

including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before July 22, 2002. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Judith Boley Herman or Leslie Smith, Federal Communications Commission, Room 1-C804 or Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to jboley@fcc.gov or lesmith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Judith Boley Herman at 202-418-0214 or via the Internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION: OMB Control No.: 3060-0214.

Title: Section 73.3526, Local Public Inspection File of Commercial Stations. Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents: 10,780 commercial radio licensee recordkeepers; 1,310 commercial TV licensee recordkeepers; 1,310 commercial TV stations making must-carry/retransmission consent elections.

Estimated Time Per Response: 104 ours per year for radio recordkeeping; 130 hours per year for TV recordkeeping; 5 hours per election statement per TV station.

Frequency of Response: Recordkeeping requirement and third party disclosure requirement.

Total Annual Burden: 1,356,920 hours.

Total Annual Cost: N/A.

Needs and Uses: Section 73.3526 requires that each licensee/permittee of a commercial broadcast station maintain a file for public inspection. The contents of the file vary according to type of service and status. The contents include, but are not limited to, copies of certain applications tendered for filing, a statement concerning petitions to deny filed against such applications, copies of ownership reports and annual employment reports, statements certifying compliance with filing announcements in connection with renewal applications, letters received from members of the public, etc. The data are used by the public and FCC to evaluate information about the broadcast licensee's performance, to

ensure that broadcast stations are addressing issues concerning the community to which it is licensed to serve and to ensure that radio stations entering into time brokerage agreements comply with Commission policies pertaining to licensee control and to the Communications Act and the antitrust laws. Broadcasters are required to send each cable operator in the station's market a copy of the election statement applicable to that particular cable operator. Placing these retransmission consent/must-carry elections in the public file provide public access to documentation of station's elections which are used by cable operators in negotiations with television stations and by the public to ascertain why some stations are/are not carried by the cable systems.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

[FR Doc. 02-12668 Filed 5-20-02; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collections Approved by Office of Management and Budget

May 16, 2002.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid control number. For further information contact Marie Moyd, Federal Communications Commission, (202) 418-2111.

Federal Communications Commission

OMB Control No.: 3060-0422.

Expiration Date: 10/31/2004.

Title: Section 68.5, Waivers (Application for Waiver of Hearing Aid Compatibility Requirements).

Form No.: N/A.

Respondents: Business or other for-profit.

Estimated Annual Burden: 30 respondents; 3 per response (avg.); 30 total annual burden hours (for all collections under this control number).

Estimated Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion.

Description: Section 710(b) of the Communications Act of 1934, as

amended, requires that almost all telephones manufactured in or imported into this country after August 16, 1989 be hearing aid compatible. Refurbished, repaired or resold telephones, telephones used with public and private mobile radio services, and secure telephones used for classified communications are exempt. The Hearing Aid Compatibility (HAC) Act provides a three-year grace period for cordless telephones before they must comply with the requirement. Congress recognized, however, that there may be technological and/or economical reasons some new telephones may not meet the hearing aid compatibility requirement. Therefore, it provided for a waiver requirement for new telephones based on technological and economical grounds. Telephone manufacturers seeking a waiver of 47 CFR 68.4 which requires that certain telephones be hearing aid compatible must demonstrate that compliance with the rule is technologically infeasible or too costly. 47 CFR 68.5 provides the criteria to be used to assess waivers. Applicants seeking waivers must submit sufficient information for the Commission to make an informed decision. Information is used by FCC staff to determine whether to grant or dismiss the request. Obligation to respond: Required to obtain or retain benefits.

OMB Control No.: 3060-00992

Expiration Date: 12/31/2004.

Title: Request for Extension of the Implementation Deadline for Non-Recurring Services, CC Docket No. 96-45 (FCC 01-195) and 47 CFR 54.507(d)(1)-(4).

Form No.: N/A.

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

Estimated Annual Burden: 850 respondents; 1 per response (avg.); 850 total annual burden hours (for all collections under this control number).

Estimated Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion; Third Party Disclosure.

Description: 47 CFR 54.507(d) provides additional time for recipients under the schools and libraries universal service support mechanism to implement contracts or agreements with service providers for non-recurring services. 47 CFR 54.407(d) extends the deadline for receipt of non-recurring services from 6/30 to 9/30 following the close of the funding year. 47 CFR 54.507(d) establishes a deadline for the implementation of non-recurring services for certain qualified applicants who are unable to complete

implementation by the September 30 deadline. The rule provides schools and libraries with more time to install non-recurring services. The information will be used by the Commission to determine whether schools and libraries qualify for additional time to implement non-recurring services. Obligation to respond: Required to obtain or retain benefits.

OMB Control No.: 3060-0986

Expiration Date: 01/31/2005.

Title: Federal-State Joint Board on Universal Service "Plan for Reforming the Rural Universal Service Support Mechanism, CC Docket No. 96-45.

Form No.: N/A.

Respondents: Business or other for-profit; State, Local or Tribal Government.

Estimated Annual Burden: 7099 respondents; .81 per response (avg.); 5770 total annual burden hours (for all collections under this control number).

Estimated Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion; Quarterly; Annually; One-time; Third Party Disclosure.

Description: In the Fourteenth Report and Order, Twenty-Second Order on Reconsideration in CC Docket No. 96-45 and Report and Order in CC Docket No. 00-256, released May 23, 2001 (FCC 01-157), consistent with the recommendation of the Federal-State Joint Board on Universal Service (Joint Board), the Commission adopts rules for determining high-cost universal service support for rural telephone companies for the next five years based upon the proposals made by the Rural Task Force. The Commission also addresses certain proposals made by the Multi-Association Group (MAG) for reforming universal services rules applicable to rural carriers. As part of its proposal to reform the Federal universal service support mechanism for rural carriers, the Rural Task Force proposed that rural carriers be permitted to depart from study area averaging and instead disaggregate and target per-line high-cost universal service support, including high-cost loop support, LTS, and LSS, into geographic areas below the study area level. The Rural Task Force concluded that the disaggregation and targeting of support is necessary to eliminate the economic distortions that may result from the delivery of support on a uniform per-line basis under the current mechanism. At the same time, however, the Rural Task Force stated that rural carriers need flexibility in the manner in which support is disaggregated and targeted in light of the widely varying characteristics and

operating environments of rural carriers. Recognizing that a disaggregation and targeting system must meet the unique regulatory and competitive environments in each state, the Rural Task Force recommended a disaggregation system consisting of three paths. a. Election of Disaggregation Plan and Change in Path: Carriers are required to elect one of three paths within 270 days of the effective date of the Order implementing rural high-cost reform through a submission to the state commission. Rural carriers not subject to the jurisdiction of the state are required to make such submission to the Commission. Carriers failing to do so will not be permitted to disaggregate and target support unless ordered to do so by a state commission or other appropriate regulatory authority either on its own motion or in response to a request by an interested party. *See* 47 CFR 54.315(a). (Number of respondents: 1300; hours per response: .5 hours; total annual burden: 650 hours). b. Notification of Disaggregation Methodology: 1. Path One: Carriers Not Disaggregating and Targeting High-Cost Support. Path One provides that a carrier may choose not to disaggregate. This Path is intended to address those instances where a carrier determines that given the demographics, cost characteristics, and location of its service territory, and the lack of a realistic prospect of competition, that disaggregation is not economically rational. A carrier must certify to the state commission, or other appropriate regulatory authority, that it does not want to disaggregate support. Carriers electing Path One must submit to USAC a copy of the certification of the state commission or appropriate regulatory authority certifying that it will not disaggregate and target support. *See* 47 CFR 54.315(b). (No. of respondents: 500; hours per response: .5 hours; total annual burden: 250 hours). 2. Path 2: Carriers Seeking Prior Regulatory Approval for the Disaggregation and Targeting of Support. Path Two provides that a carrier may seek approval of its disaggregation and targeting plan from the appropriate regulatory authority. Because there are no constraints on disaggregation and targeting proposals under this path, for example a carrier could disaggregate and target support to multiple levels below a wire center, a disaggregation and targeting method can be tailored with precision, subject to state approval, to the cost and geographic characteristics of the carrier and the competitive and regulatory environment in which it operates. A carrier that

chooses this path would file a disaggregation plan with the state commission, or other appropriate regulatory authority. Carriers selecting Path 2 must submit a copy to USAC of the Order approving the disaggregation plan submitted by the carriers to the state commission or appropriate regulatory authority and a copy of the disaggregation plan approved by the state commission or appropriate regulatory authority. *See* 47 CFR 54.315(c), (e), and (f). (No. of respondents: 873; hours per response: .666 hours; total annual burden: 582 hours). 3. Path 3. Self-Certification of the Disaggregation and Targeting of Support: The Commission adopts the Path Three self-certification process that permits carriers to choose (1) a disaggregation plan of up to two cost zones per wire center, or (2) a disaggregation plan that complies with a prior regulatory determination. A carrier must provide, among other things, the state and USAC with a description of the rationale used to disaggregate support, including the methods and data and a discussion of how the plan complies with the self-certification guidelines. In addition, if the plan uses a benchmark, it must be generally consistent with how the total study area level of support for each category of costs (high-cost loop support, LSS and LTS) is derived, to enable a competitor to compare the disaggregated costs used to determine support for each zone. *See* 47 CFR 54.315(d), (e) and (f). (No. of respondents: 873; hours per response: .666 hours; total annual burden: 582 hours). c. Reporting Working Loops at Cost-Zone Level: Rural carriers that elect to disaggregate and target per-line support under either Path Two or Three are required to report loops at the cost-zone level. If there is no competition in the service area the carrier is required to file annually. If competition exists in the service area than the carrier is required to file quarterly. *See* 47 CFR 54.307(b) and (c). (No. of respondents: 864 filing annually; 9 filing quarterly; hours per response: 2 hours; total annual burden: 1746 hours). d. State Certification Letter Under 254(e): The Commission also concludes that states should be required to file annual certifications with the Commission to ensure that carriers use universal service support "only for the provision, maintenance and upgrading of facilities and services for which the support is intended" consistent with section 254(e). The Commission concludes that the mandate in section 254(e) applies to all carriers, rural and non-rural, that are

designated as eligible to receive support under section 214(e) of the Act. States that wish to receive federal universal service high-cost support for rural carriers within their boundaries to file a certification with the Commission and USAC stating that all federal high-cost funds flowing to rural carriers in that state will be used in a manner consistent with section 254(e). The Commission recognizes that some state commissions may have only limited regulatory oversight to ensure that federal support is reflected in intrastate rates. In the case of non-rural carriers, the Commission concluded that states nonetheless may certify to the Commission that a non-rural carrier in the state had accounted to the state commission for its receipt of federal support, and that such support will be used "only for the provision, maintenance and upgrading of facilities and services for which the support is intended." The Commission determined that, in states in which the state commission has limited jurisdiction over such carriers, the state need not initiate the certification process itself. Instead, non-rural local exchange carriers, and competitive eligible telecommunications carriers serving lines in the service area of the non-rural local exchange carriers, may formulate plans to ensure compliance with section 254(e), and present those plans to the state, so that the state may make the appropriate certification to the Commission. Absent the filing of such certification, carriers will not receive support. *See* 47 CFR 54.313(b) and 54.314. (No. of respondents: 60 respondents; hours per response: 3 hours; total annual burden: 180 hours).

e. Support in Competitive Study Areas: Under our existing rules, rural carriers and their competitors currently are required to file line count data annually, and may file quarterly updates on a voluntary basis. Quarterly updates are required in non-rural carrier study areas. Under the current rules, if an incumbent rural carrier does not update its line count data but its competitor does, the competitor's more recent data may include lines captured from the incumbent since the incumbent's last filing. Thus the incumbent may continue to receive support for the year based on an overstated number of lines. To prevent an overpayment of support, the Commission requires the filing of line count data on a regular quarterly basis upon competitive entry in rural carrier study areas. The Commission emphasizes that this requirement will not apply in rural carrier study areas in which an eligible telecommunications

carrier has not been designated. *See* 47 CFR 36.611 and 36.612. To ensure that the interval between the submission of data and receipt of support is as short as possible in rural carrier study areas, the Commission clarifies that competitive eligible telecommunications carriers may submit initial line count data and receive support on a regular quarterly basis under section 54.307(c). Rural telephone companies that incorporate acquired exchanges into existing study areas should exclude the costs associated with the acquired exchanges from the cost associated with the pre-acquisition study areas in annual universal service data submissions used to determine eligibility for high-cost loop supports. Acquiring rural carriers shall separately provide the information listed in section 47 CFR section 36.611 for both acquired and existing exchanges, as if these two categories of exchanges constitute separate study areas. *See* 47 CFR section 36.611. (No. of respondents: 20; hours per response: 24 hours; total annual burden: 480 hours).

f. Safety Net Additive: Safety net additive support would only be available in years in which support levels would otherwise exceed the new indexed cap on the high-cost loop support fund. To receive such support in a particular study area, a carrier would need to show that growth in telecommunications plant in service (TPIS) per line is at least 14 percent greater than the study area's TPIS per line in the prior year, or the "base year." Any study area that initially qualifies for safety net additive support would also qualify for such support in each of the four succeeding years if the cap is again triggered, regardless of whether the study area meets the 14 percent criterion in the succeeding years. Carriers must provide written notice to the Commission and USAC in conjunction with their annual or quarterly submissions to NECA indicating that a study area meets the 14 percent TPIS trigger. If a carrier should fail to provide written notification to the Commission and USAC, the study area that otherwise would have qualified for safety net additive will not be eligible. *See* 47 CFR 36.605(c)(2). (No. of respondents: 1300; hours per response: .5 hours; total annual burden: 650 hours).

g. Safety Valve: Once relevant regulatory approvals are obtained and the transaction is closed, the rural carrier shall provide written notice to USAC that they have acquired access lines that may become eligible for safety value support. In order to assist USAC in the administration of the safety valve

mechanism, rural carriers shall also provide written notice to USAC of when their index year has been established for purposes of calculating eligibility for safety valve support. *See* 47 CFR 54.305 (f). (No. of respondents: 1300; hours per response: .5 hours; total annual burden: 650 hours). The Commission will use the information requirements to determine whether and to what extent rural telecommunications carriers providing the data are eligible to receive universal service support. Obligation to respond: Required to obtain or retain benefits.

OMB Control No.: 3060-0149

Expiration Date: 01/31/2005.

Title: Application and Supplemental Information Requirements—Part 63, Section 214, Sections 63.01–63.601.

Form No.: N/A.

Respondents: Business or other for-profit.

Estimated Annual Burden: 35 respondents; 5 per response (avg.); 175 total annual burden hours (for all collections under this control number).

Estimated Annual Reporting and Recordkeeping Cost Burden: \$0.

Frequency of Response: On occasion; Third Party Disclosure.

Description: Section 214 of the Communications Act of 1934, as amended, 47 U.S.C. 214, requires that a carrier must first obtain FCC authorization either to (1) construct, operate, or engage in transmission over a line of communication, or (2) discontinue, reduce, or impair service over a line of communication. Part 63 of title 47 of the CFR implements section 214. Part 63 also implements provisions of the Cable Communications Policy Act of 1984 pertaining to video programming by telephone common carriers. In the Report and Order for Implementation of Section 402(b)(2)(A) of the Telecommunications Act of 1996 (214 Streamlining Order), released on June 30, 1999, the Commission modified part 63 to eliminate information submission requirements entirely for some categories of communications carriers and to reduce the submission requirements for other categories. Among other things, carrier filing requirements in the following area were either reduced, altered, or entirely eliminated: (1) entry certification for common carriers; (2) applications for line extensions; (3) reports identifying proposed small projects; (4) applications for new lines; and (5) applications for exit from the market. By making these revisions, the Commission substantially reduced the amount of time carriers had to spend in order to fully comply with Part 63's requirements. The Commission also entirely eliminated the requirement

for line extensions because Congress exempted such "extensions" from the requirements of 47 U.S.C. 214, under Section 402(b)(2)(A) of the Act. Furthermore, the Commission eliminated reporting requirements by domestic non-dominant carriers, small carriers, and carriers proposing small projects because Congress enacted section 214 to prevent unnecessary duplication of facilities that could result in increased rates being imposed on captive telephone ratepayers. Moreover, the Commission reduced, but did not entirely eliminate, submission requirements for domestic dominant rate-of-return carriers in applications for "new" lines because the information was either collected elsewhere, was found to be unnecessary and/or confusing in light of the provisions of section 402(b)(2)(A), or was no longer of decisional significance to the Commission. The Commission significantly streamlined the carrier exit procedures this process because of its desire to eliminate unnecessary barriers to carriers wanting to exit the market. See 47 CFR part 63. The Commission will use the information to determine if affected respondents are in compliance with its rules and the requirements of Section 214 of the Communications Act of 1934, as amended. Obligation to respond: Required to obtain or retain benefits.

Public reporting burden for the collections of information are as noted above. Send comments regarding the burden estimates or any other aspect of the collections of information, including suggestions for reducing the burden to Performance Evaluation and Records Management, Washington, DC 20554.

Federal Communications Commission.

Marlene Dortch,
Secretary.

[FR Doc. 02-12726 Filed 5-20-02; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission

May 13, 2002.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a

collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before June 20, 2002. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Judith Boley Herman, Federal Communications Commission, Room 1-C804, 445 12th Street, SW, DC 20554 or via the Internet to jboley@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Judith Boley Herman at 202-418-0214 or via the Internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060-0987.

Title: 911 Callback Capability: Non-initialized Phones.

Form No.: N/A.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit, state, local or tribal government.

Number of Respondents: 3,137.

Estimated Time Per Response: .50-2 hours (average).

Frequency of Response: Third party disclosure requirement, and other one-time requirements.

Total Annual Burden: 4,481 hours.

Total Annual Cost: \$661,125.

Needs and Uses: The Report and Order in CC Docket No. 94-102, FCC 02-120, released April 29, 2002, imposes requirements on wireless and wireline carriers and equipment manufacturers aimed at responding to the problem of the inability of emergency workers and the public to contact for further critical information a 911 caller may be using a non-initialized wireless telephone or a "911-

only" phone, which do not have dialable numbers. To advise the public and emergency workers of this limitation and to thus advise them using such phones in emergency situations to provide as much critical information, particularly regarding location, the Commission adopted labeling, software modification, and public education requirements.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

[FR Doc. 02-12669 Filed 5-20-02; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2553]

Petitions for Reconsideration of Action in Rulemaking Proceedings

May 15, 2002.

Petitions for Reconsideration have been filed in the Commission's rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of this document is available for viewing and copying in Room CY-A257, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Qualex International (202) 863-2893. Oppositions to these petitions must be filed by June 5, 2002. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: Implementation of the pay telephone reclassification and compensation provision's of the Telecommunications Act of 1996 (CC Docket No. 96-128), Amendment of FM Table of Allotments (MM Docket No. 01-120, RM-10126).

Number of Petitions Filed: 3.

Marlene H. Dortch,
Secretary.

[FR Doc. 02-12667 Filed 5-20-02; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL MEDIATION AND CONCILIATION SERVICE

Proposed Agency Information Collection Activities; Comment Request

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Notice of Forms SF-424, SF-270 (LM-6), (LM-8), SF-269a (LM-7),