

a collection of information subject to the Paperwork Reduction Act 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 Paperwork Reduction Act (PRA) comments should be submitted on or before March 15, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all Paperwork Reduction Act (PRA) comments to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

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

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0034.  
*Title:* Application for Construction Permit for Reserved Channel Noncommercial Educational Broadcast Station.

*Form Number:* FCC 340.  
*Type of Review:* Extension of a currently approved collection.  
*Respondents:* Businesses or other for-profit entities.  
*Number of Respondents:* 672.  
*Estimated Time per Response:* 2-4 hours.

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

*Total Annual Burden:* 2,158 hours.  
*Total Annual Costs:* \$7,084,430.  
*Needs and Uses:* FCC Form 340 is used to apply for authority to construct a new noncommercial educational (NCE) FM, TV, DTV broadcast station, or to make changes in the existing facilities of such a station. 47 CFR 73.3580 requires third party notification—public notice in a newspaper of general circulation—when applications are filed for new facilities or major changes in existing

facilities. The Commission uses a point system to compare objective characteristics of applicants for full-service radio or television stations on channels reserved for NCE use and also on non-reserved channels if the only applicants competing propose to build NCE stations. The Commission uses the auction procedures to select among mutually exclusive commercial applications on non-reserved (commercial) channels.

*OMB Control Number:* 3060-0948.  
*Title:* Noncommercial Educational Applicants.

*Form Number:* None.  
*Type of Review:* Extension of currently approved collection.

*Respondents:* Not-for-profit institutions.

*Number of Respondents:* 630.  
*Estimated Time per Response:* 0.25-2 hours.

*Frequency of Response:* Recordkeeping; On occasion reporting requirements.

*Total Annual Burden:* 534.  
*Total Annual Cost:* \$92,000.

*Needs and Uses:* On April 4, 2000, the Commission adopted a Report and Order in MM Docket No. 95-31, *In the Matter of Reexamination of the Comparative Standards for Noncommercial Educational Applicants*. This Report and Order adopted procedures to select among competing applicants for noncommercial educational (NCE) broadcast channels, including a point system to select among mutually exclusive applicants on reserved channels and filing windows for new and major changes to NCE stations. 47 CFR Section 73.202 provides that entities eligible to operate an NCE broadcast station can request that a non-reserved FM channel be allotted as reserved only for NCE broadcasting. This request must include a demonstration as specified in (a)(1)(i) and (ii) of this rule section. 47 CFR Section 73.3527 requires that documentation of any points claimed in an application for a NCE broadcast station in the reserved band must be kept in the public inspection file. 47 CFR Section 73.3572 requires an applicant for a NCE broadcast station on a reserved channel to submit supporting documentation of the points claimed on the application form. The FCC staff use this documentation to determine whether there is a greater need for a noncommercial channel versus a commercial channel and to perform random audits of the application point certifications. This supporting documentation also enables competing

applicants to verify and/or dispute other applicants' claims.

Federal Communications Commission.

**Marlene H. Dortch,**  
*Secretary.*

[FR Doc. 04-664 Filed 1-12-04; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

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

December 29, 2003.

**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, Pub. L. No. 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 Paperwork Reduction Act (PRA) comments should be submitted on or before February 12, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments regarding this Paperwork Reduction Act submission to Judith B. Herman, Federal Communications Commission, Room 1-C804, 445 12th Street, SW., DC 20554 or via the Internet to [Judith-B.Herman@fcc.gov](mailto:Judith-B.Herman@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Judith

B. Herman at 202-418-0214 or via the Internet at [Judith-B.Herman@fcc.gov](mailto:Judith-B.Herman@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

*OMB Control No.:* 3060-1044.

*Title:* Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket No. 01-388, 96-98, and 98-147, Report and Order and Order on Remand and Further NPRM.

*Form No:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit, not-for-profit institutions, and state, local or tribal government.

*Number of Respondents:* 2,369.

*Estimated Time Per Response:* 8-40 hours.

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

*Total Annual Burden:* 74,120 hours.

*Total Annual Cost:* \$5,275,200.

*Needs and Uses:* In the above-referenced docketed proceedings, the Commission adopted rules to govern the availability of unbundled network elements to competitive local exchange carriers from incumbent local exchange carriers. The Commission amends its standard for determining which network elements must be provided on an unbundled basis and determines which network elements meet this standard. The Commission established eligibility criteria for certain combinations of unbundled network elements. The Commission allows state regulatory commissions to initiate proceedings to make additional determinations consistent with specific Commission guidance.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-665 Filed 1-12-04; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

[WC Docket No. 03-266; DA 04-1]

**Level 3 Petition for Forbearance From Assessment of Access Charges on Voice-Embedded IP Communications**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of comment dates.

**SUMMARY:** This document requests comment on Level 3's petition for forbearance from assessment of access charges on voice-embedded IP communications. To assist the agency in

determining whether to grant or deny Level 3's petition, comments from interested parties are being sought. This document provides the dates by which interested parties may file comments and reply comments.

**DATES:** The agency must receive comments on or before March 1, 2004, and reply comments on or before March 31, 2004.

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

**SUPPLEMENTARY INFORMATION** for further filing instructions.

**FOR FURTHER INFORMATION CONTACT:** Jennifer McKee, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Public Notice, WC Docket No. 03-266, released January 2, 2004. On December 23, 2003, Level 3 Communications LLC (Level 3) filed a petition for forbearance pursuant to section 10 of the Communications Act of 1934, as amended (the Act), requesting the Commission to forbear from application of section 251(g) of the Act, 47 U.S.C. 251(g), the exception clause of section 51.701(b)(1) of the Commission's rules, 47 CFR 51.701(b), and section 69.5(b) of the Commission's rules, 47 CFR 69.5(b), to the extent those provisions could be interpreted to permit local exchange carrier (LECs) to impose interstate or intrastate access charges on Internet protocol (IP) traffic that originates or terminates on the public switched telephone network (PSTN), or on PSTN-PSTN traffic that is incidental thereto. Level 3 excludes from its forbearance request geographic service areas of incumbent LECs that currently are exempt from section 251(c) pursuant to section 251(f)(1)'s rural exemption. 47 U.S.C. 251(c) and (f)(1). Level 3 argues that grant of this forbearance request while the Commission completes its reform of intercarrier compensation will allow IP communications that embed voice applications (voice-embedded IP) to develop with the cleanest regulatory slate possible, and will result in needed regulatory certainty, increased investment, product and technology innovation, and increased deployment of advanced services. Upon grant of its petition, Level 3 asserts that voice-embedded IP-PSTN traffic would be exchanged between a LEC and a telecommunications carrier serving a voice-embedded IP service provider pursuant to section 251(b)(5) of the Act and Subpart H of part 51 of the Commission's rules. 47 U.S.C. 251(b)(5); 47 CFR part 51 Subpart H.

Interested parties may file comments on or before March 1, 2004, and reply comments on or before March 31, 2004. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121, May 1, 1998.

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of a proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appear in the caption of a proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail).

The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

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

U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554.

All filings must be addressed to the Commission's Secretary, Office of the