.C. 160(b); 47 U.S.C. 161(a)(2)

*Abstract:* The NPRM seeks comment on streamlining and reforming the Commission's Form 477 Data Program, which is the Commission's primary tool to collect data on broadband and telephone services.

*Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 05/16/07 | 72 FR 27519 |
| Order .....               | 07/02/08 | 73 FR 37861 |
| Order .....               | 10/15/08 | 73 FR 60997 |
| NPRM .....                | 02/08/11 | 76 FR 10827 |
| Next Action Undetermined. | .....    |             |

#### *Regulatory Flexibility Analysis* *Required:* Yes.

*Agency Contact:* Carol Simpson, Deputy Chief, Policy Division, Federal Communications Commission, Public Safety and Homeland Security Bureau, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2391, *Fax:* 202 418-2816, *Email:* carol.simpson@fcc.gov.  
*RIN:* 3060-AJ15

#### **395. Preserving the Open Internet; Broadband Industry Practices**

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 152; 47 U.S.C. 154 (i)-(j); 47 U.S.C. 201(b)

*Abstract:* In 2009, the FCC launched a public process to determine whether and what actions might be necessary to preserve the characteristics that have allowed the Internet to grow into an indispensable platform supporting our Nation's economy and civic life. After receiving input from more than 100,000 individuals and organizations and

several public workshops, this process has made clear that the Internet has thrived because of its freedom and openness—the absence of any gatekeeper blocking lawful uses of the network or picking winners and losers online. The Open Internet Order builds on the bipartisan Internet Policy Statement the Commission adopted in 2005. The Order requires that all broadband providers are required to be transparent by disclosing their network management practices, performance, and commercial terms; fixed providers may not block lawful content, applications, services, or non-harmful devices; fixed providers may not unreasonably discriminate in transmitting lawful network traffic; mobile providers may not block access to lawful Web sites, or applications that compete with their voice or video telephony services; and all providers may engage in “reasonable network management,” such as managing the network to address congestion or security issues. The rules do not prevent broadband providers from offering specialized services, such as facilities-based VoIP; do not prevent providers from blocking unlawful content or unlawful transfers of content; and do not supersede any obligation or authorization a provider may have to address the needs of emergency communications or law enforcement, public safety, or national security authorities.

*Timetable:*

| Action                            | Date     | FR Cite     |
|-----------------------------------|----------|-------------|
| NPRM .....                        | 11/30/09 | 74 FR 62638 |
| NPRM Comment Period End.          | 04/26/10 |             |
| Public Notice .....               | 09/10/10 | 75 FR 55297 |
| Comment Period End.               | 11/04/10 |             |
| Order .....                       | 09/23/11 | 76 FR 59192 |
| OMB Approval Notice.              | 09/21/11 | 76 FR 58512 |
| Rules Effective ....              | 11/20/11 |             |
| Public Notice Petition for Recon. | 11/14/11 | 76 FR 74721 |
| Comment Period End.               | 12/27/11 |             |
| Next Action Undetermined.         |          |             |

#### *Regulatory Flexibility Analysis* *Required:* Yes.

*Agency Contact:* R. Matthew Warner, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418-2419, *Email:* matthew.warner@fcc.gov.

*RIN:* 3060-AJ30

### 396. Local Number Portability Porting Interval and Validation Requirements (WC Docket No. 07–244)

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 251; 47 U.S.C. 303(r)

*Abstract:* In 2007, the Commission released a Notice of Proposed Rulemaking in WC Docket No. 07–244. The Notice sought comment on whether the Commission should adopt rules specifying the length of the porting intervals or other details of the porting process. It also tentatively concluded that the Commission should adopt rules reducing the porting interval for wireline-to-wireline and intermodal simple port requests, specifically, to a 48-hour porting interval.

In the Local Number Portability Porting Interval and Validation Requirements First Report and Order and Further Notice of Proposed Rulemaking, released on May 13, 2009, the Commission reduced the porting interval for simple wireline and simple intermodal port requests, requiring all entities subject to its local number portability (LNP) rules to complete simple wireline-to-wireline and simple intermodal port requests within one business day. In a related Further Notice of Proposed Rulemaking (FNPRM), the Commission sought comment on what further steps, if any, the Commission should take to improve the process of changing providers.

In the LNP Standard Fields Order, released on May 20, 2010, the Commission adopted standardized data fields for simple wireline and intermodal ports. The Order also adopts the NANC's recommendations for porting process provisioning flows and for counting a business day in the context of number porting.

#### *Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 02/21/08 | 73 FR 9507  |
| R&O and FNPRM .....       | 07/02/09 | 74 FR 31630 |
| R&O .....                 | 06/22/10 | 75 FR 35305 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

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418–7958, *Fax:* 202 418–1413, *Email:* melissa.kinkel@fcc.gov.  
*RIN:* 3060–AJ32

### 397. Electronic Tariff Filing System (WC Docket No. 10–141)

*Legal Authority:* 47 U.S.C. 151 and 154; 47 U.S.C. 201 to 205; 47 U.S.C. 218 and 222; 47 U.S.C. 225 to 226; 47 U.S.C. 228 and 254; 47 U.S.C. 403

*Abstract:* Section 402(b)(1)(A)(iii) of the Telecommunications Act of 1996 added section 204(a)(3) to the Communications Act of 1934, as amended, providing for streamlined tariff filings by local exchange carriers. On September 6, 1996, in an effort to meet the goals of the 1996 Act, the Commission released the Tariff Streamlining NPRM, proposing measures to implement the tariff streamlining requirements of section 204(a)(3). Among other suggestions, the Commission proposed requiring LECs to file tariffs electronically.

The Commission began implementing the electronic filing of tariffs on January 31, 1997, when it released the Streamlined Tariff Order. On November 17, 1997, the Bureau made this electronic system, known as the Electronic Tariff Filing System (ETFS), available for voluntary filing by incumbent LECs. The Bureau also announced that the use of ETFS would become mandatory for all incumbent LECs in 1998.

On May 28, 1998, in the ETFS Order, the Bureau established July 1, 1998, as the date after which incumbent LECs would be required to use ETFS to file tariffs and associated documents. The Commission deferred consideration of establishing mandatory electronic filing for non-incumbent LECs until the conclusion of a proceeding considering the mandatory detariffing of interstate long distance services.

On June 9, 2011, the Commission adopted rule revisions to require all tariff filiers to file tariffs using ETFS. Carriers were given a 60-day window in order to make their initial filings on ETFS. On October 13, 2011, the Commission announced that all tariff filiers should file their initial Base Document and/or Informational Tariff using the ETFS between November 17, 2011 and January 17, 2012. After January 17, 2012, all carriers would be required to use ETFS on a going-forward basis to file their tariff documents.

#### *Timetable:*

| Action                                     | Date     | FR Cite     |
|--------------------------------------------|----------|-------------|
| NPRM .....                                 | 08/11/10 | 75 FR 48629 |
| NPRM Comment Period End.                   | 09/10/10 |             |
| NPRM Reply Comment Period End.             | 09/27/10 |             |
| Report and Order Next Action Undetermined. | 07/20/11 | 76 FR 43206 |

*Regulatory Flexibility Analysis Required:* Yes.

*Agency Contact:* Pamela Arluk, Attorney Advisor, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, *Phone:* 202 418–1540, *Email:* pamela.arluk@fcc.gov.

*RIN:* 3060–AJ41

### 398. Implementation of Section 224 of the Act; A National Broadband Plan for Our Future (WC Docket No. 07–245, GN Docket No. 09–51)

*Legal Authority:* 47 U.S.C. 151; 47 U.S.C. 154(i); 47 U.S.C. 154(j); 47 U.S.C. 224

*Abstract:* In 2010, the Commission released an Order and Further Notice of Proposed Rulemaking that implemented certain pole attachment recommendations of the National Broadband Plan and sought comment with regard to others. On April 7, 2011, the Commission adopted a Report and Order and Order on Reconsideration that sets forth a comprehensive regulatory scheme for access to poles, and modifies existing rules for pole attachment rates and enforcement.

#### *Timetable:*

| Action                    | Date     | FR Cite     |
|---------------------------|----------|-------------|
| NPRM .....                | 02/06/08 | 73 FR 6879  |
| FNPRM .....               | 07/15/10 | 75 FR 41338 |
| Declaratory Ruling        | 08/03/10 | 75 FR 45494 |
| R&O .....                 | 05/09/11 | 76 FR 26620 |
| Next Action Undetermined. |          |             |

*Regulatory Flexibility Analysis Required:* Yes.

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*RIN:* 3060–AJ64

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