

from participating in any activities associated with or related to the schools and libraries fund mechanism, including the receipt of funds or discounted services through the schools and libraries fund mechanism, or consulting with, assisting, or advising applicants or service providers regarding the schools and libraries support mechanism.<sup>19</sup> Your suspension becomes effective upon the earlier of your receipt of this letter or publication of notice in the **Federal Register**.<sup>20</sup>

Suspension is immediate pending the Bureau's final debarment determination. In accordance with the Commission's debarment rules, you may contest this suspension or the scope of this suspension by filing arguments in opposition to the suspension, with any relevant documentation. Your request must be received within 30 days after you receive this letter or after notice is published in the **Federal Register**, whichever comes first.<sup>21</sup> Such requests, however, will not ordinarily be granted.<sup>22</sup> The Bureau may reverse or limit the scope of suspension only upon a finding of extraordinary circumstances.<sup>23</sup> Absent extraordinary circumstances, the Bureau will decide any request for reversal or modification of suspension within 90 days of its receipt of such request.<sup>24</sup>

## II. Initiation of Debarment Proceedings

Your guilty plea to criminal conduct in connection with the E-Rate program, in addition to serving as a basis for immediate suspension from the program, also serves as a basis for the initiation of debarment proceedings against you. Your conviction falls within the categories of causes for debarment defined in section 54.8(c) of the Commission's rules.<sup>25</sup> Therefore, pursuant to section 54.8(a)(4) of the Commission's rules, your conviction

requires the Bureau to commence debarment proceedings against you.

As with your suspension, you may contest debarment or the scope of the proposed debarment by filing arguments and any relevant documentation within 30 calendar days of the earlier of the receipt of this letter or of publication in the **Federal Register**.<sup>26</sup> Absent extraordinary circumstances, the Bureau will debar you.<sup>27</sup> Within 90 days of receipt of any opposition to your suspension and proposed debarment, the Bureau, in the absence of extraordinary circumstances, will provide you with notice of its decision to debar.<sup>28</sup> If the Bureau decides to debar you, its decision will become effective upon the earlier of your receipt of a debarment notice or publication of the decision in the **Federal Register**.<sup>29</sup>

If and when your debarment becomes effective, you will be prohibited from participating in activities associated with or related to the schools and libraries support mechanism for three years from the date of debarment.<sup>30</sup> The Bureau may, if necessary to protect the public interest, extend the debarment period.<sup>31</sup>

Please direct any response, if by messenger or hand delivery, to Marlene H. Dortch, Secretary, Federal Communications Commission, 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002, to the attention of Rebekah Bina, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, with a copy to Vickie Robinson, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Room 4-C330, Federal Communications Commission. If sent by commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail), the response should be sent to the Federal Communications Commission, 9300 East Hampton Drive, Capitol Heights, Maryland 20743. If sent by first-class, Express, or Priority mail, the response should be sent to Rebekah Bina, Attorney Advisor, Investigations and Hearings Division, Enforcement Bureau, Federal Communications

Commission, 445 12th Street, SW., Room 4-C330, Washington, DC, 20554, with a copy to Vickie Robinson, Assistant Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, 445 12th Street, SW., Room 4-C330, Washington, DC 20554. You shall also transmit a copy of the response via e-mail to [Rebekah.Bina@fcc.gov](mailto:Rebekah.Bina@fcc.gov) and to [Vickie.Robinson@fcc.gov](mailto:Vickie.Robinson@fcc.gov).

If you have any questions, please contact Ms. Bina via mail, by telephone at (202) 418-7931 or by e-mail at [Rebekah.Bina@fcc.gov](mailto:Rebekah.Bina@fcc.gov). If Ms. Bina is unavailable, you may contact Ms. Vickie Robinson, Assistant Chief, Investigations and Hearings Division, by telephone at (202) 418-1420 and by e-mail at [Vickie.Robinson@fcc.gov](mailto:Vickie.Robinson@fcc.gov).

Sincerely yours,

Hillary S. DeNigro,

Chief, Investigations and Hearings Division, Enforcement Bureau.

cc: Beth Drake, Assistant United States Attorney (via e-mail).

Kristy Carroll, Esq., Universal Service Administrative Company (via e-mail).

[FR Doc. E9-12820 Filed 6-1-09; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Agency Information Collection Activities: Submission for OMB Review; Comment Request (3064-0151)

**AGENCY:** Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Notice of information collection to be submitted to OMB for review and approval under the Paperwork Reduction Act.

**SUMMARY:** The FDIC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35). On March 27, 2009, the FDIC solicited public comment for a 60-day period on renewal of the following existing collection of information: Notice Regarding Assessment Credits, OMB Control No. 3064-0151. No comments were received. Therefore, the FDIC hereby gives notice of its submission of the information collection to OMB for review.

**DATES:** Comments must be submitted on or before July 2, 2009.

<sup>19</sup> 47 CFR 54.8(a)(1)(d).

<sup>20</sup> *Second Report and Order*, 18 FCC Rcd at 9226, ¶ 69; 47 CFR 54.8(e)(1).

<sup>21</sup> 47 CFR 54.8(e)(4).

<sup>22</sup> *Id.*

<sup>23</sup> 47 CFR 54.8(e)(5).

<sup>24</sup> See *Second Report and Order*, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.8(e)(5), (f).

<sup>25</sup> "Causes for suspension and debarment are the conviction of or civil judgment for attempt or commission of criminal fraud, theft, embezzlement, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice and other fraud or criminal offense arising out of activities associated with or related to the schools and libraries support mechanism." 47 CFR 54.8(c). Such activities "include the receipt of funds or discounted services through [the Federal universal service] support mechanisms, or consulting with, assisting, or advising applicants or service providers regarding [the Federal universal service] support mechanism." 47 CFR 54.8(a)(1).

<sup>26</sup> See *Second Report and Order*, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.8(e)(3).

<sup>27</sup> *Second Report and Order*, 18 FCC Rcd at 9227, ¶ 74.

<sup>28</sup> See *id.*, 18 FCC Rcd at 9226, ¶ 70; 47 CFR 54.8(e)(5).

<sup>29</sup> 47 CFR 54.8(e)(5). The Commission may reverse a debarment, or may limit the scope or period of debarment upon a finding of extraordinary circumstances, following the filing of a petition by you or an interested party or upon motion by the Commission. 47 CFR 54.8(f).

<sup>30</sup> *Second Report and Order*, 18 FCC Rcd at 9225, ¶ 67; 47 CFR 54.8(d), (g).

<sup>31</sup> 47 CFR 54.8(g).

**ADDRESSES:** Interested parties are invited to submit written comments by any of the following methods. All comments should refer to the name and number of the collection:

- <http://www.FDIC.gov/regulations/laws/federal/notices.html>.

- E-mail: [comments@fdic.gov](mailto:comments@fdic.gov).

Include the name and number of the collection in the subject line of the message.

- Mail: Leneta G. Gregorie (202.898.3719), Counsel, Federal Deposit Insurance Corporation, F-1064, 550 17th Street, NW., Washington, DC 20429.

- Hand Delivery: Comments may be hand-delivered to the guard station at the rear of the 550 17th Street Building (located on F Street), on business days between 7 a.m. and 5 p.m.

A copy of the comments may also be submitted to the OMB Desk Officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Leneta G. Gregorie, at the address identified above.

#### **SUPPLEMENTARY INFORMATION:**

#### **Proposal To Renew the Following Currently Approved Collection of Information**

*Title:* Notice Regarding Assessment Credits.

*OMB Number:* 3064-0151.

*Frequency of Response:* On occasion.

*Affected Public:* FDIC-insured institutions.

*Estimated Number of Respondents:* 15.

*Estimated Time per Response:* 2 hours.

*Total Annual Burden:* 30 hours.

*General Description of Collection:* FDIC-insured institutions must notify the FDIC if deposit insurance assessment credits are transferred, e.g., through a sale of the credits or through a merger, in order to obtain recognition of the transfer.

#### *Request for Comment*

Comments are invited on: (a) Whether this collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimate of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the

burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology. All comments will become a matter of public record.

Dated at Washington, DC, this 27th day of May, 2009.

Federal Deposit Insurance Corporation.

**Robert E. Feldman,**

*Executive Secretary.*

[FR Doc. E9-12692 Filed 6-1-09; 8:45 am]

**BILLING CODE 6714-01-P**

#### **FEDERAL RESERVE SYSTEM**

#### **Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies**

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than June 17, 2009.

**A. Federal Reserve Bank of Atlanta** (Steve Foley, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30309:

1. *H. J. Merritt and Ruth D. Merritt*, both of Colquitt, Georgia; to retain voting shares of PeoplesSouth BancShares, Inc., and thereby indirectly retain voting shares of PeoplesSouth Bank, both of Colquitt, Georgia.

Board of Governors of the Federal Reserve System, May 28, 2009.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E9-12761 Filed 6-1-09; 8:45 am]

**BILLING CODE 6210-01-S**

#### **FEDERAL RESERVE SYSTEM**

#### **Formations of, Acquisitions by, and Mergers of Bank Holding Companies**

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part

225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 26, 2009.

**A. Federal Reserve Bank of Dallas** (E. Ann Worthy, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *BankCap Partners Fund I, L.P.; BankCap Partners GP, LP; BankCap Equity Fund, LLC; and BCP Fund I Virginia Holdings, LLC*, all of Dallas, Texas; to acquire 100 percent of the voting shares of First Bankshares, Inc., and thereby indirectly acquire voting shares of SuffolkFirst Bank, both of Suffolk, Virginia.

In connection with this application, BCP Fund I Virginia Holdings, LLC, Dallas, Texas, has applied to become a bank holding company by acquiring 100 percent of the voting shares of First Bankshares, Inc., and thereby indirectly acquire voting shares of SuffolkFirst Bank, both of Suffolk, Virginia.

2. *Paint Rock Bancshares, Inc.*, Paint Rock, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of First State Bank, Paint Rock, Texas.

Board of Governors of the Federal Reserve System, May 28, 2009.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E9-12760 Filed 6-1-09; 8:45 am]

**BILLING CODE 6210-01-S**