



# Federal Register

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**Tuesday,  
May 27, 2003**

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**Part LII**

## **Federal Communications Commission**

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**Semiannual Regulatory Agenda**

**FEDERAL COMMUNICATIONS COMMISSION (FCC)**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Ch. I**

**Unified Agenda of Federal Regulatory and Deregulatory Actions—Spring 2003**

**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.

**William F. Caton,**  
*Deputy Secretary, Federal Communications Commission.*

**CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU—Long-Term Actions**

Sequence Number	Title	Regulation Identification Number
3855	Policies and Rules Governing Interstate Pay-Per-Call and Other Information Services Pursuant to the Telecommunications Act of 1996 .....	3060-AG42
3856	Implementation of the Subscriber Selection Changes Provision of the Telecommunications Act of 1996 .....	3060-AG46
3857	Implementation of Section 255 and Section 251(a)(2) of the Telecommunications Act of 1996; Access to Telecommunications Services Equipment and Customer Premise Equipment for Persons With Disabilities .....	3060-AG58
3858	In the Matter of the Telecommunications Relay Services, the Americans With Disabilities Act of 1990, and the Telecommunications Act of 1996 .....	3060-AG75
3859	In the Matter of Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities; CC Docket No. 98-67 .....	3060-AG76
3860	Establishment of Rules Governing Procedures To Be Followed When Informal Complaints Are Filed by Consumers Against Entities Regulated by the Commission .....	3060-AI02

## FCC

## ENFORCEMENT BUREAU—Completed Actions

Sequence Number	Title	Regulation Identification Number
3861	In the Matter of Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Alert System .....	3060-AF21

## OFFICE OF ENGINEERING AND TECHNOLOGY—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3862	MSS Spectrum Allocation .....	3060-AF75
3863	Unlicensed National Information Infrastructure at 5 GHz .....	3060-AG19
3864	Dedicated Short Range Communications of Intelligent Transportation Services .....	3060-AG94
3865	Regulations for RF Lighting Devices .....	3060-AG95
3866	Industry Coordination Committee System for Broadcast Digital Television Service .....	3060-AH13
3867	3650-3700 Government Transfer Band .....	3060-AH14
3868	Fixed Satellite Service and Terrestrial System in the Ku-Band .....	3060-AH17
3869	Spread Spectrum Devices .....	3060-AH25
3870	Wireless Medical Telemetry Service .....	3060-AH27
3871	Establishment of an Improved Model for Predicting the Broadcast Television Field Strength Received at Individual Locations .....	3060-AH37
3872	Conducted Emission Limits .....	3060-AH46
3873	Revision of the Rules Regarding Ultra-Wideband Transmission .....	3060-AH47
3874	Software Defined Radio Authorization .....	3060-AH64
3875	New Advanced Wireless Services .....	3060-AH65
3876	Reallocation of 27 MHz Spectrum .....	3060-AH66
3877	Revisions to Broadcast Auxiliary Service Rules .....	3060-AH78
3878	Part 15 Biennial Review .....	3060-AH92
3879	Amateur Radio Service Rules .....	3060-AI04

## OFFICE OF GENERAL COUNSEL—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3880	Amendment of the Ex Parte Rules in Joint Board Proceedings .....	3060-AH02
3881	Amendment of Section 1.1204 of the Commission's Ex Parte Rules .....	3060-AH58
3882	Amendment of Section 1.17 of the Commission's Rules Concerning Truthful Statements to the Commission .....	3060-AH86

## INTERNATIONAL BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3883	Streamlining the Commission's Rules and Regulations for Satellite Application and Licensing Procedures; IB Docket No. 95-117 .....	3060-AD70
3884	Establishing Rules and Policies for the Use of Spectrum for Mobile Satellite Service in the L-Band; IB Docket No. 96-132 .....	3060-AF89
3885	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
3886	Redesignation of the 27.5-29.5 GHz Frequency Band; CC Docket No. 92-297 .....	3060-AF94
3887	Amendment of Policy To Allow Non-U.S. Licensed Space Stations To Provide Service in the United States; IB Docket No. 96-111; CC Docket No. 93-23 .....	3060-AG31
3888	Allocate & Designate: Spec for Fixed-Sat Srv (37.5-38.5, 40.5-41.5 & 48.2-50.2 GHz Bands). Allocate: Fixed & Mobile 40.5-42.5 GHz; Wireless 46.9-47 GHz; Gov Oper 37-38 & 40-40.5 GHz; IB Doc No. 97-95 .....	3060-AH23
3889	Establishment of Policies and Service Rules for the Mobile Satellite Service in the 2 GHz Band; IB Docket No. 99-81 .....	3060-AH28
3890	Policies for the Direct Broadcast Satellite Service; IB Docket No. 98-21 .....	3060-AH29

## FCC

## INTERNATIONAL BUREAU—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
3891	1998 Biennial Regulatory Review — Review of Accounts Settlement in Maritime Mobile & Maritime Mobile-Satellite Radio Services and Withdrawal of the Commission as Accounting Authority; IB Doc No. 98-96 .....	3060-AH30
3892	Global Mobile Personal Communications by Satellite; IB Docket No. 99-67 .....	3060-AH49
3893	Streamlining Earth Station Licensing Rules; IB Docket No. 00-248 .....	3060-AH60
3894	Policies and Rules for Non-Geostationary Satellite Orbit, Fixed Satellite Service in the KA-Band; IB Docket No. 02-19 .....	3060-AH93
3895	Enforcement of Other Nations' Prohibitions Against the Uncompleted Call Signaling Configuration of International Callback Service; IB Docket No. 02-18 .....	3060-AH94
3896	Space Station Licensing Reform; IB Dockets 00-248 and 02-34 .....	3060-AH98
3897	Alaska Bush Earth Station Policy; IB Docket No. 02-30 .....	3060-AH99
3898	Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Band .....	3060-AI05
3899	Mitigation of Orbital Debris; IB Docket No. 02-54 .....	3060-AI06

## INTERNATIONAL BUREAU—Completed Actions

Sequence Number	Title	Regulation Identification Number
3900	Satellite Communications — NGSO Mobile Satellite Service; CC Docket No. 92-166 .....	3060-AF42
3901	2000 Biennial Review — Amendment of Parts 43 and 63 of the Commission's Rules; IB Docket No. 00-231 .....	3060-AH62
3902	Licensing and Coordination of Earth Stations in the Fixed-Satellite Services; IB Docket No. 00-203 .....	3060-AH63

## MEDIA BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3903	Transfer of Control of Non-Stock Entities (MM Docket No. 89-77) .....	3060-AE31
3904	Cable Television Rate Regulation .....	3060-AF41
3905	Cable Television Rate Regulation: Cost of Service .....	3060-AF48
3906	Customer Service Standards .....	3060-AF69
3907	Filing of Television Network Affiliation Contracts (MM Docket No. 95-40) .....	3060-AF80
3908	Rules Governing Broadcast Television Advertising (MM Docket No. 95-90) .....	3060-AF81
3909	Cable Home Wiring .....	3060-AG02
3910	Closed Captioning .....	3060-AG26
3911	Cable Act Reform .....	3060-AG27
3912	Competitive Availability of Navigation Devices .....	3060-AG28
3913	Minor Modifications of Broadcast Licenses Without Prior Construction Permit (MM Docket No. 96-58) .....	3060-AG30
3914	Pole Attachment Provisions .....	3060-AG71
3915	Review of Technical Rules in Parts 73 and 74 (MM Docket No. 98-93) .....	3060-AG81
3916	Digital Must Carry .....	3060-AG91
3917	Horizontal Ownership Limits .....	3060-AH09
3918	Application of Network Nonduplication, Syndicated Exclusivity, and Sports Blackout Rules to Satellite Retransmission — SHVIA .....	3060-AH35
3919	Retransmission Consent Issues — SHVIA .....	3060-AH36
3920	Digital Audio Broadcasting Systems (MM Docket No. 99-325) .....	3060-AH40
3921	Satellite Broadcasting Signal Carriage Requirements .....	3060-AH45
3922	Ancillary or Supplemental Use of DTV Capacity by Non-Commercial Licensees (MM Docket No. 98-203) .....	3060-AH53
3923	Periodic Review of Rules and Policies Affecting the Conversion to DTV .....	3060-AH54
3924	Direct Broadcast Public Interest Obligations; MM Docket No. 93-25 .....	3060-AH59
3925	Children's TV, Obligations of Digital TV Broadcasters (MM Docket No. 00-167) .....	3060-AH68
3926	Extension of Filing Requirements for Children's TV Programming Report (MM Docket No. 00-44) .....	3060-AH69
3927	Radio Market Definitions (MM Docket No. 00-244) .....	3060-AH70
3928	Enhanced and Standardized Disclosure (MM Docket No. 00-168) .....	3060-AH71
3929	Exclusive Contract Prohibition of the Program Access Rules .....	3060-AH91
3930	Revision of EEO Rules and Policies; MM Docket No. 98-204 .....	3060-AH95

## FCC

## MEDIA BUREAU—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
3931	Reexamination of Comparative Standards for Noncommercial Educational Applicants; MM Docket No. 95-31 .....	3060-AH96
3932	Cross Ownership of Broadcast Stations and Newspapers .....	3060-AH97
3933	Biennial Regulatory Review of the Commission's Broadcast Ownership Rules .....	3060-AI07

## OFFICE OF MANAGING DIRECTOR—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3934	Assessment and Collection of Regulatory Fees for FY 2002 .....	3060-AH85

## WIRELESS TELECOMMUNICATIONS BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3935	Amendment of the Commission's Rules Concerning Maritime Communications .....	3060-AF14
3936	Resale and Roaming Obligations Pertaining to Commercial Mobile Radio Services .....	3060-AF58
3937	Implementation of Section 309(j) of the Communications Act, Competitive Bidding; Narrowband PCS Competitive Bidding Rules .....	3060-AF99
3938	Implementation of Section 309(j) of the Communications Act, Competitive Bidding; 218-219 MHz Competitive Bidding Rules .....	3060-AG00
3939	39 GHz Channel Plan .....	3060-AG16
3940	Implementation of 309(j) of the Communications Act, Amendment of Parts 20 and 24 of the Commission's Rules — Broadband PCS Competitive Bidding and the Commercial Mobile Radio Service Spectrum Cap .....	3060-AG21
3941	Revision of the Rules To Ensure Compatibility With Enhanced 911 Emergency Calling Systems .....	3060-AG34
3942	In the Matter of the Communications Assistance for Law Enforcement Act .....	3060-AG74
3943	Development of Operational, Technical, and Spectrum Requirements for Public Safety Communications Requirements .....	3060-AG85
3944	Multiple Access Systems .....	3060-AG86
3945	Amendment of Part I of the Commission's Rules — Competitive Bidding Procedures .....	3060-AG87
3946	Amendment of Part 90 of the Rules To Adopt Regulations for Automatic Vehicle Monitoring Systems .....	3060-AH12
3947	Service Rules for the 746-764 and 776-794 MHz Bands, and Revisions to Part 27 of the Commission's Rules .....	3060-AH32
3948	Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended .....	3060-AH33
3949	1998 Biennial Regulatory Review — Spectrum Aggregation Limits for Wireless Telecommunications Carriers .....	3060-AH34
3950	Amendment to Parts 1, 2, 87 and 101 of the Rules to License Fixed Services at 24 GHz .....	3060-AH41
3951	Part 101 — Terrestrial Microwave Fixed Radio Services .....	3060-AH42
3952	Amendment of Parts 13 and 80 Governing Maritime Communications .....	3060-AH55
3953	Amendment of the Rules Regarding Installment Payment Financing for Personal Communications Services Licenses .....	3060-AH57
3954	Transfer of the 3650 Through 3700 MHz Band From Federal Government Use .....	3060-AH75
3955	2000 Biennial Regulatory Review Spectrum Aggregation Limits for Commercial Mobile Radio Services .....	3060-AH81
3956	In the Matter of Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets .....	3060-AH82
3957	In the Matter of Automatic and Manual Roaming Obligations Pertaining to Commercial Mobile Radio Services .....	3060-AH83
3958	Amendment of Part 90 for Licensing Low Power Operations in 450-470 MHz Band .....	3060-AH84
3959	Reallocation of the 216-220 MHz, 1390-1395 MHz, 1427-1429 MHz, 1429-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz Government Transfer Bands .....	3060-AH87
3960	Review of Quiet Zones Application Procedures .....	3060-AH88
3961	Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59) .....	3060-AH89
3962	Implementation of 911 Act .....	3060-AH90

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WIRELESS TELECOMMUNICATIONS BUREAU—Completed Actions

Sequence Number	Title	Regulation Identification Number
3963	Future Development of 800 MHz SMR; Competitive Bidding Wide Area .....	3060-AF47

WIRELINE COMPETITION BUREAU—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3964	Administration of the North American Numbering Plan .....	3060-AF50
3965	Use of N11 Codes and Other Abbreviated Dialing Arrangements .....	3060-AF51
3966	Implementation of the Universal Service Portions of the 1996 Telecommunications Act .....	3060-AF85
3967	Toll-Free Service Access Codes .....	3060-AG11
3968	Implementation of Section 273 of the Telecommunications Act of 1996 .....	3060-AG36
3969	Telecommunications Carriers' Use of Customer Proprietary Network Information and Other Customer Information .....	3060-AG43
3970	Implementation of Section 402(b)(1)(a) of the Telecommunications Act of 1996; LEC Tariff Streamlining Provisions .....	3060-AG47
3971	Access Charge Reform .....	3060-AG49
3972	Implementation of the Local Competition Provisions of the Telecommunications Act of 1996 .....	3060-AG50
3973	Enhanced 911 Services for Wireline .....	3060-AG60
3974	Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services .....	3060-AG72
3975	Detariffing of Competitive Local Exchange Carriers' Interstate Exchange Access Services .....	3060-AG73
3976	Performance Measurements and Reporting Requirements for Operations Support Systems, Interconnection, Operator Services, and Directory Assistance .....	3060-AH00
3977	Deployment of Wireline Services Offering Advanced Telecommunications Capability .....	3060-AH03
3978	Prescribing the Authorized Rate of Return for Interstate Services of Local Exchange Carriers .....	3060-AH18
3979	Local Telephone Networks That LECs Must Make Available to Competitors .....	3060-AH44
3980	2000 Biennial Regulatory Review — Telecommunications Service Quality Reporting Requirements .....	3060-AH72
3981	Access Charge Reform and Universal Service Reform .....	3060-AH74
3982	2000 Biennial Regulatory Review — Comprehensive Review of the Accounting Requirements and ARMIS Reporting Requirements for Incumbent Local Exchange Carriers; Phase 2 and Phase 3 .....	3060-AH76
3983	Streamlining Procedures for Common Carrier Transfers of Control and Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations .....	3060-AH79
3984	Numbering Resource Optimization .....	3060-AH80
3985	Performance Measurements and Standards for Unbundled Network Elements and Interconnection .....	3060-AI00
3986	Performance Measurements and Standards for Interstate Special Access Services .....	3060-AI01
3987	Customer Premises Equipment/Enhanced Services Bundling Restrictions in Computer II .....	3060-AI03

Federal Communications Commission (FCC)

Long-Term Actions

Consumer and Governmental Affairs Bureau

**3855. POLICIES AND RULES GOVERNING INTERSTATE PAY-PER-CALL AND OTHER INFORMATION SERVICES PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 228

**CFR Citation:** 47 CFR 64.1501; 47 CFR 64.1504; 47 CFR 64.1510

**Legal Deadline:** None

**Abstract:** The Commission has received comments on proposed rules designed to implement the 1996 Telecommunications Act with respect

to information services to prevent abusive and deceptive practices by entities that might try to circumvent the statutory requirements. The proposed rules address generally the use of dialing sequences other than the 900 service access code to provide information services.

**Timetable:**

Action	Date
NPRM	06/20/96 61 FR 31481
NPRM Comment Period End	09/16/96
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Richard D. Smith, Attorney, Federal Communications Commission, Consumer and Governmental Affairs Bureau

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**RIN:** 3060-AG42

## FCC—Consumer and Governmental Affairs Bureau

## Long-Term Actions

**3856. IMPLEMENTATION OF THE SUBSCRIBER SELECTION CHANGES PROVISION OF THE TELECOMMUNICATIONS ACT OF 1996****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154; 47 USC 201; 47 USC 258**CFR Citation:** 47 CFR 64.1100; 47 CFR 64.1150; 47 CFR 64.1160; 47 CFR 64.1170; 47 CFR 64.1180; 47 CFR 64.1190**Legal Deadline:** None

**Abstract:** In December 1998, the Commission established new rules and policies implementing section 258 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, which makes it unlawful for any telecommunications carrier to “submit or execute a change in a subscriber’s selection of a provider of telecommunications exchange service or telephone toll service except in accordance with such verification procedures as the Commission shall prescribe.” The rules provide, among other things, that any telecommunications carrier that violates such verification procedures and that collects charges for telephone exchange service or telephone toll service from a subscriber shall be liable to the carrier previously selected by the subscriber in an amount equal to all charges paid by the subscriber after such violation. In the FNPRM, we sought comment on several proposals to further strengthen our slamming rules. In April 2000, the Commission modified the slamming liability rules by giving victims of slamming adequate redress, ensuring that carriers that slam do not profit from their fraud, and allowing states to act as the primary administrator of slamming complaints.

In July 2000, the Commission took further action to improve the existing carrier change process for both consumers and carriers, protect the right of consumers to exercise choice among carriers, and ensure that consumers’ choices are honored. In December 2000, the Commission adopted a Biennial Review FNPRM seeking comment on proposals to amend the slamming rules to lighten administrative burdens associated with selling or transferring customer bases by eliminating the need to obtain a waiver, while continuing to protect consumers. In February 2001, the Commission adopted an order

modifying and clarifying certain aspects of the reporting and registration requirements it had adopted in July 2000. In May 2001, the Commission adopted streamlined procedures for the carrier-to-carrier sale or transfer of customer bases, as proposed in the Biennial Review FNPRM.

**Timetable:**

Action	Date	
MO&O on Recon and FNPRM	08/14/97	62 FR 43493
FNPRM Comment Period End	09/30/97	
Second Report & Order and Second FNPRM	02/16/99	64 FR 7745
First Order on Recon	04/13/00	65 FR 47678
Third Report & Order and Second Order on Recon	11/08/00	65 FR 66934
Third FNPRM	01/29/01	66 FR 8093
Order	03/01/01	66 FR 12877
First Report & Order and Fourth Report & Order	06/06/01	66 FR 30334

Next Action Undetermined

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Nancy Stevenson, Attorney, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AG46**3857. IMPLEMENTATION OF SECTION 255 AND SECTION 251(A)(2) OF THE TELECOMMUNICATIONS ACT OF 1996; ACCESS TO TELECOMMUNICATIONS SERVICES EQUIPMENT AND CUSTOMER PREMISE EQUIPMENT FOR PERSONS WITH DISABILITIES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 47 USC 255**CFR Citation:** 47 CFR 6; 47 CFR 7**Legal Deadline:** None

**Abstract:** This proceeding is initiated to implement the provisions of sections 251(a)(2) and 255 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	
NOI	09/26/96	61 FR 50465
NPRM	05/22/98	63 FR 28456
NPRM Comment Period End	08/14/98	
Report & Order	11/19/99	64 FR 63235
Further NOI	11/19/99	64 FR 63277
Further NOI Comment Period End	12/14/99	
Public Notice	07/13/00	65 FR 43372
Next Action	Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Federal**Additional Information:** Additional Bureau: Wireline Competition Bureau

**Agency Contact:** Janet Sievert, Attorney Advisor, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AG58**3858. IN THE MATTER OF THE TELECOMMUNICATIONS RELAY SERVICES, THE AMERICANS WITH DISABILITIES ACT OF 1990, AND THE TELECOMMUNICATIONS ACT OF 1996****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 225**CFR Citation:** 47 CFR 64.604**Legal Deadline:** None

**Abstract:** This item will address the requirement that telecommunications relay services be capable of handling any type of call normally provided by common carriers, including coin sent-paid calls. On April 5, 2001, the Commission published a Second FNPRM seeking comment on the coin sent-paid issue. This Second FNPRM suspended the enforcement of section 64.604(a)(3) of our rules until final

## FCC—Consumer and Governmental Affairs Bureau

## Long-Term Actions

rules in this proceeding are adopted and published in the Federal Register.

**Timetable:**

Action	Date	
NPRM	12/04/90	55 FR 50037
R&O and Request for Comments	08/01/91	56 FR 36729
Order on Recon, Second R&O and FNPRM	03/03/93	58 FR 12175
MO&O Order	11/28/95	60 FR 58626
Second FNPRM	08/23/00	
Next Action	04/05/01	66 FR 18059
Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** Additional Bureau: Wireline Competition Bureau

**Agency Contact:** Janet Sievert, Attorney Advisor, Federal Communications Commission, Consumer and Governmental Affairs Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AG75

**3859. IN THE MATTER OF TELECOMMUNICATIONS RELAY SERVICES AND SPEECH-TO-SPEECH SERVICES FOR INDIVIDUALS WITH HEARING AND SPEECH DISABILITIES; CC DOCKET NO. 98-67**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 225; 47 USC 255; 47 USC 610

**CFR Citation:** 47 CFR 64.601; 47 CFR 64.603; 47 CFR 64.604; 47 CFR 64.605

**Legal Deadline:** None

**Abstract:** In the Report and Order, released on March 6, 2000, the FCC adopted additional rules to increase the availability and usefulness of the telecommunications system for Americans with hearing and speech disabilities. Specifically, the FCC required that speech-to-speech and Spanish language relay services be provided. The FCC also encouraged the provision of video relay interpreting service by making it eligible for

reimbursement from the telecommunications relay service (TRS) fund. In addition, the FCC revised its minimum standards in accordance with the statutory mandate that TRS must be "functionally equivalent" to voice telecommunications service to the extent possible. Among other things, these rules will improve the speed at which calls are answered and conversations relayed.

In the Further Notice of Proposed Rulemaking (FNPRM), the FCC asked for comment on how to further improve TRS. Specifically, the FNPRM asked what changes are necessary to increase public awareness of TRS among all callers, not just those with disabilities, including how a national awareness education campaign can be established; and whether other technologies, services, and features should be made available to TRS users.

In the Order on Reconsideration released on June 5, 2000, the FCC, on its own motion, amended the effective date by which parties must comply with most of the amended rules adopted in the Report and Order. The Order on Reconsideration also established a fixed date for the annual submission of complaint log summaries by States and TRS providers to the FCC by July 1 of each year. The FCC also more rigorously conformed the text of the rules concerning the submission of contact information and the treatment of emergency calls to the precise language in the Report and Order. Moreover, the FCC clarified the requirement regarding the transfer of customer profile information between outgoing and incoming TRS providers, and clarified the review process and possible disposition of informal complaints under our amended TRS rules. In addition, the Order on Reconsideration changed the nomenclature in our rules from "video relay interpreting" to "video relay services." Finally, the Order on Reconsideration corrected various typographical errors.

**Timetable:**

Action	Date	
NPRM	05/20/98	63 FR 32798
NPRM Comment Period End	09/14/98	
Order on Recon	06/21/00	65 FR 38432
Report and Order	06/21/00	65 FR 38432
FNPRM	06/21/00	65 FR 38490
Public Notice	07/19/01	66 FR 37631
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** State

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**RIN:** 3060-AG76

**3860. ESTABLISHMENT OF RULES GOVERNING PROCEDURES TO BE FOLLOWED WHEN INFORMAL COMPLAINTS ARE FILED BY CONSUMERS AGAINST ENTITIES REGULATED BY THE COMMISSION**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 152; 47 USC 154(i) and 154(j); 47 USC 303(r); 47 USC 403

**CFR Citation:** 47 CFR 1.716 to 1.718

**Legal Deadline:** None

**Abstract:** This proceeding seeks comment on proposals to establish a unified, streamlined process for the intake and resolution of informal complaints filed by consumers in order to promote maximum compliance with the requirements of the Communications Act of 1934, as amended, (the Act) and our implementing rules and orders.

The Commission has previously emphasized that our consumer complaint mechanisms are a principal vehicle for achieving such compliance and promoting the pro-competitive goals underlying the Act and our rules. We are concerned, however, that our existing complaint mechanisms require consumers to navigate an array of rule provisions and disparate procedures administered by various offices within the Commission in order to file complaints about practices they believe violate the Act or our rules and orders. Our goal in this proceeding is to consolidate and streamline the consumer complaint mechanisms consumers use when submitting informal complaints to the Commission.



## FCC—Consumer and Governmental Affairs Bureau

## Long-Term Actions

We propose to establish a consumer complaint mechanism patterned after our existing rules for informal complaints filed against common carriers pursuant to section 208 of the Act contained in sections 1.717-1.718 of the Commission's rules. We also invite comment on whether we should make changes to our existing informal common carrier complaint rules.

**Timetable:**

Action	Date
NPRM	04/16/02 67 FR 18560
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State, Local, Tribal, Federal

**Agency Contact:** Genaro Fullano, Legal Counsel, CGB, Federal Communications

Commission, Consumer & Governmental Affairs Bureau, 445 12th Street, SW  
Phone: 202 418-1400

Calvin Osborne, Attorney, Federal Communications Commission, Consumer & Governmental Affairs Bureau, 445 12th Street, SW, Washington, DC 20554  
Phone: 202 418-2692

**RIN:** 3060-AI02

## Federal Communications Commission (FCC) Enforcement Bureau

## Completed Actions

**3861. IN THE MATTER OF AMENDMENT OF PART 73, SUBPART G, OF THE COMMISSION'S RULES REGARDING THE EMERGENCY ALERT SYSTEM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 303; 47 USC 544; 47 USC 606

**CFR Citation:** 47 CFR 11; 47 CFR 73; 47 CFR 76

**Legal Deadline:** None

**Abstract:** The Commission adopted new rules to replace the old Emergency Broadcast System (EBS) with a new Emergency Alert System (EAS), in order to alert the public in the event of a national emergency. The Report and Order requires broadcast stations and cable TV systems to participate in the EAS and streamlines operational procedures for system participants. The new rules prescribe how existing communications services such as broadcasting, cable, and other public service providers will function under the technical standards and operational procedures of the new system. It also removed the old part of the Commission's rules concerning EBS in its entirety and incorporated the new EAS rules in a new part of the Code of Federal Regulations.

The Commission issued a Further Notice of Proposed Rulemaking (NPRM) seeking comments regarding whether the Multipoint Distribution Service (MDS), Satellite Master Antenna TV (SMATV) system, and Video Dial Tone should also be required to participate in EAS. It also sought comments on several cable issues such as whether a defined class of small cable systems should be exempted from participation

in EAS, and how the Commission should define small cable systems. The Commission subsequently adopted a Second Report and Order to (1) modify EAS as it applied to cable systems; (2) address whether other video providers should be required to participate in the system; and (3) adopt rules to address issues of concern to persons with hearing disabilities.

In response to concerns that voluntary EAS activations could interrupt the transmission of emergency programming by local broadcast stations, the Commission issued a Second Further NPRM requesting comment on whether it should adopt rules to prohibit cable systems from transmitting EAS alerts for state or local emergencies during the broadcast of emergency programming by a broadcast station. In the Third Report and Order, the Commission amended its rules to permit cable systems and broadcast systems to enter into voluntary agreements regarding the transmission of local emergency information. The Commission, however, declined to adopt rules requiring cable systems to prevent the interruption of local broadcast station emergency programming. In April 2000, the Commission issued an order in which it deleted obsolete rules or rules that were no longer needed.

In March 2001, the Commission issued an NPRM proposing various revisions to the EAS rules and seeking comment on requests for rule changes filed by the National Weather Service and the Society of Broadcast Engineers.

The Commission adopted rule changes in the Report and Order that are intended to enhance the capabilities and performance of the EAS during

state and local emergencies. The Commission adopted rules that add new state and local event codes to the EAS and rules that permit broadcast stations and cable stations to upgrade their existing EAS equipment to add the new event and location codes on a voluntary basis until the equipment is replaced. Additionally, the Commission adopted rules that require all existing and new models of EAS equipment manufactured after August 1, 2003, to be capable of receiving and transmitting the new codes. The Commission noted that this approach strikes an appropriate balance between promoting public safety by permitting enhancements to State and local EAS and ensuring that any such enhancements do not result in reduced voluntary participation in State and local EAS activities.

**Timetable:**

Action	Date
NPRM	10/09/91
NPRM/FNPRM	09/17/92 57 FR 53874
R&O	12/28/94 59 FR 67090
FNPRM	12/28/94 59 FR 67104
MO&O	11/06/95 60 FR 55996
Second FNPRM	03/04/98 63 FR 15806
Second R&O	09/24/98 63 FR 29660
Third R&O	02/08/99 64 FR 5950
Order	04/24/00 65 FR 21657
NPRM	03/20/01 66 FR 16897
R&O	02/26/02 67 FR 18502

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local, Federal

**Agency Contact:** Bonnie Gay, Emergency Alert System Staff, Federal

**FCC—Enforcement Bureau**

**Completed Actions**

Communications Commission,

Enforcement Bureau, 445 12th Street,  
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Phone: 202 418-1220

RIN: 3060-AF21

**Federal Communications Commission (FCC)**

**Long-Term Actions**

**Office of Engineering and Technology**

**3862. MSS SPECTRUM ALLOCATION**

**Priority:** Substantive, Nonsignificant.  
Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154; 47 USC 302; 47 USC 303; 47 USC 304

**CFR Citation:** 47 CFR 2

**Legal Deadline:** None

**Abstract:** The Second Report and Order finalized the reallocation of the 1990-2025 MHz band from Broadcast Auxiliary Service, including the Cable Television Relay Service and the Local Television Transmission Service, licensees to the new Mobile-Satellite Service (MSS), and established rules for the relocation of incumbent licensees from the 1990-2110 MHz band as well as incumbent Fixed Service (FS) microwave licensees from the 2165-2200 MHz bands, in cases where sharing between MSS and FS is not possible. The Second Memorandum Opinion and Order confirmed the Commission's decision to require new MSS licensees to bear the cost of relocating incumbent licensees in these bands.

**Timetable:**

Action	Date
NPRM	01/31/95 60 FR 11644
Order	03/08/95 60 FR 13687
First R&O	04/22/97 62 FR 19509
R&O and FNPRM	04/22/97 62 FR 19538
MO&O	12/17/98 63 FR 69606
Second R&O and Second MO&O	08/07/00 65 FR 48174
Order	08/19/02 67 FR 53754
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** ET Docket No. 95-18

**Agency Contact:** Tom Derenge, Chief, Spectrum Policy Branch, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
Phone: 202 418-2451

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RIN: 3060-AF75

**3863. UNLICENSED NATIONAL INFORMATION INFRASTRUCTURE AT 5 GHZ**

**Priority:** Economically Significant.  
Major under 5 USC 801.

**Legal Authority:** 47 USC 302; 47 USC 303

**CFR Citation:** 47 CFR 2; 47 CFR 15

**Legal Deadline:** None

**Abstract:** The MO&O amends the rules to permit fixed, point-to-point unlicensed National Information Infrastructure (U-NII) devices in the 5.725-5.285 GHz band to operate with one-watt maximum transmitter output power and directional antennas of up to 23 db:gain. It clarifies the rules regarding unwanted emissions and specifies these limits in terms of absolute radiated power levels. These actions will add to the flexibility and capability of U-NII operations without causing an increase in harmful interference to incumbent operations sharing the same spectrum.

**Timetable:**

Action	Date
NPRM	05/06/96 61 FR 24749
R&O	01/31/97 62 FR 4649
Public Notice	03/17/97 62 FR 12641
MO&O	07/31/98 63 FR 40831
Petition for Reconsideration	09/18/98 63 FR 49913
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** RM-8468 and RM-8653; ET Docket No. 96-102

**Agency Contact:** John Reed, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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RIN: 3060-AG19

**3864. DEDICATED SHORT RANGE COMMUNICATIONS OF INTELLIGENT TRANSPORTATION SERVICES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 157; 47 USC 303

**CFR Citation:** 47 CFR 2; 47 CFR 90

**Legal Deadline:** None

**Abstract:** The FCC proposes to allocate 75 megahertz of spectrum for use by Dedicated Short Range Communications (DSRC) of Intelligent Transportation Systems (ITS). DSRC systems are being designed that require a short range, wireless link to transfer information between vehicles and roadside systems. ITS services are expected to improve traveler safety, decrease traffic congestion, and facilitate reduction of air pollution and conservation of fossil fuels. This action furthers the goal of the U.S. Congress, the Department of Transportation, and the ITS industry to improve the efficiency of the Nation's transportation infrastructure and facilitate the growth of the ITS industry.

**Timetable:**

Action	Date
NPRM	06/30/98 63 FR 35558
NPRM Comment	09/14/98
Period End	
Reply Comment	10/31/98
Period End	
R&O	11/26/99 64 FR 66405
Petition for Reconsideration	02/16/00 65 FR 7873
Dismissed as Moot	01/15/03 68 FR 2001
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Additional Information:** ET Docket No. 98-95

**Agency Contact:** Tom Derenge, Chief, Spectrum Policy Branch, Federal Communications Commission, Office of

## FCC—Office of Engineering and Technology

## Long-Term Actions

Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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RIN: 3060-AG94

### 3865. REGULATIONS FOR RF LIGHTING DEVICES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 304; 47 USC 307

**CFR Citation:** 47 CFR 18

**Legal Deadline:** None

**Abstract:** The FCC proposed to update the regulations for RF lighting devices. This action was taken in response to new developments in RF lighting technology. Recent developments and advances in microwave RF lighting technology offer potential economic and environmental benefits for consumers and industry. The current FCC rules do not easily accommodate these advancements, and thus hinder the further development and implementation of these promising new products.

#### Timetable:

Action	Date
ANPRM	04/24/98 63 FR 20362
First Report & Order	07/12/99 64 FR 37417
Next Action	Undetermined

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** None

**Additional Information:** ET Docket No. 98-42

**Agency Contact:** John Reed, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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RIN: 3060-AG95

### 3866. INDUSTRY COORDINATION COMMITTEE SYSTEM FOR BROADCAST DIGITAL TELEVISION SERVICE

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 307; 47 USC 336

**CFR Citation:** 47 CFR 73; 47 CFR 74

**Legal Deadline:** None

**Abstract:** We seek comment on the establishment of an industry coordination committee to assist the Commission in the implementation of digital television (DTV) service. This committee system would evaluate proposed changes to the DTV Table of Allotments and perform other related functions.

#### Timetable:

Action	Date
NPRM	02/09/99 64 FR 6296
NPRM Comment Period End	03/29/99
Reply Comment Period End	04/28/99
Final Action	01/25/02 67 FR 3616
Next Action	Undetermined

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** ET Docket No. 99-34

**Agency Contact:** Alan Stillwell, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554

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RIN: 3060-AH13

### 3867. 3650-3700 GOVERNMENT TRANSFER BAND

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 157(a); 47 USC 303(c); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r)

**CFR Citation:** 47 CFR 2

**Legal Deadline:** None

**Abstract:** The First Report and Order allocated 50 MHz of spectrum on the 3650-3700 MHz band to the fixed and mobile (base stations) terrestrial services on a primary basis. It also ensures the continuity of fixed satellite

service (FSS) operations and permits new FSS operations to help alleviate congestion in the adjacent 3700-4200 MHz FSS band.

The Second Notice of Proposed Rule Making proposes to establish licensing and service rules for the assignment of fixed and mobile services licenses in the 3650-3700 MHz band. It also seeks comments on whether technical requirements or other reasons justify licensing the 3650-3700 MHz and the 4940-4990 MHz band at the same time.

#### Timetable:

Action	Date
NPRM	01/14/99 64 FR 2462
NPRM Comment Period End	03/01/99
First R&O	11/17/00 65 FR 69454
Second NPRM	11/17/00 65 FR 69612
Petition for Reconsideration	03/28/01 66 FR 16940

Next Action Undetermined

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Undetermined

**Additional Information:** ET Docket No. 98-237

**Agency Contact:** Rodney P. Conway, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554

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RIN: 3060-AH14

### 3868. FIXED SATELLITE SERVICE AND TERRESTRIAL SYSTEM IN THE KU-BAND

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 157; 47 USC 303

**CFR Citation:** 47 CFR 2; 47 CFR 25

**Legal Deadline:** None

**Abstract:** The Memorandum Opinion and Order and 2nd Report and Order addressed petitions for reconsideration and established technical, service, and licensing rules for Multichannel Video Distribution and Data Service (MVDDS) in the 12 GHz band. MVDDS will facilitate the delivery of new communications services, such as video

## FCC—Office of Engineering and Technology

## Long-Term Actions

and broadband services, to a wide range of populations, including those that are unserved or underserved. These rules will allow MVDDS licensees to share the 12 GHz band with new operators on a com-primary basis, and non-harmful interference basis with incumbent Direct Broadcast Satellite service providers.

**Timetable:**

Action	Date	
NPRM	01/12/99	64 FR 1786
Order	02/16/99	64 FR 7577
Public Notice	12/15/99	64 FR 70028
FNPRM	01/24/01	66 FR 7607
R&O	02/16/01	66 FR 10601
Petitions for Reconsideration	04/09/01	66 FR 18474
2nd R&O	06/26/02	67 FR 43031
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:**

Undetermined

**Additional Information:** ET Docket No. 98-206

**Agency Contact:** Tom Derenge, Chief, Spectrum Policy Branch, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH17**3869. SPREAD SPECTRUM DEVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303**CFR Citation:** 47 CFR 15**Legal Deadline:** None

**Abstract:** The Second Report and Order amends the Commission's rules to improve spectrum sharing by unlicensed devices operating in the 2.4 GHz band (2400-2483.5 MHz) to provide for introduction of new digital transmission technologies, and eliminate unnecessary regulations for spread spectrum systems.

**Timetable:**

Action	Date	
NPRM	07/20/99	64 FR 38877
NPRM Comment Period End	11/02/99	
R&O	09/25/00	65 FR 57557

Action	Date	
Petition for Reconsideration	11/08/00	65 FR 67009
Order	06/12/01	66 FR 31556
FNPRM	06/12/01	66 FR 31585
2nd R&O	06/25/02	67 FR 42730
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None**Additional Information:** ET Docket No. 99-231

**Agency Contact:** Neal McNeil, Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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Email: nmcneil@fcc.gov

**RIN:** 3060-AH25**3870. WIRELESS MEDICAL TELEMETRY SERVICE****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 304**CFR Citation:** 47 CFR 2; 47 CFR 15; 47 CFR 90; 47 CFR 95**Legal Deadline:** None

**Abstract:** The Commission amended parts 2 and 95 of the rules to allocate spectrum and to establish rules for a Wireless Medical Telemetry Service. This action will allow potentially life critical medical telemetry equipment, which currently operates on a secondary basis, unprotected from interference, to operate on a blanket licensed, interference protected basis.

**Timetable:**

Action	Date	
NPRM	08/02/99	64 FR 41891
NPRM Comment Period End	10/18/99	
R&O	07/17/00	65 FR 43995
MO&O	02/11/02	67 FR 6172
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None**Additional Information:** ET Docket No. 99-255

**Agency Contact:** Hugh Van Tuyl, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH27

**3871. ESTABLISHMENT OF AN IMPROVED MODEL FOR PREDICTING THE BROADCAST TELEVISION FIELD STRENGTH RECEIVED AT INDIVIDUAL LOCATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154; 47 USC 303; 47 USC 334; 47 USC 336**CFR Citation:** 47 CFR 73**Legal Deadline:** Final, Statutory, May 29, 2000.

**Abstract:** The Commission adopted a prediction model for determining presumptively the ability of individual locations to receive over-the-air television stations. This model will be a useful means for establishing the eligibility of individual households to receive the signals of television broadcast network stations through satellite carriers. The Commission is complying with the new statutory requirements set forth in the Satellite Home Viewer Improvement Act of 1999.

**Timetable:**

Action	Date	
NPRM	02/02/00	65 FR 4923
NPRM Comment Period End	03/07/00	
R&O	06/09/00	65 FR 36639
Petition for Reconsideration	07/31/00	65 FR 46713
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** ET Docket No. 00-11

**Agency Contact:** Robert Eckert, Chief, Technical Analysis Branch, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH37

## FCC—Office of Engineering and Technology

## Long-Term Actions

**3872. CONDUCTED EMISSION LIMITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154; 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 304; 47 USC 307; 47 USC 544A**CFR Citation:** 47 CFR 15; 47 CFR 18**Legal Deadline:** None

**Abstract:** The Report and Order amends the Commission's rules for Radio Frequency (RF) devices to modify the limits on the amount of RF energy that is permitted to be conducted onto alternating current (AC) power lines. These limits protect against interference to licensed radio services operating below 30 MHz. The rule changes also harmonize our domestic requirements with the international standards developed by the International Electrotechnical Commission, International Special Committee on Radio Interference. The Commission believes that such harmonization will benefit consumers and manufacturers by providing better interference protection to licensed radio services as well as promoting a global marketplace for RF devices.

**Timetable:**

Action	Date
NPRM	11/16/99 64 FR 62159
NPRM Comment Period End	02/29/00
R&O	07/10/02 67 FR 45666
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** ET Docket No. 98-80

**Agency Contact:** John Reed, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH46**3873. REVISION OF THE RULES REGARDING ULTRA-WIDEBAND TRANSMISSION****Priority:** Economically Significant**Legal Authority:** 47 USC 154; 47 USC 302; 47 USC 303; 47 USC 304; 47 USC 307; 47 USC 544A**CFR Citation:** 47 CFR 15**Legal Deadline:** None

**Abstract:** The First Report and Order amends the Commission's rules to permit the marketing and operation of certain types of new products incorporating ultra-wideband (UWB) technology. UWB devices operate by employing very narrow or short duration pulses that result in very large or wideband transmission bandwidths. UWB technology holds great promise for a vast array of new applications that we believe will provide significant benefits for public safety, businesses and consumers. With appropriate technical standards, UWB devices can operate using spectrum occupied by existing radio services without causing interference, thereby permitting scarce spectrum resources to be used more efficiently.

**Timetable:**

Action	Date
NPRM	06/14/00 65 FR 37332
NPRM Comment Period End	10/12/00
1st R&O	05/16/02 67 FR 34852
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** ET Docket No. 98-153

**Agency Contact:** John Reed, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH47**3874. SOFTWARE DEFINED RADIO AUTHORIZATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 155; 47 USC 225; 47 USC 303(r); 47 USC 309**CFR Citation:** 47 CFR 1; 47 CFR 2**Legal Deadline:** None

**Abstract:** The NPRM proposes to streamline the equipment authorization procedures for software defined radios. We propose to define software defined radios as a new class of equipment

with equipment authorization rules that reflect the additional flexibility incorporated into such radios. The frequency and technology agility of software defined radios could increase the use of presently underutilized frequency bands.

**Timetable:**

Action	Date
NPRM	01/03/01 66 FR 341
Report & Order	10/05/01 66 FR 50834
Petitions for Reconsideration	12/07/01 66 FR 63545
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Additional Information:** ET Docket No. 00-47

**Agency Contact:** Hugh Van Tuyl, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
Phone: 202 418-7506  
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**RIN:** 3060-AH64**3875. NEW ADVANCED WIRELESS SERVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 157(a); 47 USC 303(c); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r)**CFR Citation:** 47 CFR 2**Legal Deadline:** None

**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.

**Timetable:**

Action	Date
NPRM	01/23/01 66 FR 7438
NPRM Comment Period End	03/09/01
Final Report	04/11/01 66 FR 18740
MO&O	09/13/01 66 FR 47591
FNPRM	09/13/01 66 FR 47618

## FCC—Office of Engineering and Technology

## Long-Term Actions

Action	Date
First R&O	10/25/01 66 FR 53973
Petition for Reconsideration	11/02/01 66 FR 55666
2nd R&O	01/24/03 68 FR 3455
Next Action	Undetermined

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:**

Undetermined

**Additional Information:** ET Docket No. 00-258

**Agency Contact:** Rodney Small, Economist, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH65**3876. REALLOCATION OF 27 MHZ SPECTRUM****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154; 47 USC 302; 47 USC 303(a); 47 USC 336**CFR Citation:** 47 CFR 2**Legal Deadline:** None

**Abstract:** The NPRM proposes to reallocate a total of 27 MHz of spectrum, transferred from Federal Government use, for non-Government services pursuant to the Omnibus Budget Act of 1977. The transfer of these bands to non-Government use should enable the development of new technologies and services, provide additional spectrum relief for congested private land mobile frequencies, and fulfill our obligation as mandated by Congress to assign this spectrum for non-Government use.

**Timetable:**

Action	Date
NPRM	01/23/01 66 FR 7443
NPRM Comment	03/26/01
Period End	
R&O and MO&O	02/11/02 67 FR 6172
Next Action	Undetermined

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Federal**Additional Information:** ET Docket No. 00-221

**Agency Contact:** Ira Keltz, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH66**3877. REVISIONS TO BROADCAST AUXILIARY SERVICE RULES****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 302; 47 USC 303(f); 47 USC 303(r); 47 USC 332; 47 USC 337**CFR Citation:** 47 CFR 1; 47 CFR 2; 47 CFR 73; 47 CFR 74; 47 CFR 78**Legal Deadline:** None

**Abstract:** The Notice of Proposed Rule Making conducts an extensive review of the Broadcast Auxiliary Services (BAS) rules and proposes changes to create a more efficient BAS that can readily adapt to regulatory and technological changes. The Commission examines the relationship between BAS, the Cable Television Relay Service (CARS), and the Fixed Microwave Television Service. The Commission also examines the use of wireless assist video devices (WAVDs) on unused television channels.

**Timetable:**

Action	Date
NPRM	05/24/01 66 FR 28686
NPRM Comment	07/23/01
Period End	
Next Action	Undetermined

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Additional Information:** ET Docket No. 01-75

**Agency Contact:** Ira Keltz, Electronics Engineer, Federal Communications Commission, Office of Engineering and Technology, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH78**3878. PART 15 BIENNIAL REVIEW****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303(e)(f) and (r); 47 USC 304 and 307**CFR Citation:** 47 CFR 2; 47 CFR 15; 47 CFR 18; 47 CFR 90**Legal Deadline:** None

**Abstract:** The First Report and Order in this proceeding requires radar detectors to comply with limits on radiated emissions in the 11.7-12.2 GHz band to prevent interference to satellite services. Radar detectors are required to be approved by the Federal Communications Commission or another designated organization before they can be marketed within the United States.

**Timetable:**

Action	Date
NPRM	11/27/01 66 FR 59209
1st R&O	07/29/02 67 FR 48989
Next Action	Undetermined

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** ET Docket No. 01-278

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**RIN:** 3060-AH92**3879. AMATEUR RADIO SERVICE RULES****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154; 47 USC 302(a); 47 USC 303; 47 USC 336**CFR Citation:** 47 CFR 2; 47 CFR 97**Legal Deadline:** None

**Abstract:** The NPRM proposes to amend the Commission's rules to add a new secondary allocation to the 135.7-137.8 kHz band for the amateur service for experimentation in the low frequency region of the spectrum; and add a new secondary allocation to the 5250-5400 kHz band for the amateur service to facilitate high frequency

## FCC—Office of Engineering and Technology

## Long-Term Actions

amateur service operations; and to upgrade the amateur service allocation from secondary to primary status and add a primary allocation for the amateur-satellite service in the 2400-2402 MHz band.

**Timetable:**

Action	Date
NPRM	06/14/02 67 FR 40898

**Action**  
NPRM Comment  
Period End  
Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes**Small Entities Affected:** Organizations**Government Levels Affected:** Federal**Additional Information:** ET Docket No. 02-98

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**RIN:** 3060-AI04Federal Communications Commission (FCC)  
Office of General Counsel

## Long-Term Actions

**3880. AMENDMENT OF THE EX PARTE RULES IN JOINT BOARD PROCEEDINGS**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i); 47 USC 154(j); 47 USC 303(r); 47 USC 403

**CFR Citation:** 47 CFR 1.1206**Legal Deadline:** None

**Abstract:** The FCC proposes to amend its ex parte rules to facilitate communications by the states in Joint Board proceedings and proceedings before the FCC involving a recommendation from a Joint Board.

**Timetable:**

Action	Date
NPRM	07/15/98 63 FR 38142
NPRM Comment Period End	08/31/98
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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**RIN:** 3060-AH02**3881. AMENDMENT OF SECTION 1.1204 OF THE COMMISSION'S EX PARTE RULES**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 303; 47 USC 309

**CFR Citation:** 47 CFR 1.1204**Legal Deadline:** None

**Abstract:** The Commission proposes to amend its regulations specifying presentations that are treated as exempt under the ex parte rules. Under the current rule, presentations to or from the Department of Justice and the Federal Trade Commission regarding telecommunications competition matters are treated as exempt. The item would expand the scope of the exemption to include the Competition Directorate of the European Commission and other international and foreign bodies with analogous functions. The item would clarify that the term "telecommunications competition matters" in the existing rules was intended to be construed broadly and was not limited to common carriers.

**Timetable:**

Action	Date
NPRM	12/26/00 65 FR 81474
NPRM Comment Period End	02/09/01
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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**RIN:** 3060-AH58**3882. AMENDMENT OF SECTION 1.17 OF THE COMMISSION'S RULES CONCERNING TRUTHFUL STATEMENTS TO THE COMMISSION**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i); 47 USC 201(b); 47 USC 303(r)

**CFR Citation:** 47 CFR 1.17**Legal Deadline:** None

**Abstract:** The Commission proposes to amend its regulations relating to the submission of truthful information to the Commission. Under the current rule, Commission regulatees must not, in any written statement submitted to the Commission, make any misrepresentation or willful material omission bearing on any matter within the jurisdiction of the Commission. The item would: (1) provide that the rule prohibits incorrect statements or omissions resulting from negligence and not just intentional misrepresentation or lack of candor; (2) make clearer that the rule covers statements made to the Commission in all contexts; (3) include oral statements and not just written statements; and (4) include all persons making statements to the Commission (e.g. including non-regulatees).

**Timetable:**

Action	Date
NPRM	03/08/02 67 FR 10658
Next Action Undetermined	

## FCC—Office of General Counsel

## Long-Term Actions

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 3060-AH86

## Federal Communications Commission (FCC)

## Long-Term Actions

## International Bureau

**3883. STREAMLINING THE COMMISSION'S RULES AND REGULATIONS FOR SATELLITE APPLICATION AND LICENSING PROCEDURES; IB DOCKET NO. 95-117**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 4; 47 USC 154; 47 USC 303; 47 USC 554; 47 USC 701 to 744

**CFR Citation:** 47 CFR 25

**Legal Deadline:** None

**Abstract:** On February 10, 1997, the FCC adopted rules and policies that streamlined the application and licensing requirements of part 25 of its rules, which deals with communication satellites and earth stations. The streamlined rules waived the construction permit requirement for satellite space stations; changed the license term for temporary fixed earth stations; and adjusted or changed the rules concerning minor modifications and basic requirements for satellite service applications. The streamlined rules also resulted in the creation of a new application form, FCC Form 312. Form 312 eliminated from the International Bureau's use the FCC Form 493, FCC Form 430, FCC Form 702, and FCC Form 704. Petitions for Reconsideration were filed in this matter. In March 1997 the Commission released a Public Notice concerning these petitions, which are presently pending before the International Bureau.

**Timetable:**

Action	Date
NPRM	09/09/95 60 FR 46252
R&O, Recon Pending	02/10/97 62 FR 5924
Public Notice/Petitions for Recon	03/26/97 62 FR 14430
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local, Federal

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**RIN:** 3060-AD70

**3884. ESTABLISHING RULES AND POLICIES FOR THE USE OF SPECTRUM FOR MOBILE SATELLITE SERVICE IN THE L-BAND; IB DOCKET NO. 96-132**

**Priority:** Routine and Frequent. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154; 47 USC 303; 47 USC 316; 47 USC 403

**CFR Citation:** 47 CFR 25.136(d)(1) to 25.136(d)(8); 47 CFR 25.136(e)(1) to 25.136(e)(10)

**Legal Deadline:** None

**Abstract:** The Commission has established licensing policies to govern mobile-satellite services (MSS) in the L-band. Specifically, the Commission has modified the license of Motient Services, Inc. (Motient), the only U.S. MSS system currently authorized to operate in the L-band, to use up to 20 megahertz of spectrum across the entire L-band. Previously, Motient was authorized only to operate in the upper portion of the L-band. In addition, the Commission has adopted and incorporated into part 25 of the rules specific operational parameters and technical requirements to ensure the integrity of maritime distress and safety communications service will not be compromised by MSS operation in the lower portion of the L-band.

**Timetable:**

Action	Date
NPRM	06/18/96 61 FR 40772

Action	Date
NPRM Comment	09/23/96
Period End	
R&O (Release Date)	02/07/02 67 FR 51105
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

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**RIN:** 3060-AF89

**3885. 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**

**Priority:** Routine and Frequent. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 151(i); 47 USC 154(j); 47 USC 157; 47 USC 309(j)

**CFR Citation:** 47 CFR 25.144

**Legal Deadline:** None

**Abstract:** The Commission is proposing rules to govern satellite digital audio radio services (SDARS). The Commission adopted service rules for SDARS in 1997 and sought further comment on proposed rules governing the use of complementary terrestrial repeaters. See 62 FR 19095.

**Timetable:**

Action	Date
NPRM	06/15/95 60 FR 35166
R&O	03/11/97 62 FR 11083
FNPRM	04/18/97 62 FR 19095
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** Yes



## FCC—International Bureau

## Long-Term Actions

**Small Entities Affected:** Businesses

**Government Levels Affected:**  
Undetermined

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**RIN:** 3060-AF93

**3886. REDESIGNATION OF THE 27.5-29.5 GHZ FREQUENCY BAND; CC DOCKET NO. 92-297**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 301; 47 USC 302

**CFR Citation:** 47 CFR 1; 47 CFR 2; 47 CFR 21; 47 CFR 25

**Legal Deadline:** None

**Abstract:** The Commission issued a Memorandum Opinion and Order that addressed a petition for clarification and/or reconsideration filed by Teledesic Corporation of the Commission's Third Report and Order, which established technical requirements and service rules for geostationary fixed satellite services (NGOS FSS) in the Ka-band.

**Timetable:**

Action	Date	
NPRM	07/13/95	60 FR 43740
NPRM Comment Period End	09/07/95	
R&O	08/28/96	61 FR 44177
Third R&O	11/18/97	62 FR 61488
Order on Recon	05/25/02	67 FR 39308
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:**  
Undetermined

**Additional Information:** CC Docket No. 92-297

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**RIN:** 3060-AF94

**3887. AMENDMENT OF POLICY TO ALLOW NON-U.S. LICENSED SPACE STATIONS TO PROVIDE SERVICE IN THE UNITED STATES; IB DOCKET NO. 96-111; CC DOCKET NO. 93-23**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 303; 47 USC 308

**CFR Citation:** 47 CFR 25.113; 47 CFR 25.115; 47 CFR 25.130; 47 CFR 25.131; 47 CFR 25.137

**Legal Deadline:** None

**Abstract:** In the Second Order on Reconsideration in this proceeding, the Commission denied four petitions for reconsideration of the DISCO II Order.

**Timetable:**

Action	Date	
NPRM	05/14/96	61 FR 32398
NPRM Comment Period End	08/16/96	
FNPRM	07/29/97	62 FR 40494
R&O	12/04/97	62 FR 64167
Public Notice	01/05/98	63 FR 227
Public Notice on Petitions for Recon	01/30/98	63 FR 4640
First Order on Recon	11/15/99	64 FR 61791
Second Order on Recon (Release Date)	11/05/01	
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

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**RIN:** 3060-AG31

**3888. ALLOCATE & DESIGNATE: SPEC FOR FIXED-SAT SRV (37.5-38.5, 40.5-41.5 & 48.2-50.2 GHZ BANDS). ALLOCATE: FIXED & MOBILE 40.5-42.5 GHZ; WIRELESS 46.9-47 GHZ; GOV OPER 37-38 & 40-40.5 GHZ; IB DOC NO. 97-95**

**Priority:** Economically Significant

**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303(e); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r); 47 USC 304; 47 USC 307

**CFR Citation:** 47 CFR 2.106; 47 CFR 25.202; 47 CFR 25.208

**Legal Deadline:** None

**Abstract:** This item adopts a plan for non-government operations in the 36.0 - 51.4 GHz portion of the V-band, establishing priorities for different services in different parts of this band.

**Timetable:**

Action	Date	
NPRM	04/04/97	62 FR 16129
Report & Order	01/15/99	64 FR 2585
Correction	02/08/99	64 FR 6138
Correction	02/10/99	64 FR 6565
Notice of Petition for Reconsideration	03/22/99	64 FR 13796
Order on Reconsideration	12/01/99	
Further NPRM	07/05/01	66 FR 35399
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses,  
Organizations

**Government Levels Affected:** State,  
Local, Tribal

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**RIN:** 3060-AH23

## FCC—International Bureau

## Long-Term Actions

**3889. ESTABLISHMENT OF POLICIES AND SERVICE RULES FOR THE MOBILE SATELLITE SERVICE IN THE 2 GHZ BAND; IB DOCKET NO. 99-81****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 303; 47 USC 307; 47 USC 309; 47 USC 310; 47 USC 319**CFR Citation:** 47 CFR 25.114; 47 CFR 25.115; 47 CFR 25.121; 47 CFR 25.133; 47 CFR 25.136; 47 CFR 25.137; 47 CFR 25.143; 47 CFR 25.201; 47 CFR 25.202; 47 CFR 25.203; 47 CFR 25.279**Legal Deadline:** None**Abstract:** The Commission amended the regulations covering the 1.6/2.4 GHz Mobile Satellite Service (MSS) to incorporate the rules for the 2 GHz MSS. The actions establish the band arrangement and service rules and policies for the 2 GHz MSS. The effect of amending the 1.6/2.4 GHz MSS rules to include 2 GHz MSS is to simplify and harmonize the rules for the types of satellite services.**Timetable:**

Action	Date
NPRM	04/07/99 64 FR 16880
Report and Order	10/04/00 65 FR 59140
MO&O	09/13/01 66 FR 47591
Erratum	07/16/02 67 FR 46603
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Agency Contact:** Howard Griboff, Attorney Advisor, Federal Communications Commission, International Bureau, 445 12th Street, SW., Washington, DC 20554  
Phone: 202 418-0657  
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Email: hgriboff@fcc.gov**RIN:** 3060-AH28**3890. POLICIES FOR THE DIRECT BROADCAST SATELLITE SERVICE; IB DOCKET NO. 98-21****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154**CFR Citation:** 47 CFR 25**Legal Deadline:** None**Abstract:** This proceeding streamlines and simplifies the Commission's rules governing direct broadcast satellite (DBS) service. It also harmonizes the

rules for DBS with those of other satellite services.

**Timetable:**

Action	Date
NPRM	03/06/98 63 FR 11202
NPRM	02/02/01 66 FR 8774
R&O	08/08/02 67 FR 51110
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Agency Contact:** Selina Khan, Staff Attorney, Federal Communications Commission, International Bureau, 445 12th Street, SW., Washington, DC 20554

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**RIN:** 3060-AH29**3891. 1998 BIENNIAL REGULATORY REVIEW — REVIEW OF ACCOUNTS SETTLEMENT IN MARITIME MOBILE & MARITIME MOBILE-SATELLITE RADIO SERVICES AND WITHDRAWAL OF THE COMMISSION AS ACCOUNTING AUTHORITY; IB DOC NO. 98-96****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 154(j); 47 USC 201; 47 USC 202; 47 USC 203; 47 USC 204; 47 USC 205; 47 USC 303(r)**CFR Citation:** 47 CFR 3.10(e)**Legal Deadline:** None**Abstract:** The FCC has decided to withdraw from acting as an accounting authority for the settlement of accounts in the maritime mobile and maritime mobile-satellite (ship-to-shore) radio services, and to rely solely upon the various privately owned accounting authorities the FCC has authorized. In that connection the FCC amended section 3.10(e) of its rules to specify that private accounting authorities must serve the public non-discriminatorily (action 7-13-99). The Commission is gathering comment to develop a plan to ensure a smooth transition to private accounting authorities.**Timetable:**

Action	Date
NPRM	07/24/98 63 FR 39800
Report & Order	07/28/99 64 FR 40774

Action	Date
Further NPRM	07/28/99 64 FR 40808
Comment Period Extended	09/03/99 64 FR 48337
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Federal**Agency Contact:** John F. Copes, Attorney Advisor, Federal Communications Commission, International Bureau, 445 12th Street, SW., Washington, DC 20554  
Phone: 202 418-1478  
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Email: jcopes@fcc.gov**RIN:** 3060-AH30**3892. GLOBAL MOBILE PERSONAL COMMUNICATIONS BY SATELLITE; IB DOCKET NO. 99-67****Priority:** Economically Significant**Legal Authority:** 47 USC 4(i); 47 USC 7(a); 47 USC 303(c); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r); 47 USC 307; 47 USC 309; 47 USC 310**CFR Citation:** 47 CFR 25.200; 47 CFR 25.213; 47 CFR 25.215; 47 CFR 25.216; 47 CFR 2.1204**Legal Deadline:** None**Abstract:** The FCC has proposed to adopt rules to facilitate transnational use of mobile terminals used for 2-way voice communication via satellite systems with global or international coverage. In the same proceeding, the FCC has adopted limits on out-of-band emissions from some mobile satellite terminals in order to protect reception of aeronautical satellite radionavigation signals in the 1559-1610 MHz band. The FCC also asked for comment on the advisability of adopting rules requiring providers of mobile telecommunication service via satellite to provide 911 emergency-calling features.**Timetable:**

Action	Date
NPRM	04/06/99 64 FR 16687
NPRM Comment Period End	05/18/99
Public Notice	01/17/01 66 FR 3960
R&O and FNPRM (release date)	05/14/02
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes

## FCC—International Bureau

## Long-Term Actions

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH49

**3893. STREAMLINING EARTH STATION LICENSING RULES; IB DOCKET NO. 00-248**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 701 to 744

**CFR Citation:** 47 CFR 23; 47 CFR 25

**Legal Deadline:** None

**Abstract:** The Commission has found several cases in which modifying or eliminating rules could facilitate licensing of earth stations, thereby expediting the provision of useful satellite services to the public, without unreasonably increasing the risk of harmful interference to existing earth station or space station operators, or terrestrial wireless operators in shared frequency bands.

Specifically, this NPRM considers the following rule revisions: (1) codifying streamlined procedures for case-by-case examination of earth stations using “non-routine” antennas, non-routine power levels, or both; (2) relaxing some current requirements, such as increasing power and power density limits, and allowing some temporary fixed earth stations to begin operation sooner than is now permitted; (3) streamlining the very small aperture terminal (VSAT) rules, and revising the Commission’s power level rules to provide for various types of VSAT multiple access methods; (4) adopting a simplified license application form for “routine” earth stations; and (5) other miscellaneous rule revisions. The Commission also invites comment on extending these proposed rules to the Ka-band.

On September 26, 2002, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. This Further NPRM invited comment on refinements to the proposals in the NPRM to relax some earth station technical requirements,

and on an alternative to the VSAT proposals in the NPRM. The Further NPRM also seeks comment on proposals made by commenters in response to the First NPRM.

**Timetable:**

Action	Date
NPRM	01/08/01 66 FR 1283
NPRM Comment	05/07/01
Period End	
FNPRM	12/24/02 67 FR 78399
FNPRM comment	04/08/03
period ends	
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

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**RIN:** 3060-AH60

**3894. POLICIES AND RULES FOR NON-GEOSTATIONARY SATELLITE ORBIT, FIXED SATELLITE SERVICE IN THE KA-BAND; IB DOCKET NO. 02-19**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 157(a); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r)

**CFR Citation:** 47 CFR 25

**Legal Deadline:** None

**Abstract:** The NPRM seeks to determine a method to license multiple satellite network systems in spectrum designated on a primary basis for non-geostationary satellite orbit, fixed-satellite service. It also proposes service rules to apply to these licensees.

**Timetable:**

Action	Date
NPRM	03/04/02 67 FR 9641
NPRM Comment	04/18/02
Period End	
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 3060-AH93

**3895. ENFORCEMENT OF OTHER NATIONS’ PROHIBITIONS AGAINST THE UNCOMPLETED CALL SIGNALING CONFIGURATION OF INTERNATIONAL CALLBACK SERVICE; IB DOCKET NO. 02-18**

**Priority:** Info./Admin./Other

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 154 (j); 47 (USC 201(b); 47 USC 303(r); ...

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** The Notice of Proposed Rulemaking seeks comments on whether the Commission should eliminate the existing comity-based prohibitions and thus discontinue the policy that allows a foreign government or entity to make use of the enforcement mechanisms of the Commission to prohibit the U.S. carriers from offering one form of call-back abroad. International call-back arrangements allow foreign callers to take advantage of low U.S. international services rates, many of which are significantly lower than the rates available in their home countries.

**Timetable:**

Action	Date
NPRM	03/08/02 67 FR 10656
NPRM Comment	05/15/02
Period End	
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Undetermined

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**RIN:** 3060-AH94

FCC—International Bureau

Long-Term Actions

**3896. SPACE STATION LICENSING REFORM; IB DOCKETS 00-248 AND 02-34**

**Priority:** Other Significant

**Legal Authority:** 47 USC 154(i); 47 USC 157; 47 USC 303(c); 47 USC (f); 47 USC 303(g); 47 USC 303(r)

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Commission has adopted a Notice of Proposed Rulemaking to streamline its procedures for reviewing satellite license applications. Currently, the Commission uses processing rounds to review those applications. In a processing round, when an application is filed, the International Bureau (Bureau) issues a public notice establishing a cut-off date for other mutually exclusive satellite applications, and then considers all those applications together. In cases where sufficient spectrum to accommodate all the applicants is not available, the Bureau directs the applicants to negotiate a mutually agreeable solution. Those negotiations usually take a long time, and delay provision of satellite services to the public.

The NPRM invites comment on two alternatives for expediting the satellite application process. One alternative is 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 is to streamline the processing round procedure by adopting one or more of the following proposals: (1) placing a time limit on negotiations; (2) establishing criteria to select among competing applicants; (3) dividing the available spectrum evenly among the applicants.

**Timetable:**

Action	Date
NPRM	03/19/02 67 FR 12498
NPRM Comment Period End	07/02/02

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH98

**3897. ALASKA BUSH EARTH STATION POLICY; IB DOCKET NO. 02-30**

**Priority:** Other Significant

**Legal Authority:** 47 USC 301

**CFR Citation:** None

**Legal Deadline:** None

**Abstract:** The FCC is proposing to repeal a policy against licensing “duplicative” MTS earth stations in rural Alaska.

**Timetable:**

Action	Date
NPRM	05/30/02 67 FR 37750
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 3060-AH99

**3898. FLEXIBILITY FOR DELIVERY OF COMMUNICATIONS BY MOBILE SATELLITE SERVICE PROVIDERS IN THE 2 GHZ BAND, THE L-BAND, AND THE 1.6/2.4 GHZ BAND**

**Priority:** Economically Significant

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 157(a); 47 USC 301; 47 USC 303(c); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r); 47 USC 303(y); 47 USC 308

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** This proceeding was initiated to obtain comments on proposals to bring flexibility to the delivery of communications by mobile satellite service (MSS) providers.

**Timetable:**

Action	Date
NPRM	09/13/01 66 FR 47621

Action	Date
NPRM Comment Period End	10/25/01
Public Notice	04/05/02 67 FR 16347
NPRM	01/29/03
Report & Order	01/29/03
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** Undetermined

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**RIN:** 3060-AI05

**3899. MITIGATION OF ORBITAL DEBRIS; IB DOCKET NO. 02-54**

**Priority:** Routine and Frequent

**Legal Authority:** 47 USC 154(i); 47 USC 157(a); 47 USC 303(c); 47 USC 303(f); 47 USC 303(g); 47 USC 303(r)

**CFR Citation:** 47 CFR 5; 47 CFR 25; 47 CFR 97

**Legal Deadline:** None

**Abstract:** The Commission is proposing rules for satellite services concerning orbital debris mitigation. Orbital debris consists of artificial objects orbiting the Earth that are not functional spacecraft. The Commission is proposing a range of options for addressing orbital debris issues as part of spacecraft design and operation in order to preserve access to space for the long term.

**Timetable:**

Action	Date
NPRM	05/03/02 67 FR 22376
NPRM Comment Period End	08/16/02
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AI06

## Federal Communications Commission (FCC)

## Completed Actions

## International Bureau

**3900. SATELLITE COMMUNICATIONS — NGSO MOBILE SATELLITE SERVICE; CC DOCKET NO. 92-166**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 301; 47 USC 303

**CFR Citation:** 47 CFR 2; 47 CFR 25; 47 CFR 93

**Legal Deadline:** None

**Abstract:** The Commission adopted rules in 1994 for a voice-and-data mobile satellite service (MSS) in the 1610-1626.5 MHz and 2483.5-2500 MHz frequency bands. Licenses have been issued for five systems. The Commission issued a decision in a 1996 ruling on Petitions for Reconsideration of the Report and Order making some changes in the rules. Several petitions for further reconsideration were filed but were withdrawn in 2002. The proceeding has been terminated.

**Timetable:**

Action	Date
NPRM	03/14/94 59 FR 11746
NPRM Comment Period End	06/04/94
R&O	10/21/94 59 FR 53294
Begin Review	12/01/94
First Recon Order	03/12/96 61 FR 9944
Withdrawn	08/19/02

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Additional Information:** CC Docket No. 92-166

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**RIN:** 3060-AF42

**3901. 2000 BIENNIAL REVIEW — AMENDMENT OF PARTS 43 AND 63 OF THE COMMISSION'S RULES; IB DOCKET NO. 00-231**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 161; 47 USC 214; 47 USC 218; 47 USC 219; 47 USC 220; 47 USC 403

**CFR Citation:** 47 CFR 43.81; 47 CFR 63.10; 47 CFR 63.18; 47 CFR 63.19; 47 CFR 63.20; 47 CFR 63.22; 47 CFR 63.24; ...

**Legal Deadline:** None

**Abstract:** This adopted proceeding further streamlines measures for international telecommunications services. The Report and Order amended the procedures for filing pro forma assignments and transfers of control of section 214 international authorizations, eliminated the benchmark settlement rate condition, and modified the rules requiring dominant international carriers to seek prior approval to discontinue service. The Report and Order also clarified rules and eliminated others no longer needed.

**Timetable:**

Action	Date
NPRM	12/20/00 65 FR 79795
Report & Order	07/09/02 67 FR 45387

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH62

**3902. LICENSING AND COORDINATION OF EARTH STATIONS IN THE FIXED-SATELLITE SERVICES; IB DOCKET NO. 00-203**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 307; 47 USC 309; 47 USC 332; 47 USC 701 to 744

**CFR Citation:** 47 CFR 25; 47 CFR 101

**Legal Deadline:** None

**Abstract:** This proceeding has ended. The remaining issues will be addressed in a Second Report and Order in IB Docket No. 98-172, released November 26, 2002.

**Timetable:**

Action	Date
NPRM	11/24/00 65 FR 70541
First R&O	06/12/01 66 FR 31557
Second R&O	01/30/02 67 FR 7287

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH63

## Federal Communications Commission (FCC)

## Long-Term Actions

## Media Bureau

**3903. TRANSFER OF CONTROL OF NON-STOCK ENTITIES (MM DOCKET NO. 89-77)**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154

**CFR Citation:** 47 CFR 73

**Legal Deadline:** None

**Abstract:** The Commission will consider proposals concerning the treatment of corporations and other organizational structures that are not traditional commercial corporations.

**Timetable:**

Action	Date
NOI	03/16/89 54 FR 15957
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

**Agency Contact:** Mania K. Baghdadi, Deputy Division Chief, Industry Analysis Division, Federal Communications Commission, Media Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AE31

**3904. CABLE TELEVISION RATE REGULATION**

**Priority:** Other Significant

**Legal Authority:** 47 USC 154; 47 USC 543

**CFR Citation:** 47 CFR 76

**Legal Deadline:** None

**Abstract:** The Commission has adopted rate regulations to implement section 623 of the 1992 Cable Act to ensure that cable subscribers nationwide enjoy the rates that would be charged by cable systems operating in a competitive environment.

Reconsideration was requested. The 14th Order on Reconsideration addresses petitions on issues governing regulated services by cable systems. In a subsequent notice, comment was sought on recalibrating the competitive differential between rates of systems subject to effective competition and non competitive systems. In addition, comment was sought as to whether

there may be a different approach to establish reasonable rates on the basic service tier.

**Timetable:**

Action	Date
NPRM	01/04/93 58 FR 48
R&O and FNPRM	05/21/93 58 FR 29736
MO&O and FNPRM	08/18/93 58 FR 43816
3rd R&O	11/30/93 58 FR 63087
Order on Recon, 4th R&O, and 5th NPRM	04/15/94 59 FR 17943
3rd Order on Recon	04/15/94 59 FR 17961
5th Order on Recon and FNPRM	10/13/94 59 FR 51869
4th Order on Recon	10/21/94 59 FR 53113
6th Order on Recon, 5th R&O, and 7th NPRM	12/06/94 59 FR 62614
7th Order on Recon	01/25/95 60 FR 4863
9th Order on Recon	02/27/95 60 FR 10512
8th Order on Recon	03/17/95 60 FR 14373
6th R&O and 11th Order on Recon	07/12/95 60 FR 35854
13th Order on Recon	10/05/95 60 FR 52106
12th Order on Recon	10/26/95 60 FR 54815
10th Order on Recon	04/08/96 61 FR 15388
Order on Recon of the 1st R&O and Further NPRM	04/15/96 61 FR 16447
MO&O	02/12/97 62 FR 6491
Report on Cable Industry Prices	02/24/97 62 FR 8245
R&O	03/31/97 62 FR 15118
14th Order on Recon	10/15/97 62 FR 53572
NPRM and Order	09/05/02 67 FR 56882
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Agency Contact:** Peggy Greene, Associate Bureau Chief, Federal Communications Commission, Media Bureau, 445 12th Street, SW, Washington, DC 20554  
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**RIN:** 3060-AF41

**3905. CABLE TELEVISION RATE REGULATION: COST OF SERVICE**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 543

**CFR Citation:** 47 CFR 76

**Legal Deadline:** None

**Abstract:** The Commission has established rules pursuant to which cable operators may set rates for regulated cable service in accordance with traditional cost-of-service principles, as modified to take account of unique characteristics of the cable industry. In the latest NPRM, comment was sought on rule changes that may be necessary or desirable in order to account for changes in the regulatory process resulting from the end of the Commission's statutory authority to regulate certain tiers of cable programming service.

**Timetable:**

Action	Date
NPRM	07/30/93 58 FR 40762
R&O	04/15/94 59 FR 17975
2nd NPRM	04/15/94 59 FR 18066
MO&O	10/14/94 59 FR 52087
2nd R&O/1st Order on Recon/FNPRM	03/08/96 61 FR 9361
Correction	03/22/96 61 FR 11749
NPRM and Order	09/05/02 67 FR 56882
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local

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**RIN:** 3060-AF48

**3906. CUSTOMER SERVICE STANDARDS**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i) to 154(j); 47 USC 303; 47 USC 552

**CFR Citation:** 47 CFR 76

**Legal Deadline:** NPRM, Statutory, April 3, 1993.

**Abstract:** The Commission has adopted customer service standards for cable operators nationwide to implement the provisions of the Cable Act of 1992. Such standards shall include, at a minimum, cable systems office hours, telephone availability, installations,

## FCC—Media Bureau

## Long-Term Actions

outages, service calls, and communication between the cable operator and subscriber, including billing and refunds.

**Timetable:**

Action	Date
NPRM	12/23/92 57 FR 61038
R&O	04/19/93 58 FR 21107
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local

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**RIN:** 3060-AF69

### 3907. FILING OF TELEVISION NETWORK AFFILIATION CONTRACTS (MM DOCKET NO. 95-40)

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i); 47 USC 303(r)

**CFR Citation:** 47 CFR 73.3613(a)

**Legal Deadline:** None

**Abstract:** This proceeding considers changes to the requirement that stations file their network affiliation agreements with the Commission.

**Timetable:**

Action	Date
NPRM	04/19/95 60 FR 19564
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Federal

**Agency Contact:** Judith Herman, Assistant Chief, Industry Analysis Division, Federal Communications Commission, Media Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AF80

### 3908. RULES GOVERNING BROADCAST TELEVISION ADVERTISING (MM DOCKET NO. 95-90)

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i); 47 USC 154(j); 47 USC 301; 47 USC 303(r); 47 USC 313; 47 USC 314

**CFR Citation:** 47 CFR 73.658(h); 47 CFR 73.658(i)

**Legal Deadline:** None

**Abstract:** This proceeding considers changes to two rules regulating broadcast television advertising. The first advertising rule prohibits a broadcast television network from influencing or controlling the rates its affiliates set for the sale of their non-network advertising time. The second advertising rule prohibits a broadcast television network from representing any of its affiliates in the sale of non-network advertising time.

**Timetable:**

Action	Date
NPRM	07/05/95 60 FR 34959
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Agency Contact:** Judith Herman, Assistant Chief, Industry Analysis Division, Federal Communications Commission, Media Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AF81

### 3909. CABLE HOME WIRING

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 544(i)

**CFR Citation:** 47 CFR 76

**Legal Deadline:** None

**Abstract:** On October 6, 1997, the FCC adopted a Report and Order and Second Notice of Proposed Rulemaking (FCC 97-7360) that amends its cable inside wiring rules to enhance competition in the video distribution marketplace. The Second FNPRM seeks comment on, among other things, whether there are circumstances where

the FCC should adopt restrictions on exclusive contracts in order to further promote competition in the multiple dwelling unit marketplace. A Petition for Review was filed in the U.S. Circuit Court of Appeals for the 8th Circuit on November 24, 1997. The FCC has received petitions for reconsideration and has requested the 8th Circuit to hold the pending court case in abeyance until the Commission takes action on the pending petitions. The Court granted the Commission's request.

**Timetable:**

Action	Date
NPRM	11/17/92 57 FR 54209
R&O	03/02/93 58 FR 11970
NPRM	02/01/96 61 FR 3657
First Order on Recon & FNPRM	02/16/96 61 FR 6210
FNPRM	09/03/97 62 FR 46453
R&O and Second FNPRM	11/14/97 62 FR 60165
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AG02

### 3910. CLOSED CAPTIONING

**Priority:** Other Significant

**Legal Authority:** 47 USC 613

**CFR Citation:** 47 CFR 79.1; 47 CFR 79.2

**Legal Deadline:** None

**Abstract:** The FCC adopted regulations to ensure that video programming is accessible to persons with hearing disabilities through closed captioning. The rules were adopted in August 1997 and modified in response to petitions for reconsideration in September 1998. In April 2000, the FCC adopted rules to ensure the accessibility of televised emergency information to persons with hearing disabilities through closed captioning or another method of visual presentation.

## FCC—Media Bureau

## Long-Term Actions

**Timetable:**

Action	Date	
NOI	12/15/95	60 FR 65052
Order	01/29/96	61 FR 2781
Order	03/12/96	61 FR 9963
Report	08/14/96	61 FR 42249
NPRM	02/03/97	62 FR 4959
Order	03/24/97	62 FR 13853
R&O	09/16/97	62 FR 48487
FNRPM	01/21/98	63 FR 3070
Order	10/20/98	63 FR 55959
Order	06/23/99	64 FR 33424
Second R&O	05/09/00	65 FR 26757
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** Additional Bureau: Consumer Information

**Agency Contact:** Marcia Glauber, Deputy Division Chief, Industry Analysis Division, Federal Communications Commission, Media Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AG26**3911. CABLE ACT REFORM****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154; 47 USC 522; 47 USC 543; 47 USC 544; 47 USC 548; 47 USC 552**CFR Citation:** 47 CFR 76**Legal Deadline:** None

**Abstract:** This proceeding implements the cable reform section of the Telecommunications Act of 1996. It addresses several issues, including the cable rate complaint process, effective competition and subscriber notifications.

**Timetable:**

Action	Date	
Order & NPRM	04/30/96	61 FR 19013
Report & Order	07/02/99	64 FR 35948
Correction	08/06/99	64 FR 42855
Order on Recon	06/14/02	67 FR 40870
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** State, Local

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**RIN:** 3060-AG27**3912. COMPETITIVE AVAILABILITY OF NAVIGATION DEVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 549**CFR Citation:** 47 CFR 76**Legal Deadline:** None

**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. Petitions for reconsideration were resolved in a recent order. The Commission also issued a Further Notice of Proposed Rulemaking and Declaratory Ruling. The Further Notice sought comment as to the effectiveness of the Commission's rules for achieving the commercial availability of navigation devices. Accompanying the Further Notice was a Declaratory Ruling which found that technology licenses requiring copy protection measures to be located within a navigation host device are consistent with the Commission's navigation devices rules. A subsequent Further Notice sought comment on a Memorandum of Understanding (MOU) filed by affected industries. The MOU seeks Commission action regarding compatibility regarding digital televisions and digital cable systems.

**Timetable:**

Action	Date	
NPRM	03/05/97	62 FR 10011
R&O	07/15/98	63 FR 38089
Order on Reconsideration	06/02/99	64 FR 29599
FNPRM & Declaratory Ruling	09/28/00	65 FR 58255

Action	Date	
FNPRM	01/16/03	68 FR 2278
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AG28**3913. MINOR MODIFICATIONS OF BROADCAST LICENSES WITHOUT PRIOR CONSTRUCTION PERMIT (MM DOCKET NO. 96-58)****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 155(c)(1); 47 USC 302; 47 USC 303**CFR Citation:** 47 CFR 73**Legal Deadline:** None

**Abstract:** This proceeding will implement the Commission's new authority to eliminate the present requirement for a construction permit for a broadcast station in certain instances where the changed facilities would not have an adverse impact on other broadcast facilities. In these instances, licensees or permittees will be able to initiate the change without prior authority and file a license application to cover the change afterwards.

**Timetable:**

Action	Date	
NPRM	04/08/96	61 FR 15439
R&O	09/30/97	62 FR 51052
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AG30



## FCC—Media Bureau

## Long-Term Actions

**3914. POLE ATTACHMENT PROVISIONS****Priority:** Other Significant**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 224; 47 USC 303; 47 USC 403**CFR Citation:** 47 CFR 1.1401 to 1.1418**Legal Deadline:** Final, Statutory, February 8, 1998.

**Abstract:** The Commission established rules relating to pole attachments. The Telecommunications Act of 1996 required that within two years the Commission prescribe regulations governing the charges for pole attachments for telecommunications attachers. These regulations are to be used by cable operators and telecommunications carriers to provide telecommunications services when the utility and attaching entity parties fail to resolve a dispute over such charges. The Report and Order released in 1998 prescribed regulations to govern these charges.

In April 2000, the Commission released a Report and Order addressing issues related to the formula used to calculate just and reasonable rates that utilities charge for pole attachments. Petitions for reconsideration of both the 1998 and 2000 orders were resolved by Order released in May 2001.

**Timetable:**

Action	Date
NPRM	08/18/97 62 FR 43963
R&O	03/12/98 63 FR 12013
R&O	05/17/00 65 FR 31270
Erratum	05/31/00 65 FR 34820
Reconsideration Order	06/29/01 66 FR 34569
Next Action	Undetermined

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State

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**RIN:** 3060-AG71**3915. REVIEW OF TECHNICAL RULES IN PARTS 73 AND 74 (MM DOCKET NO. 98-93)****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 47 USC 307; 47 USC 319**CFR Citation:** 47 CFR 73; 47 CFR 74**Legal Deadline:** None

**Abstract:** The Second Report and Order in this radio technical streamlining proceeding continues the Commission's efforts to make the broadcast application process simpler, faster, and more efficient. In the Second Report and Order, the Commission amended the separation requirements for short-spaced FM stations, section 73.215(e), to afford second- and third-adjacent channel stations minimum relief of six kilometers from the full spacing requirements of section 73.207. The order also expands the types of facility changes covered by expedited one-step licensing procedures and provides additional technical flexibility to FM stations licensed to Puerto Rico and the U.S. Virgin Islands. The order also relaxes noncommercial educational FM second adjacent channel standard and establishes a noncommercial educational FM community coverage standard. Finally, the item creates a new commercial FM class, class C-zero, and a mechanism to reclassify class C stations that do not meet the new class minimum antenna height where there is a competing demand for spectrum.

**Timetable:**

Action	Date
NPRM	06/22/98 63 FR 33892
Report & Order	04/21/99 64 FR 19498
Second Report & Order	12/20/00 65 FR 79773

Next Action Undetermined

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None

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**RIN:** 3060-AG81**3916. DIGITAL MUST CARRY****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 47 USC 534**CFR Citation:** 47 CFR 76**Legal Deadline:** None

**Abstract:** Section 614(b)(4)(B) of the Communications Act requires that, at the time the Commission prescribes standards for advanced television, it should "initiate a proceeding to establish any changes in the signal carriage requirements of cable television systems necessary to ensure cable carriage of those broadcast signals of local commercial television stations which have been changed to conform with such modified standards." In August of 1998, the FCC issued a Notice of Proposed Rulemaking seeking comments on the requirements of that section. In June 2000, based on responses to the Notice of Proposed Rulemaking, the Commission clarified that DTV-only television stations, in the context of auctioning analog channels 59-69, will ultimately have must carry rights. In January of 2001, the Commission issued a First Report and Order and Further Notice of Proposed Rulemaking resolving a number of technical and legal issues, including clarification that digital-only TV stations are entitled to mandatory carriage.

**Timetable:**

Action	Date
NPRM	08/07/98 63 FR 42330
MO&O and FNPRM	07/12/00 65 FR 42879
FNPRM	03/26/01 66 FR 16523
First R&O	03/26/01 66 FR 16533
Next Action	Undetermined

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Undetermined

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**RIN:** 3060-AG91

## FCC—Media Bureau

## Long-Term Actions

**3917. HORIZONTAL OWNERSHIP LIMITS**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 303; 47 USC 533

**CFR Citation:** 47 CFR 76

**Legal Deadline:** None

**Abstract:** Section 613 of the Communications Act requires the Commission to “prescribe rules and regulations establishing reasonable limits on the number of cable subscribers a person is authorized to reach through cable systems owned by such person, or in which such person has an attributable interest.” On October 8, 1999, the Commission issued a Third Report and Order, FCC 99-289, in this matter. The Commission revised the horizontal ownership rules as follows: (1) all multichannel video subscribers will be counted when calculating the 30 percent ownership limit; (2) actual subscriber numbers, rather than potential subscriber numbers, will be used for calculating an owner’s share; and (3) the minority exception which allowed a 35 percent ownership limit for minority-owned entities under certain circumstances was eliminated. On March 2, 2001, the District of Columbia Circuit Court reversed and remanded the cable horizontal and vertical limits. (Time Warner Entertainment Co. v. FCC, 240 F.3d 1126 (DC cir.2001)). Pursuant to the court’s remand, the Commission is soliciting comment.

**Timetable:**

Action	Date	
Second MO&O on Recon and FNPRM	07/14/98	63 FR 37790
Third R&O	12/01/99	64 FR 67198
Order on Recon	03/08/00	65 FR 12135
MO&O	06/08/00	65 FR 36382
FNPRM	10/11/01	66 FR 51905
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH09

**3918. APPLICATION OF NETWORK NONDUPLICATION, SYNDICATED EXCLUSIVITY, AND SPORTS BLACKOUT RULES TO SATELLITE RETRANSMISSION — SHVIA**

**Priority:** Other Significant

**Legal Authority:** 47 USC 339

**CFR Citation:** 47 CFR 73; 47 CFR 76

**Legal Deadline:** None

**Abstract:** The FCC proposed rules on its implementation of certain aspects of the Satellite Home Viewer Improvement Act of 1999. In October of 2000, the FCC issued an order adopting rules that apply the current cable rules for network non-duplication, syndicated program exclusivity and sports blackout to satellite carriers.

**Timetable:**

Action	Date	
NPRM	02/02/00	65 FR 4927
Report and Order	11/14/00	65 FR 68082
R&O and Order on Recon	11/14/02	67 FR 68944
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH35

**3919. RETRANSMISSION CONSENT ISSUES — SHVIA**

**Priority:** Other Significant

**Legal Authority:** 47 USC 325

**CFR Citation:** 47 CFR 76.64(m); 47 CFR 76.65

**Legal Deadline:** None

**Abstract:** The Satellite Home Viewer Improvement Act of 1999 (SHVIA) requires broadcasters, until the year 2006, to negotiate in good faith with

satellite carriers and other multichannel video programming distributors (MVPDs) with respect to their transmission of the broadcasters’ signals, and prohibits broadcasters from entering into exclusive retransmission agreements.

The First Report and Order (Order) determined that the statute does not intend to subject retransmission consent negotiation to detailed substantive oversight by the Commission. Instead, the Order concludes that Congress intended that the Commission follow established precedent, particularly in the field of labor law, in implementing the good faith retransmission consent negotiation requirement. Consistent with this conclusion, the Order adopts a two-part test for good faith. The first part of the test consists of a brief, objective list of negotiation standards. The second part of the good faith test is based on a totality of the circumstances standard. Under this standard, an MVPD may present facts to the Commission which, even though they do not allege a violation of the specific standards enumerated above, given the totality of the circumstances constitute a failure to negotiate in good faith. The Commission’s rules regarding the good faith negotiation requirement sunset on January 1, 2006. An MVPD believing itself to be aggrieved may file a complaint with the Commission.

**Timetable:**

Action	Date	
NPRM	12/29/99	64 FR 72985
First R&O	03/23/00	65 FR 23805
Order on Recon	09/19/01	66 FR 48219
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH36

## FCC—Media Bureau

## Long-Term Actions

**3920. DIGITAL AUDIO BROADCASTING SYSTEMS (MM DOCKET NO. 99-325)**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154; 47 USC 303

**CFR Citation:** 47 CFR 73

**Legal Deadline:** None

**Abstract:** The rulemaking proceeding was initiated to foster the development and implementation of terrestrial digital audio broadcasting (DAB). The transition to DAB promises the benefits that have generally accompanied digitalization - better audio fidelity, more robust transmission systems, and the possibility of new auxiliary services. In the First Report and Order, the Commission selected in-band, on-channel as the technology that will permit AM and FM radio broadcasters to introduce digital operations. Consideration of formal standard-setting procedures and related broadcasting licensing and service rule changes will be addressed in a future Order.

**Timetable:**

Action	Date
NPRM	11/09/99 64 FR 61054
First R&O	12/23/02 67 FR 78193
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH40

**3921. SATELLITE BROADCASTING SIGNAL CARRIAGE REQUIREMENTS**

**Priority:** Economically Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 338; 47 USC 534; 47 USC 535

**CFR Citation:** 47 CFR 76

**Legal Deadline:** Final, Statutory, November 29, 2000.

**Abstract:** The Satellite Home Viewer Improvement Act of 1999 (SHVIA) requires satellite carriers, by January 1, 2002, to carry upon request all local broadcast stations' signals. These signals must be carried in all local markets in which the satellite carriers carry at least one broadcast station signal, assuming this signal is licensed pursuant to section 122 of the Copyright Act. The SHVIA requires the Commission to issue rules implementing the Act's mandatory carriage requirements within one year of the SHVIA's enactment. On November 29, 2000, the Commission adopted a Report and Order that places satellite carriers on equal footing with cable operators with respect to the availability of programming. The applicable statutory provisions are found in section 1008 of the SHVIA and codified at section 338 of the Communications Act. The Commission implementing satellite broadcast signal carriage rule is 47 CFR 76.66.

**Timetable:**

Action	Date
NPRM	06/30/00 65 FR 40564
NPRM Comment Period End	08/04/00
Report and Order Announcement of Effective Date	01/23/01 66 FR 7410
Order on Reconsideration	06/29/01 66 FR 34582
Next Action	09/26/01 66 FR 49124
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH45

**3922. ANCILLARY OR SUPPLEMENTAL USE OF DTV CAPACITY BY NON-COMMERCIAL LICENSEES (MM DOCKET NO. 98-203)**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 4(i); 47 USC 4(j); 47 USC 303(r); 47 USC 307; 47 USC 309; 47 USC 336

**CFR Citation:** 47 CFR 73

**Legal Deadline:** None

**Abstract:** The Report and Order amends the Commission's rules to require that noncommercial educational (NCE) television licensees primarily provide a nonprofit, noncommercial educational service over their entire digital bitstream, including ancillary or supplementary service; and apply to them the same program to assess and collect fees as that established for commercial DTV licensees' use of DTV capacity for the provision of ancillary or supplementary services. This Report and Order also determines that the Communications Act of 1934 prohibition against the provision of advertising by NCE licensees does not apply to nonbroadcast services, such as subscription services provided on their DTV channels. The intended effect of these actions is to clarify the manner in which NCE licensees may use their excess DTV capacity for remunerative purposes.

**Timetable:**

Action	Date
NPRM	12/14/98 63 FR 68722
R&O	11/26/01 66 FR 58973
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

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**RIN:** 3060-AH53

**3923. PERIODIC REVIEW OF RULES AND POLICIES AFFECTING THE CONVERSION TO DTV**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 4(i); 47 USC 4(j); 47 USC 303(r); 47 USC 307; 47 USC 309; 47 USC 336

**CFR Citation:** 47 CFR 73

**Legal Deadline:** None

**Abstract:** On January 18, 2001, the Commission adopted a Report and Order (R&O) and Further Notice of Proposed Rulemaking, addressing a number of issues related to the

## FCC—Media Bureau

## Long-Term Actions

conversion of the nation's broadcast television system from analog to digital television. The Memorandum Opinion and Order on Reconsideration revised a number of the determinations the Commission made in the R.O, affirms other decisions, and provides clarification of certain rules and policies. The Commission also modifies the minimum hours of operation of certain DTV stations and establishes guidelines for television stations that may seek an extension of the May 1, 2002, and May 1, 2003, deadlines for construction of DTV facilities. The 2nd Report & Order resolved several major technical issues including the issue of receiver performance standards, DTV tuners, and revisions to certain components of the DTV transmission standard. The latest NPRM commenced the Commission's second periodic review of the progress of the digital television conversion.

**Timetable:**

Action	Date
NPRM	03/23/00 65 FR 15600
Report & Order	02/13/01 66 FR 9973
MO&O	12/18/01 66 FR 65122
3rd MO&O and Order on Recon	10/02/02 67 FR 61816
2nd R&O and 2nd MO&O	10/11/02 67 FR 63290
NPRM	02/18/03 68 FR 7737
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined

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**RIN:** 3060-AH54**3924. DIRECT BROADCAST PUBLIC INTEREST OBLIGATIONS; MM DOCKET NO. 93-25****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 335**CFR Citation:** 47 CFR 25; 47 CFR 100**Legal Deadline:** None**Abstract:** The Commission adopted rules in 1998 that implement section

25 of the Cable Television Consumer Protection and Competition Act of 1992, as codified at section 335 of the Communications Act of 1934. Section 335 directs the Commission to impose certain public interest obligations on direct broadcast satellite providers. Several petitions for reconsideration are pending.

**Timetable:**

Action	Date
NPRM	03/08/93 58 FR 12917
Report and Order	02/08/99 64 FR 52399
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined

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**RIN:** 3060-AH59**3925. CHILDREN'S TV, OBLIGATIONS OF DIGITAL TV BROADCASTERS (MM DOCKET NO. 00-167)****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 303; 47 USC 307; 47 USC 336(d)**CFR Citation:** 47 CFR 73.670; 47 CFR 73.671; 47 CFR 73.673**Legal Deadline:** None

**Abstract:** This item seeks comment on a range of issues related to application of our existing children's programming rules to digital broadcasting. The NPRM focuses primarily on two areas: the obligation of commercial television broadcast licensees to provide educational and informational programming for children and the requirement that television broadcast licensees limit the amount of advertising in children's programs.

In addition, this document seeks comment on how to address the issue of the airing, in programs viewed by children, promotions that may be inappropriate for children to watch. Although this document seeks comment largely on challenges unique to the digital area, it also discusses several issues that apply equally to analog and digital broadcasting.

**Timetable:**

Action	Date
NPRM	11/08/00 65 FR 66951
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AH68

**3926. EXTENSION OF FILING REQUIREMENTS FOR CHILDREN'S TV PROGRAMMING REPORT (MM DOCKET NO. 00-44)****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 154(i); 47 USC 303; 47 USC 308**CFR Citation:** 47 CFR 73.3526**Legal Deadline:** None

**Abstract:** This document seeks comment on the tentative conclusion that broadcasters who maintain Internet websites should be required to post their completed quarterly Children's Television Programming Reports (FCC Form 398) on these sites. The FCC Form 398 is required to be filed by commercial television broadcast stations each quarter. This form is used to provide information on the efforts of commercial television stations to provide children's educational and informational programs aired to meet its obligation under the Children's Television Act of 1990. Although the Children's Television Programming Reports are available in a central location on the FCC's website, members of the public may look first to their local broadcast station for information about programming at the station, making station website posting useful.

**Timetable:**

Action	Date
NPRM	05/04/00 65 FR 25895
R&O	11/09/00 65 FR 67283
Further NPRM	11/09/00 65 FR 67331
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Undetermined**Small Entities Affected:** Businesses

## FCC—Media Bureau

## Long-Term Actions

**Government Levels Affected:** None

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**RIN:** 3060-AH69

### 3927. RADIO MARKET DEFINITIONS (MM DOCKET NO. 00-244)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 202(h); 47 USC 303; 47 USC 307

**CFR Citation:** 47 CFR 73.3555

**Legal Deadline:** None

**Abstract:** This FNPRM proposes changes to local ownership rules and policies concerning multiple ownership of radio broadcasting stations. The Commission examines the effect our current rules have had on the public and seeks comments to better serve our communities. This action is also intended to consider possible changes to our current local market radio ownership rules and policies in accordance with the Telecommunications Act of 1996. Because of the similarity of the issues presented in the Multiple Ownership of Radio Broadcast Stations in Local Markets to those in the Matter of Definition of Radio Market, the two actions were, in effect, consolidated.

**Timetable:**

Action	Date
NPRM	12/28/00 65 FR 82305
FNPRM	12/11/01 66 FR 63997
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH70

### 3928. ENHANCED AND STANDARDIZED DISCLOSURE (MM DOCKET NO. 00-168)

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 303; 47 USC 307; 47 USC 309; 47 USC 336

**CFR Citation:** 47 CFR 73.3526

**Legal Deadline:** None

**Abstract:** This item concerns rules and policies on how commercial television broadcast station licensees provide public interest information to the public. This document proposes amendments to the public inspection file rules that would standardize the format used for providing public interest information to the public and make information contained in public inspection files available on the Internet. The intended effect of this action is to propose rules that would make information regarding how television broadcast stations meet their fundamental public interest obligation to serve the needs and interests of their communities of license easier to understand or more accessible to the public.

**Timetable:**

Action	Date
NPRM	10/19/00 65 FR 62683
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** Undetermined

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH71

### 3929. EXCLUSIVE CONTRACT PROHIBITION OF THE PROGRAM ACCESS RULES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 548

**CFR Citation:** 47 CFR 76.1002

**Legal Deadline:** NPRM, Statutory, October 5, 2002.

**Abstract:** Section 628(c)(2)(D) of the Communications Act generally prohibits, in areas served by a cable operator, exclusive contracts for

satellite cable programming between vertically integrated programming vendors and cable operators. Pursuant to section 628(c)(5), the prohibition on exclusive programming contracts contained in section 628(c)(2)(D) will cease to be effective on October 5, 2002, unless the FCC conducts a proceeding and finds that such prohibition continues to be necessary to preserve and protect competition and diversity in the distribution of video programming. In October 2001, the FCC issued an NPRM to initiate a proceeding in order to make that determination. In June 2002, the Commission issued an order extending the prohibition on exclusive contracts to October 5, 2007.

**Timetable:**

Action	Date
NPRM	10/31/01 66 FR 54972
R&O	07/30/02 67 FR 49247
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH91

### 3930. REVISION OF EEO RULES AND POLICIES; MM DOCKET NO. 98-204

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 257; 47 USC 301; 47 USC 303; 47 USC 307; 47 USC 308; 47 USC 309; 47 USC 334; 47 USC 403; 47 USC 554

**CFR Citation:** 47 CFR 73.2080; 47 CFR 76.73; 47 CFR 76.75; 47 CFR 76.79; 47 CFR 76.1702

**Legal Deadline:** None

**Abstract:** FCC authority to govern Equal Employment Opportunity ("EEO") responsibilities of cable television operators was codified in the Cable Communications Policy Act of 1984. This authority was extended to television broadcast licensees and other multi-channel video programming

## FCC—Media Bureau

## Long-Term Actions

distributors in the Cable and Television Consumer Protection Act of 1992. In the Second Report and Order, the FCC adopted new EEO rules and policies. This action was in response to a decision of the U.S. Court of Appeals for the District of Columbia Circuit that found prior EEO rules unconstitutional. The Third Notice of Proposed Rulemaking requests comment as to the applicability of the EEO rules to part-time employees.

**Timetable:**

Action	Date
NPRM	01/14/02 67 FR 1704
2nd R&O and 3rd NPRM	01/17/03 68 FR 670

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:**

Undetermined

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**RIN:** 3060-AH95

### 3931. REEXAMINATION OF COMPARATIVE STANDARDS FOR NONCOMMERCIAL EDUCATIONAL APPLICANTS; MM DOCKET NO. 95-31

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 152(a); 47 USC 154(i); 47 USC 303; 47 USC 307; 47 USC 309

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** This FNPRM solicits additional comments on how the Commission should allocate and license "non-reserved" spectrum (i.e., spectrum that has not been set aside for exclusive use by noncommercial educational broadcast stations) in which both commercial and noncommercial entities have an

interest. This FNPRM was issued in response to a court decision in National Public Radio vs. FCC.

**Timetable:**

Action	Date
FNPRM	03/05/02 67 FR 9945

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:**

Undetermined

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**RIN:** 3060-AH96

### 3932. CROSS OWNERSHIP OF BROADCAST STATIONS AND NEWSPAPERS

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 152(a); 47 USC 154(i); 47 USC 303, 307, 309,310

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** This NPRM initiates a proceeding to seek comment on whether and to what extent it should revise the newspaper/broadcast cross-ownership rule, which prohibits common ownership of a broadcast station and a newspaper in the same geographic area. The local multimedia marketplace in which broadcast stations and newspapers operate has changed significantly since the Commission adopted the rule in 1975. This proceeding seeks comment on the relevance of these changes to the newspaper/broadcast cross-ownership rule.

**Timetable:**

Action	Date
NPRM	10/05/01 66 FR 50991

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH97

### 3933. • BIENNIAL REGULATORY REVIEW OF THE COMMISSION'S BROADCAST OWNERSHIP RULES

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 307; 47 USC 308; 47 USC 309(a); 47 USC 310(d); PL 104.104, 202(h)

**CFR Citation:** 47 CFR 73.355(e); 47 CFR 73.355(b); 47 CFR 73.355(a); 47 CFR 73.355(c); 47 CFR 73,355(d); ...

**Legal Deadline:** None

**Abstract:** The Telecommunications Act of 1996 directs the Commission to re-examine its broadcast ownership rules every two years and repeal or modify any regulation it determines to be no longer in the public interest. The NPRM initiated this review.

**Timetable:**

Action	Date
NPRM	10/28/02 67 FR 65751

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

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**RIN:** 3060-AI07

**Federal Communications Commission (FCC)**  
**Office of Managing Director**
**Long-Term Actions**
**3934. ASSESSMENT AND COLLECTION OF REGULATORY FEES FOR FY 2002**

**Priority:** Economically Significant

**Legal Authority:** 47 USC 159

**CFR Citation:** 47 CFR 1.1151 et seq

**Legal Deadline:** None

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

FCC to recover the costs of its activities by assessing and collecting annual regulatory fees from beneficiaries of the activities.

**Timetable:**

Action	Date
NPRM (Adopted Date)	04/10/02 67 FR 17325
R&O	07/12/02 67 FR 46297
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH85

**Federal Communications Commission (FCC)**  
**Wireless Telecommunications Bureau**
**Long-Term Actions**
**3935. AMENDMENT OF THE COMMISSION'S RULES CONCERNING MARITIME COMMUNICATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 303

**CFR Citation:** 47 CFR 80

**Legal Deadline:** None

**Abstract:** Amendment of the Maritime Radio Service Rules to encourage growth and improve the regulatory structure in VHF maritime communications.

**Timetable:**

Action	Date
NOI/NPRM	11/05/92 57 FR 57717
First R&O	04/26/95 60 FR 34198
FNPRM	04/26/95 60 FR 35507
Second FNPRM	06/17/97 62 FR 37533
Second R&O	06/17/97 62 FR 40281
Third R&O and MO&O	07/06/98 63 FR 40059
MO&O	04/26/99 64 FR 26885
Third NPRM	12/08/00 65 FR 76966
Fourth R&O	12/13/00 65 FR 77821
Fourth NPRM	02/04/02 67 FR 5080
2nd MO&O and 5th R&O	07/25/02 67 FR 48560

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** PR Docket No. 92-257.

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**RIN:** 3060-AF14

**3936. RESALE AND ROAMING OBLIGATIONS PERTAINING TO COMMERCIAL MOBILE RADIO SERVICES**

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** PL 103-66, sec 6002, Omnibus Budget Reconciliation Act of 1993

**CFR Citation:** 47 CFR 20; 47 CFR 22

**Legal Deadline:** None

**Abstract:** On an interim basis, the First Report and Order extends to broadband PCS and covered SMR providers the cellular rule that prohibits restricting resale of communications services. The new rules sunset five years after the last group of initial licensees for currently allocated broadband PCS spectrum is awarded. The rules also eliminate all exceptions to the rule that allowed cellular licensees to restrict resale by competing with fully operational cellular licensees in the same geographic market. The Commission successfully adopted a Second Report and Order and Third Notice of Proposed Rulemaking in this proceeding. The Second Report and Order extends the Commission's cellular rules on manual roaming by any individual whose handset is capable of accessing the network of a cellular, broadband PCS, or covered SMR provider. The Third NPRM, among other things, sought comment on whether the Commission should adopt rules requiring cellular, broadband PCS, and covered SMR providers to provide automatic roaming in their coverage areas, and whether

both automatic and manual roaming requirements should sunset five years after the initial grant of PCS licenses. The Third MO&O generally affirmed the Commission's earlier decision to extend the cellular resale rule to include certain PCS and SMR providers and to sunset the rule until November 24, 2002. However, it modified the prior decision by removing customer premise equipment (CPE) and CPE in bundled packages from the scope of the resale rule, by revising the scope of the resale rule to exclude all C, D, E, and F block PCS licensees that do not own and control and are not controlled by cellular or A or B block licensees, and by exempting from the rule all SMR and other CMRS providers that do not utilize in-network switching facilities.

**Timetable:**

Action	Date
NPRM	07/13/94 59 FR 35664
NOI	07/13/94 59 FR 35664
NPRM Comment Period End	09/29/94
NPRM	04/04/95 60 FR 20949
NPRM Comment Period End	07/14/95
First R&O	07/12/96 61 FR 38399
Second R&O and Third NPRM	08/15/96 61 FR 44026
MO&O and O on Recon	11/09/99 64 FR 61022
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Federal

**Agency Contact:** Jane Phillips, Attorney, Federal Communications Commission, Wireless

## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
Phone: 202 418-1310

RIN: 3060-AF58

### 3937. IMPLEMENTATION OF SECTION 309(J) OF THE COMMUNICATIONS ACT, COMPETITIVE BIDDING; NARROWBAND PCS COMPETITIVE BIDDING RULES

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i); 47 USC 303(r); 47 USC 309(j)

**CFR Citation:** 47 CFR 24

**Legal Deadline:** None

**Abstract:** Report and Order and FNPRM to modify the competitive bidding rules for participation by designated entities in narrowband PCS.

#### Timetable:

Action	Date
Third MO&O	08/16/94 59 FR 44058
R&O	04/23/97 62 FR 27507
FNPRM	04/23/97 62 FR 27569
Second R&O	06/06/00 65 FR 35843
Second FNPRM	06/06/00 65 FR 35875
Third R&O and Order on Reconsideration	06/04/01 66 FR 29911
Next Action Undetermined	

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** GEN Docket No. 90-314; ET Docket No. 92-100; PP Docket No. 93-253

**Agency Contact:** Paul D'Ari, Chief, Policy and Rules Division, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554  
Phone: 202 418-7240  
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RIN: 3060-AF99

### 3938. IMPLEMENTATION OF SECTION 309(J) OF THE COMMUNICATIONS ACT, COMPETITIVE BIDDING; 218-219 MHZ COMPETITIVE BIDDING RULES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 303(r); 47 USC 309(j)

**CFR Citation:** 47 CFR 95

**Legal Deadline:** None

**Abstract:** Tenth Report and Order modifies the competitive bidding rules for the upcoming auction of 218-219 MHz: (1) eliminates bidding credits available to women- and minority-owned 218-219 MHz applicants; (2) extends two levels of bidding credits to small businesses based on a two-tiered small business definition; (3) clarifies the attribution rules for affiliates of 218-219 MHz applicants; and (4) increases the amount of the upfront payments required to participate in the 218-219 MHz auction.

#### Timetable:

Action	Date
R&O	04/25/94 59 FR 24947
FNPRM	08/06/96 61 FR 49103
R&O	11/15/96 61 FR 60198
FNPRM	09/30/98 63 FR 52215
MO&O	10/08/98 63 FR 54073
R&O and MO&O	11/03/99 64 FR 59656
Order on Reconsideration	12/29/99 64 FR 72956

Second Order on Reconsideration	02/07/01 66 FR 9212
3rd O on Recon of R&O and MO&O	06/24/02 67 FR 42507

Next Action Undetermined

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 98-169

**Agency Contact:** Andrea Kelly, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
Phone: 202 418-0660  
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RIN: 3060-AG00

### 3939. 39 GHZ CHANNEL PLAN

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154; 47 USC 302; 47 USC 524

**CFR Citation:** 47 CFR 1; 47 CFR 2; 47 CFR 101

**Legal Deadline:** None

**Abstract:** This proceeding amends the FCC's rules to facilitate more effective use of the 39 GHz band.

#### Timetable:

Action	Date
NPRM	01/26/96 61 FR 2465
NPRM Comment Period End	02/12/96

Action	Date
Order	02/22/96 61 FR 6809
Reply Comments	02/27/96
Order	05/01/96 61 FR 19236
Second NPRM	01/21/98 63 FR 3075
R&O	02/06/98 63 FR 6079
MO&O	08/23/99 64 FR 45891
Next Action Undetermined	

#### Regulatory Flexibility Analysis

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** ET Docket No. 95-183, RM-8553; PP Docket No. 93-253

**Agency Contact:** Ken Burnley, Staff Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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Jennifer Burton, Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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RIN: 3060-AG16

### 3940. IMPLEMENTATION OF 309(J) OF THE COMMUNICATIONS ACT, AMENDMENT OF PARTS 20 AND 24 OF THE COMMISSION'S RULES — BROADBAND PCS COMPETITIVE BIDDING AND THE COMMERCIAL MOBILE RADIO SERVICE SPECTRUM CAP

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 301; 47 USC 302; 47 USC 303(r); 47 USC 309(j); 47 USC 332

**CFR Citation:** 47 CFR 24

**Legal Deadline:** None

**Abstract:** NPRM to modify the competitive bidding rules for the Broadband PCS F Block. Report and Order, adopted 6/21/96, modified the PCS/cellular rule and the cellular spectrum cap.

#### Timetable:

Action	Date
O on Recon of Fifth MO&O and D, E, & F R&O	11/15/00 65 FR 68927
Next Action Undetermined	

#### Regulatory Flexibility Analysis

**Required:** Yes



## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** PP Docket No. 93-253

**Agency Contact:** Audrey Bashkin, Staff Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AG21

### 3941. REVISION OF THE RULES TO ENSURE COMPATIBILITY WITH ENHANCED 911 EMERGENCY CALLING SYSTEMS

**Priority:** Other Significant. Major under 5 USC 801.

**Legal Authority:** 47 USC 134(i); 47 USC 151; 47 USC 201; 47 USC 208; 47 USC 215; 47 USC 303; 47 USC 309

**CFR Citation:** 47 CFR 20

**Legal Deadline:** None

**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
R&O	07/26/96 61 FR 40348
FNPRM	07/26/96 61 FR 40374
MO&O	01/16/98 63 FR 2631
Second Report & Order	06/28/99 64 FR 34564
Third R&O	11/04/99 64 FR 60126
Second MO&O	12/29/99 64 FR 72951
Fourth Report & Order, Third NPRM, and NPRM	09/19/00 65 FR 56752
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
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local

**Additional Information:** CC Docket No. 94-102; CC Docket No. 96-115; CC Docket No. 92-105; WT Docket No. 00-110

**Agency Contact:** Dan Grosh, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AG34

### 3942. IN THE MATTER OF THE COMMUNICATIONS ASSISTANCE FOR LAW ENFORCEMENT ACT

**Priority:** Other Significant. Major under 5 USC 801.

**Legal Authority:** 47 USC 229; 47 USC 1001 to 1008

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**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
NPRM	10/10/97 62 FR 63302
Order	01/13/98 63 FR 1943
FNPRM	11/16/98 63 FR 63639
Report & Order	01/29/99 64 FR 51462
Order	03/29/99 64 FR 14834
Second Report & Order	09/23/99 64 FR 51462
Third Report & Order	09/24/99 64 FR 51710
Order on Recon	09/28/99 64 FR 52244
Policy Statement	10/12/99 64 FR 55164

Action	Date
Second Order on Recon	05/04/01 66 FR 22446

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** CC Docket No. 97-213

**Agency Contact:** John Spencer, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
Phone: 202 418-1310  
Email: jspencer@fcc.gov

**RIN:** 3060-AG74

### 3943. DEVELOPMENT OF OPERATIONAL, TECHNICAL, AND SPECTRUM REQUIREMENTS FOR PUBLIC SAFETY COMMUNICATIONS REQUIREMENTS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 160; 47 USC 201; 47 USC 202; 47 USC 303; 47 USC 337(a); 47 USC 403

**CFR Citation:** 47 CFR 90

**Legal Deadline:** None

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

**Timetable:**

Action	Date
NPRM	10/09/97 62 FR 60199
Second NPRM	11/07/97 62 FR 60199
First R&O	08/06/98 63 FR 58645
Third NPRM	08/06/98 63 FR 58685
MO&O	04/26/99 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 R&O	11/07/00 65 FR 66644
Third MO&O	11/07/00 65 FR 66644
Fourth R&O	02/16/01 66 FR 10632
Fifth NPRM	02/16/01 66 FR 10660
MO&O	09/27/02 67 FR 61002
NPRM	11/08/02 67 FR 68079
R&O	12/12/02 67 FR 76697
Next Action	Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

**Government Levels Affected:** State, Local

**Additional Information:** WT Docket No. 96-86

**Agency Contact:** Michael Connelly, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AG85

**3944. MULTIPLE ACCESS SYSTEMS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 302; 47 USC 303

**CFR Citation:** 47 CFR 101

**Legal Deadline:** None

**Abstract:** This proceeding amended the FCC's rules regarding multiple address systems (MAS) in the microwave service. It streamlined regulations and established a framework for MAS spectrum that provides opportunities for continued development of competitive service offerings by allowing a variety of services.

**Timetable:**

Action	Date
NPRM	01/19/97 62 FR 11407
Order	09/17/98 63 FR 53350
FNPRM	05/18/99 64 FR 38617
R&O	04/03/00 65 FR 17445
MO&O	07/03/01 66 FR 35107
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 97-81

**Agency Contact:** Shellie Blakeney, Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AG86

**3945. AMENDMENT OF PART I OF THE COMMISSION'S RULES — COMPETITIVE BIDDING PROCEDURES**

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 202; 47 USC 303; 47 USC 309(j)

**CFR Citation:** 47 CFR 1; 47 CFR 21; 47 CFR 24; 47 CFR 27; 47 CFR 90; 47 CFR 95

**Legal Deadline:** None

**Abstract:** This proceeding proposes to amend and modify the competitive bidding rules for all auctionable services.

**Timetable:**

Action	Date
NPRM	03/21/97 62 FR 13570
NPRM Comment Period End	04/16/97
Second FNPRM	01/07/98 63 FR 770
Third R&O	01/15/98 63 FR 2315
Fifth R&O, Order on Recon	08/29/00 65 FR 52323
Fourth FNPRM	08/29/00 65 FR 52401
Seventh R&O	10/29/01 66 FR 54447
8th R&O	04/08/02 67 FR 16647
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 97-82

**Agency Contact:** Regina Martin, Staff Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AG87

**3946. AMENDMENT OF PART 90 OF THE RULES TO ADOPT REGULATIONS FOR AUTOMATIC VEHICLE MONITORING SYSTEMS**

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 154; 47 USC 251; 47 USC 252; 47 USC 303; 47 USC 309; 47 USC 332

**CFR Citation:** 47 CFR 1; 47 CFR 90

**Legal Deadline:** None

**Abstract:** This Second Report and Order adopts rules and procedures governing competitive bidding for multilateration Location and Monitoring Service (LMS) frequencies.

**Timetable:**

Action	Date
NPRM	10/06/97 62 FR 52078
NPRM Comment Period End	11/20/97
Second R&O	07/30/98 63 FR 40659
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** The NPRM sought comment on the LMS auction following the general competitive bidding procedures of part 1, subpart Q; the establishment of a small business definition for LMS; whether small business provisions are sufficient to promote participation by businesses owned by minorities, women or rural telephone companies; partitioning and disaggregation.

PR Docket No. 93-61

**Agency Contact:** Ken Burnley, Staff Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
Phone: 202 418-0664  
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**RIN:** 3060-AH12

**3947. SERVICE RULES FOR THE 746-764 AND 776-794 MHZ BANDS, AND REVISIONS TO PART 27 OF THE COMMISSION'S RULES**

**Priority:** Economically Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 1; 47 USC 4(i); 47 USC 7; 47 USC 10; 47 USC 201; 47 USC 202; 47 USC 208; 47 USC 214; 47 USC 301; 47 USC 303; 47 USC 307; 47 USC 308; 47 USC 309(j); 47 USC 309(k); 47 USC 310; 47 USC 311; 47 USC 315; 47 USC 317; 47 USC 324; 47 USC 331; 47 USC 332; 47 USC 336

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Report and Order in this proceeding adopts service rules for licensing and auction of commercial services in spectrum in the 700 MHz

## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

band to be vacated by UHF television licensees.

**Timetable:**

Action	Date	
NPRM	07/07/99	64 FR 36686
R&O	01/20/00	65 FR 3139
Second R&O	04/04/00	65 FR 17594
MO&O and FNPRM	07/12/00	65 FR 42879
Second MO&O	02/06/01	66 FR 9035
Third R&O	02/14/01	66 FR 10204
Second MO&O	02/15/01	66 FR 10374
Order on Recon of Third R&O	10/10/01	66 FR 51594
3rd MO&O and Order	07/30/02	67 FR 49244
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** WT Docket No. 99-168; CS Docket No. 98-120; MM Docket No. 00-39

**Agency Contact:** William Huber, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, S.W., Washington, DC 20554  
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**RIN:** 3060-AH32

### 3948. IMPLEMENTATION OF SECTIONS 309(J) AND 337 OF THE COMMUNICATIONS ACT OF 1934 AS AMENDED

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 154(i); 47 USC 303(r); 47 USC 309(j)

**CFR Citation:** 47 CFR 1; 47 CFR 22; 47 CFR 24; 47 CFR 26; 47 CFR 27; 47 CFR 73; 47 CFR 74; 47 CFR 80; 47 CFR 87

**Legal Deadline:** None

**Abstract:** This NPRM commences a proceeding to implement 309(j) and 337 of the Communications Act, as amended by the Balanced Budget Act of 1997, which was signed into law on 8/5/97. This notice seeks comment on changes to the Commission's rules and policies to implement the revised auction authority.

**Timetable:**

Action	Date	
NPRM	05/03/99	64 FR 23571

Action	Date	
R&O	01/02/01	66 FR 33
MO&O	05/16/02	67 FR 34848
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Additional Information:** WT Docket No. 99-87

**Agency Contact:** Karen Franklin, Public Safety and Private Wireless Division, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW, Washington, DC 20554  
Phone: 202 418-7706  
Fax: 202 418-1186

**RIN:** 3060-AH33

### 3949. 1998 BIENNIAL REGULATORY REVIEW — SPECTRUM AGGREGATION LIMITS FOR WIRELESS TELECOMMUNICATIONS CARRIERS

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 154; 47 USC 161; 47 USC 332

**CFR Citation:** 20 CFR 20; 22 CFR 942

**Legal Deadline:** None

**Abstract:** The Commission has adopted a final rule in a proceeding examining the need for Commercial Mobile Radio Services spectrum aggregation limits.

**Timetable:**

Action	Date	
NPRM	12/10/98	63 FR 70727
R&O	10/07/99	64 FR 54564
MO&O on Recon	11/08/00	
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 98-205

**Agency Contact:** Paul Murray, Staff Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH34

### 3950. AMENDMENT TO PARTS 1, 2, 87 AND 101 OF THE RULES TO LICENSE FIXED SERVICES AT 24 GHZ

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 303; 47 USC 309(j)

**CFR Citation:** 47 CFR 1; 47 CFR 2; 47 CFR 101

**Legal Deadline:** None

**Abstract:** This rulemaking proposes licensing and service rules to govern the 24 GHz band generally.

**Timetable:**

Action	Date	
NPRM	12/20/99	64 FR 71088
R&O	08/05/00	65 FR 59350
Order	06/01/01	66 FR 29722
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 99-327

**Agency Contact:** Nese Guendelsberger, Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH41

### 3951. PART 101 — TERRESTRIAL MICROWAVE FIXED RADIO SERVICES

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 302; 47 USC 303

**CFR Citation:** 47 CFR 101

**Legal Deadline:** None

**Abstract:** Proceeding to streamline the Commission's rules, expedite

## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

processing of authorizations for terrestrial microwave fixed radio services and clarify rules concerning the terrestrial microwave fixed radio services.

**Timetable:**

Action	Date	
NPRM	01/11/95	60 FR 2722
R&O	05/28/96	61 FR 26670
Order	03/05/98	63 FR 10778
Final Action Correction	03/24/98	63 FR 14039
NPRM	06/20/00	65 FR 38333
MO&O	06/20/00	65 FR 38324
R&O	01/31/03	68 FR 4953

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 94-148 (closed); WT Docket No. 00-19

**Agency Contact:** Michael Pollak, Electronics Engineer, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH42

**3952. AMENDMENT OF PARTS 13 AND 80 GOVERNING MARITIME COMMUNICATIONS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 302; 47 USC 303

**CFR Citation:** 47 CFR 13; 47 CFR 80

**Legal Deadline:** None

**Abstract:** This matter concerns the amendment of the rules governing maritime communications in order to consolidate, revise and streamline the regulations as well as address new international requirements and improve the operational ability of all users of marine radios.

**Timetable:**

Action	Date	
NPRM	03/24/00	65 FR 21694
NPRM	08/17/00	65 FR 50173
NPRM	05/17/02	67 FR 35086

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 00-48

**Agency Contact:** Jeff Tobias, Attorney Advisor, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH55

**3953. AMENDMENT OF THE RULES REGARDING INSTALLMENT PAYMENT FINANCING FOR PERSONAL COMMUNICATIONS SERVICES LICENSEES**

**Priority:** Substantive, Nonsignificant. Major under 5 USC 801.

**Legal Authority:** 47 USC 154; 47 USC 301 to 303; 47 USC 309; 47 USC 332

**CFR Citation:** 47 CFR 1; 47 CFR 24

**Legal Deadline:** None

**Abstract:** This proceeding proposes resumption of installment payments for broadband Personal Communications Services (PCS), e.g., for C and F Block, with payment deadline to be reinstated as of March 31, 1998. The proposal contemplates, inter alia, changes to the FCC's C Block rules to govern re-auction of surrendered spectrum in the C Block. The proposal was released on October 16, 1997, and published in the Federal Register.

**Timetable:**

Action	Date	
2nd R&O	10/24/97	62 FR 55348
FNPRM	10/24/97	62 FR 55375
Order on Recon of Second R&O	04/08/98	63 FR 17111
Fourth R&O	09/23/98	63 FR 50791
Second Order on Recon of Second R&O	05/18/99	64 FR 26887
Recon of Fourth R&O	03/16/00	65 FR 14213
FNPRM	06/13/00	65 FR 37092
6th R&O and Order on Recon	09/05/00	65 FR 53620
Order on Recon	02/12/01	66 FR 9773

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** The Order on Reconsideration published in the Federal Register in April 1998 addresses 37 petitions, 17 oppositions, 16 replies to opposition, and 38 ex parte filings.

WT Docket No. 97-82

**Agency Contact:** Audrey Bashkin, Staff Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**Related RIN:** Previously reported as 3060-AG88

**RIN:** 3060-AH57

**3954. TRANSFER OF THE 3650 THROUGH 3700 MHZ BAND FROM FEDERAL GOVERNMENT USE**

**Priority:** Economically Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154; 47 USC 157; 47 USC 303; 47 USC 307; 47 USC 332

**CFR Citation:** 47 CFR 2.106; 47 CFR 25.202; 47 CFR 27.1; 47 CFR 27.4; 47 CFR 27.5; 47 CFR 27.14; 47 CFR 27.50; 47 CFR 27.53; 47 CFR 27.55; 47 CFR 27.57; 47 CFR 27.58; 47 CFR 27.61; ...

**Legal Deadline:** None

**Abstract:** This proceeding is intended to establish licensing and service rules for frequencies in the 3650 to 3700 MHz band, transferred from government use.

**Timetable:**

Action	Date	
NPRM	03/16/00	65 FR 14230
First R&O and Second NPRM	11/17/00	65 FR 69612
Petition for Reconsideration	03/28/01	66 FR 16940

Next Action Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Federal

**Additional Information:** WT Docket No. 00-32; ET Docket No. 98-237

**Agency Contact:** Eli Johnson, Senior Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH75

## FCC—Wireless Telecommunications Bureau

## Long-Term Actions

**3955. 2000 BIENNIAL REGULATORY REVIEW SPECTRUM AGGREGATION LIMITS FOR COMMERCIAL MOBILE RADIO SERVICES**

**Priority:** Economically Significant. Major under 5 USC 801.

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 161; 47 USC 303(g); 47 USC 303(r)

**CFR Citation:** 47 CFR 20.6; 47 CFR 22.942

**Legal Deadline:** None

**Abstract:** The Commission has adopted a final rule in a proceeding reexamining the need for Commercial Mobile Radio Services spectrum aggregation limits.

**Timetable:**

Action	Date
NPRM	02/12/01 66 FR 9798
NPRM Comment Period End	05/14/01
Final Rule	01/14/02 67 FR 1626
Correction to Final Rule	01/31/02 67 FR 4675
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 01-14

**Agency Contact:** Paul Murray, Staff Attorney, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th Street, SW., Washington, DC 20554  
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**RIN:** 3060-AH81

**3956. IN THE MATTER OF PROMOTING EFFICIENT USE OF SPECTRUM THROUGH ELIMINATION OF BARRIERS TO THE DEVELOPMENT OF SECONDARY MARKETS**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 157; 47 USC 160; 47 USC 201; 47 USC 202; 47 USC 208; 47 USC 214; 47 USC 301; 47 USC 303; 47 USC 308; 47 USC 309; 47 USC 310

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** The Commission has opened a proceeding to examine actions it may take to remove unnecessary regulatory barriers to the development of more robust secondary markets in radio spectrum usage rights.

**Timetable:**

Action	Date
NPRM	12/26/00 65 FR 81475
NPRM Comment Period End	01/29/01 66 FR 8149
New NPRM Comment Period End	02/09/01
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** WT Docket No. 00-230

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**RIN:** 3060-AH82

**3957. IN THE MATTER OF AUTOMATIC AND MANUAL ROAMING OBLIGATIONS PERTAINING TO COMMERCIAL MOBILE RADIO SERVICES**

**Priority:** Substantive, Nonsignificant

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

**CFR Citation:** 47 CFR 20.12; 47 CFR 22.901

**Legal Deadline:** None

**Abstract:** This rulemaking considers whether the Commission should adopt an automatic roaming rule for Commercial Mobile Radio Services and sunset the current manual roaming requirement.

**Timetable:**

Action	Date
NPRM	11/01/00 65 FR 69891
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

**Additional Information:** WT Docket No. 00-193

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**RIN:** 3060-AH83

**3958. AMENDMENT OF PART 90 FOR LICENSING LOW POWER OPERATIONS IN 450-470 MHZ BAND**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 1; 47 USC 154; 47 USC 302; 47 USC 303; 47 USC 332

**CFR Citation:** 47 CFR 90

**Legal Deadline:** None

**Abstract:** The proposed amendments facilitate the viability of low power operations in the private land mobile radio 450-470 MHz Band.

**Timetable:**

Action	Date
NPRM	09/12/01 66 FR 47435
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local

**Additional Information:** WT Docket No. 01-146

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**RIN:** 3060-AH84

**3959. REALLOCATION OF THE 216-220 MHZ, 1390-1395 MHZ, 1427-1429 MHZ, 1429-1432 MHZ, 1432-1435 MHZ, 1670-1675 MHZ, AND 2385-2390 MHZ GOVERNMENT TRANSFER BANDS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151, 154(i), 154(j), 155, 225, 303(r), 309, 325(e); 47

FCC—Wireless Telecommunications Bureau

Long-Term Actions

USC 154, 302(a), 303,336; 47 USC 154(i), 161, 303(g), 303(r), 332(c)(7); 47 USC 154, 303

**CFR Citation:** 47 CFR 1; 47 CFR 2; 47 CFR 27; 47 CFR 90; 47 CFR 95

**Legal Deadline:** None

**Abstract:** The reallocation proposes to establish new service rules for licensing 27 MHz of spectrum transferred from government to non-government use.

**Timetable:**

Action	Date
NPRM	02/15/02 67 FR 7113
R&O	06/20/02 67 FR 41847
Correction	11/29/02 67 FR 71110
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local

**Additional Information:** WT Docket No. 02-08

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**RIN:** 3060-AH87

**3960. REVIEW OF QUIET ZONES APPLICATION PROCEDURES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 1; 47 USC 154(i); 47 USC 161; 47 USC 303(g); 47 USC 303(r)

**CFR Citation:** 47 CFR 1

**Legal Deadline:** None

**Abstract:** Review of Quiet Zones rules for possible streamlining while ensuring adequate protection from interference.

**Timetable:**

Action	Date
NPRM	12/21/01 66 FR 65866
NPRM Comment Period End	02/06/02
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Organizations

**Government Levels Affected:** None

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**RIN:** 3060-AH88

**3961. REALLOCATION AND SERVICE RULES FOR THE 698-746 MHZ SPECTRUM BAND (TELEVISION CHANNELS 52-59)**

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151, 152, 154(i),155(c), 157, 201, 202, 208, 214, 301, 302(g), 303, 307; 47 USC 309, 310, 311, 314, 316, 319, 324, 331, 332, 333, 336, 534, 535

**CFR Citation:** 47 CFR 2; 47 CFR 27; 47 CFR 73

**Legal Deadline:** Other, Statutory, September 19, 2002, See Auction Reform Act of 2002, Pub. L. No. 107-195, 116 Stat. 715. Statutory deadline to auction C and D Blocks of Lower 700 MHz band.

**Abstract:** The Commission has adopted allocation and service rules for the 48 MHz of spectrum in the 698-746 MHz band currently occupied by television channels 52-59.

**Timetable:**

Action	Date
NPRM	04/13/01 66 FR 19106
Report & Order	02/06/02 67 FR 5491
MO&O	07/09/02 67 FR 45380
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

**Additional Information:** GN Docket No. 01-74

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**RIN:** 3060-AH89

**3962. IMPLEMENTATION OF 911 ACT**

**Priority:** Economically Significant

**Legal Authority:** 47 USC 151, 154(i),154(j), 157, 160, 210, 202, 208, 214, 251(e), 301, 303, 308; 47 USC 309(j), 310

**CFR Citation:** 47 CFR 20.3; 47 CFR 20.18; 47 CFR 64.3000 to 64.3004

**Legal Deadline:** None

**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
Final Rule	01/25/02 67 FR 3621
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** State, Local

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**RIN:** 3060-AH90

**Federal Communications Commission (FCC)**  
**Wireless Telecommunications Bureau**
**Completed Actions**
**3963. FUTURE DEVELOPMENT OF 800 MHz SMR; COMPETITIVE BIDDING WIDE AREA**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 153; 47 USC 154(i); 47 USC 303; 47 USC 309(j); 47 USC 332

**CFR Citation:** 47 CFR 90

**Legal Deadline:** None

**Abstract:** This proceeding adopts service rules and competitive bidding rules for 800 MHz SMR spectrum. It also proposes licensing rules and auction procedures for lower 80 SMR and general category channels.

**Timetable:**

Action	Date
NPRM	05/13/93 58 FR 33062

Action	Date
FNPRM	10/20/94 59 FR 6011
Eighth R&O	02/16/96 61 FR 6138
First R&O	02/16/96 61 FR 6212
Second FNPRM	02/16/96 61 FR 6212
Second R&O	06/23/97 62 FR 41190
MO&O	06/23/97 62 FR 41225
MO&O on Recon	10/08/99 64 FR 71042
Second MO&O on Recon	07/14/00 65 FR 43716
3rd Order on Recon	03/02/01 66 FR 13022
No Further Action Anticipated	04/11/03

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** State, Local

**Additional Information:** PR Docket No. 93-144; GEN Docket No. 93-252; PP Docket No. 93-253

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**RIN:** 3060-AF47

**Federal Communications Commission (FCC)**  
**Wireline Competition Bureau**
**Long-Term Actions**
**3964. ADMINISTRATION OF THE NORTH AMERICAN NUMBERING PLAN**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 3 to 4; 47 USC 151; 47 USC 152 to 155; 47 USC 154(i); 47 USC 201 to 205; 47 USC 207 to 209; 47 USC 218; 47 USC 225 to 227; 47 USC 251 to 252; 47 USC 271; 47 USC 332; 47 USC 403

**CFR Citation:** 47 CFR 52.1 to 52.99; 47 CFR 151; 47 CFR 154; 47 CFR 201 to 205; 47 CFR 403

**Legal Deadline:** None

**Abstract:** The Report and Order lays the foundation for the fair and effective administration of numbering in the United States. The Report and Order establishes a model for administration of numbering resources in a competitive environment. In this model, the FCC will set broad policy objectives, be the final arbiter of domestic numbering disputes and work closely with other member countries of the North American Numbering Plan (NANP), the States, industry and consumers to ensure fair and effective number administration. The Report and Order creates the North American Number Council (NANC) under the Federal Advisory Committee Act. In the Third Report and Order, released on October 9, 1997, the Commission affirmed the NANC's selection of Lockheed Martin IMS as the new

NANP administrator. The NANP administrator is a nongovernmental entity that is not aligned with any particular telecommunications industry segment, and upon selection and following a transition period, assumed Bellcore's current NANP administrator functions and the central office code administration functions currently handled by the dominant local exchange carrier in each area code. The rules were expanded to accommodate the requirements of the Telecommunications Act of 1996. See FCC 96-337, released August 8, 1996.

**Timetable:**

Action	Date
NOI	11/10/92 57 FR 53462
NPRM	05/10/94 59 FR 24103
R&O	07/28/95 60 FR 58737
Second R&O	09/06/96 61 FR 47284
Third R&O	10/23/97 62 FR 55179
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** None

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**RIN:** 3060-AF50

**3965. USE OF N11 CODES AND OTHER ABBREVIATED DIALING ARRANGEMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 201 to 205; 47 USC 251(e)

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** In 1992, the FCC released a Notice of Proposed Rulemaking in CC Docket 92-105 proposing that local exchange carriers (LECs) be required to make N11 codes available for access to information service providers. In this proposal, LECs could establish any reasonable assignment criteria for such allocation, including "first come, first served." The FCC's General Counsel released a letter indicating it found no regulatory or legal obstacles to assignment of N11 codes for information services. On February 19, 1997, the FCC released a First Report and Order and Further Notice of Proposed Rulemaking in that Docket (FCC 97-51), which allows incumbent LECs, in addition to the States and Bell Communications Research (Bellcore), to continue to perform the N11 code administration functions that they performed at the time of enactment of the 1996 Act amendments to the 1934 Act, until further FCC action. The FCC concluded that: (1) 311 should be assigned as a national number for

## FCC—Wireline Competition Bureau

## Long-Term Actions

access to non-emergency police calls; (2) 711 should be assigned as a national number for access to telecommunications relay services (TRS); (3) all providers of telephone exchange service must be able to have their customers call 611 and 811 to reach their repair and business service offices; and (4) a LEC may not itself offer enhanced services using a 411 code or any other N11 code, unless that LEC offers access to the code on a reasonable nondiscriminatory basis to competing enhanced service providers in the local service area for which it is using the code to facilitate distribution of their enhanced services. In the FNPRM, the FCC asked for comment on: (1) the technical feasibility of implementing 711 for TRS access; (2) the possibility of developing an N11 gateway offering access to multiple TRS providers; (3) whether with such access, TRS calls would still be answered within mandatory minimum answer times; (4) whether such a gateway would be consistent with section 255; (5) whether other important disability services could be accessed thereby; (6) the possibility of providing both voice and text TRS services through the same abbreviated TRS code; (7) the proprietary nature of N11 codes; and (8) an FCC proposal to transfer administration of N11 codes at the local level from incumbent LECs to the North American Numbering Plan (NANP) administrator. Petitions for reconsideration or clarification on the order have been filed. Comments and replies were filed on March 31 and April 30, 1997, respectively. On June 16, 1999, the Commission released a Public Notice announcing that it would hold a public forum on September 8, 1999, on 711 access to TRS. The goal of the forum was to identify steps that must be taken to implement 711 access to TRS as well as obstacles to implementation and how those obstacles could be resolved.

On August 9, 2000, the Commission released a Second Report and Order (FCC 00-257) that addresses issues related to the deployment of 711 for access to TRS. The Commission required a nationwide rollout of 711 access to TRS and established an implementation framework. On July 31, 2000, the Commission released a Third Report and Order (FCC 00-256) that granted the petition of the United Way of America, and others, for nationwide assignment of the 211 abbreviated

dialing code for access to community information and referral services. The Commission also granted the petition of the U.S. Department of Transportation for nationwide assignment of the 511 abbreviated dialing code for access to travel and traffic information. The Commission further addressed issues raised in petitions for reconsideration of the N11 First Report and Order and resolved outstanding issues from the N11 Further Notice of Proposed Rulemaking.

On August 29, 2000, the Commission released a Fourth Report and Order and Third Notice of Proposed Rulemaking in CC Docket 92-105 and a Notice of Proposed Rulemaking in WT Docket 00-110 (FCC 00-327) to implement the Wireless Communications and Public Safety Act of 1999. The Commission designated 911 as the universal emergency number and sought comment on appropriate transition periods and how the Commission should facilitate States' efforts to deploy comprehensive emergency communications systems.

**Timetable:**

Action	Date
NPRM	05/29/92 57 FR 22681
First R&O	02/26/97 62 FR 8633
FNPRM	02/26/97 62 FR 8671
Second R&O	09/11/00 65 FR 54799
Fourth R&O and Third NPRM	09/19/00 65 FR 56751
Third R&O	02/09/01 66 FR 9674
Second NPRM	04/05/01 66 FR 18059
Next Action	Undetermined

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

**Additional Information:** Additional Bureau: Consumer Information

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**RIN:** 3060-AF51

### 3966. IMPLEMENTATION OF THE UNIVERSAL SERVICE PORTIONS OF THE 1996 TELECOMMUNICATIONS ACT

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151 et seq

**CFR Citation:** 47 CFR 54

**Legal Deadline:** NPRM, Statutory, March 8, 1996.

Other, Statutory, November 8, 1996, Recommended decision.

Final, Statutory, May 8, 1997, Federal-State Joint Board R&O released May 8, 1997.

**Abstract:** As required by the Telecommunications Act of 1996, the Commission sought comment on proposals for reforming universal service. On November 8, 1996, the Federal-State Joint Board on Universal Service issued a recommended decision on changes to the universal service support mechanisms. In addition, on January 10, 1997, the Commission issued an NPRM and NOI on changes to the Board of Directors of the National Exchange Carrier Association (NECA), regarding the administration of universal service. On May 8, 1997, the Commission, at the direction of Congress, released its order implementing the universal service portions of the 1996 Act. On December 30, 1997, the Commission issued the 4th Order on Reconsideration which made changes and clarifications to the May 8 Order. On June 22, 1998, the Commission issued the 5th Order on Reconsideration which revised the collection levels for the schools and libraries support mechanism through June 30, 1999, and revised the collection levels for the rural health care support mechanism through December 31, 1998. The 5th Order on Reconsideration also revised the priority with which schools and libraries and rural health care providers will receive support. On October 28, 1998, the Commission issued the 5th Report and Order, in which it adopted the model platform for its forward-looking economic cost methodology, which will be used to determine support for non-rural carriers beginning July 1, 1999. On November 21, 1998, the Commission issued the 8th Order on Reconsideration in which it consolidated the administration of universal service into a single entity known as the Universal Service Administrative Company or USAC. On November 25, 1998, the Federal-State Joint Board on Universal Service issued its Second Recommended Decision in which the Joint Board made certain recommendations to the Commission regarding the high cost support mechanism.



## FCC—Wireline Competition Bureau

## Long-Term Actions

On May 28, 1999, the Commission issued the 13th Order on Reconsideration in which it adopted the principles of a Federal high-cost support mechanism that conformed to the Second Recommended Decision and in which it sought further comment on specific elements of the support methodology. In the 13th Order on Reconsideration, the Commission also decided to implement the new high-cost support mechanism on January 1, 2000 instead of July 1, 1999, as previously planned. On May 28, 1999, the Commission also issued a Further Notice of Proposed Rulemaking in which it sought comment on proposed input values to be used in the forward-looking model to determine non-rural LECs' cost of providing supported services in high cost areas. On August 5, 1999, the Commission adopted a Further Notice of Proposed Rulemaking in which it sought comment to ascertain the availability of, and to understand the possible impediments to, deployment and subscribership in unserved and underserved areas of the Nation, including tribal lands and other insular areas.

On November 1, 1999, the Commission issued the Fourteenth Order on Reconsideration, in which it eliminated the requirement that only carriers that have been certified as eligible telecommunications carriers may receive credit against their universal service contributions for providing telecommunications services to rural health care providers at the lower urban rates. On November 1, 1999, the Commission also issued the Fifteenth Order on Reconsideration, in which it authorized support for any commercially available telecommunications service regardless of the bandwidth, and simplified the method for determining how much support a rural health care provider can receive. On November 2, 1999, the Commission issued the Ninth Report and Order and Eighteenth Order on Reconsideration in which it adopted a new forward-looking high-cost support mechanism that will enable States to ensure the reasonable comparability of non-rural carriers' intrastate rates. On November 2, 1999, the Commission also issued the Tenth Report and Order in which it completed the selection of a cost model to estimate forward-looking cost by adopting input values for the previously adopted cost model.

On June 30, 2000, the Commission issued the Twelfth Report and Order, Memorandum Opinion and Order, and Further Notice of Proposed Rulemaking, in response to the Further Notice of Proposed Rulemaking it adopted on August 5, 1999. In the Twelfth Report and Order, the Commission adopted measures to promote telecommunications subscribership and infrastructure deployment within American Indian and Alaska Native tribal communities.

On October 12, 2000, the Commission released a Further Notice of Proposed Rulemaking and Order to seek comment on proposals to modify the Commission's rules relating to contributions to the Federal universal service support mechanisms. On January 12, 2001, the Commission released a Further Notice of Proposed Rulemaking seeking comment on the Recommended Decision of the Federal-State Joint Board on Universal Service (Joint Board) regarding a plan for reforming the universal service support mechanism for rural carriers. The Joint Board sent to the Commission the Rural Task Force Recommendation as a good foundation for implementing rural high-cost reform. The Rural Task Force recommends the use of a modified version of the current high-cost loop support mechanism based on carriers' embedded costs.

On May 23, 2001, the Commission released the Fourteenth Report and Order, Twenty-Second Order on Reconsideration and Further Notice of Proposed Rulemaking. In the Fourteenth Report and Order, the Commission adopted a five-year plan that makes modifications to the high-cost loop support mechanism for rural carriers. These modifications were based on the recommendation of the Joint Board and will provide predictable levels of support so that rural carriers can continue to provide affordable service in rural America, while ensuring that consumers in all areas of the nation, including rural areas, have access to affordable and quality telecommunications services.

On March 14, 2001, the Commission issued an order modifying the methodology used to assess contributions to universal service. The methodology was modified to reduce the interval between the accrual of revenues and the assessment of contributions based on those revenues.

The order reduced the interval from an average of one year to an average of six months.

On May 8, 2001, the Commission issued a Notice of Proposed Rulemaking which sought comment on how to streamline and reform both the manner in which the Commission assesses carrier contributions to the universal service fund and the manner in which carriers may recover those costs from their customers.

On May 22, 2001, the Commission adopted a five-year interim freeze of the part 36 jurisdictional separations rules, pending comprehensive reform of the separations process. The five-year interim freeze was based upon the July 21, 2000, Recommended Decision of the Federal-State Joint Board on Separations. Under the interim freeze, the Part 36 categories and jurisdictional allocation factors of price cap incumbent LECs are frozen, while rate-of-return carriers had the option to freeze only their jurisdictional allocation factors. The interim freeze is in effect from July 1, 2001, to June 30, 2006, or until comprehensive reform is completed, whichever comes first.

On November 8, 2001, the Commission released the Fifteenth Report and Order and Further Notice of Proposed Rulemaking (Further Notice) reforming the interstate access charge and universal service support system for rate-of-return incumbent carriers. The Order established a new interstate support mechanism to replace implicit support in the interstate access rate structure of rate-of-return carriers with explicit, portable support. Among other things, the Further Notice sought comment on consolidating the existing Long Term Support mechanism with the new support mechanism created in the Order.

On January 25, 2002, the Commission released a Further Notice of Proposed Rulemaking and Order (Further Notice), in which it sought comment on modifications to the rules governing the schools and libraries support mechanism. The modifications address changes that would make the program more efficient, ensure that the benefits of the program are distributed in an equitable manner, and prevent waste, fraud, and abuse. In addition, the order denied certain petitions for reconsideration relating to unused funds.

## FCC—Wireline Competition Bureau

## Long-Term Actions

On February 15, 2002, the Commission released a Notice of Proposed Rulemaking and Order, in which it sought comment on the issues from the Ninth Report and Order remanded by the United States Court of Appeals for the Tenth Circuit. The Ninth Report and Order established a Federal high-cost universal service support mechanism for non-rural carriers based on forward-looking economic costs. In addition, the order referred these issues to the Federal-State Joint Board on Universal Service for a recommended decision.

On February 15, 2002, the Commission issued a Notice of Proposed Rulemaking examining the appropriate legal and policy framework under the Communications Act of 1934, as amended, for broadband access to the Internet provided over domestic wireline facilities.

On February 26, 2002, the Commission issued a Further Notice of Proposed Rulemaking and Report and Order, in which it sought comment on specific proposals to change the manner in which universal service contributions are assessed and recovered, including one proposal to assess contributions based on the number and capacity of connections provided to a public network. This proceeding also made certain modifications to the existing contribution system.

On April 19, 2002, the Commission issued a Notice of Proposed Rulemaking in which it sought comment on specific proposals to: clarify how it should treat eligible entities that also perform functions that are outside the statutory definition of "health care provider"; provide support for internet access; and change the calculation of discounted services, including the calculation of urban and rural rates.

On December 13, 2002, the Commission issued an Order and Second FNPRM in which it sought further comment on three specific connection-based universal service contribution methodologies. This Order also made interim changes to the contribution methodology to ensure the viability of the fund in the near term.

On February 25, 2003, the Commission issued an NPRM in which it sought comment on the Recommended Decision issued by the Federal-State Joint Board on Universal Service

regarding the definition of services supported by universal service.

On February 26, 2003, the Commission issued a Public Notice in which it sought comment on a staff study of several alternative universal service contribution methodologies.

**Timetable:**

Action	Date	
Recommended Decision Federal-State Joint Board, Universal Service	11/08/96	61 FR 63778
1st R&O	05/08/97	62 FR 32862
2nd R&O	05/08/97	62 FR 32862
Order on Recon	07/10/97	62 FR 40742
R&O and 2nd Order on Recon	07/18/97	62 FR 41294
2nd R&O, and FNPRM	08/15/97	62 FR 47404
3rd R&O	10/14/97	62 FR 56118
2nd Order on Recon	11/26/97	62 FR 65036
4th Order on Recon	12/30/97	62 FR 2093
5th Order on Recon	06/22/98	63 FR 43088
5th R&O	10/28/98	63 FR 63993
8th Order on Recon	11/21/98	
2nd Recommended Decision	11/25/98	63 FR 67837
13th Order on Recon	06/09/99	64 FR 30917
FNPRM	06/14/99	64 FR 31780
FNPRM	09/30/99	64 FR 52738
14th Order on Recon	11/16/99	64 FR 62120
15th Order on Recon	11/30/99	64 FR 66778
10th R&O	12/01/99	64 FR 67372
9th R&O and 18th Order on Recon	12/01/99	64 FR 67416
19th Order on Recon	12/30/99	64 FR 73427
20th Order on Recon	05/08/00	65 FR 26513
Public Notice	07/18/00	65 FR 44507
12th 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
14th R&O and FNPRM	05/23/01	66 FR 30080
FNPRM and Order	01/25/02	67 FR 7327
NPRM and Order	02/15/02	67 FR 10846
NPRM	02/15/02	67 FR 9232
FNPRM and R&O	02/26/02	67 FR 11254
NPRM	04/19/02	67 FR 34653
Order and 2nd FNPRM	12/13/02	67 FR 79543
NPRM	02/25/03	68 FR 12020
Public Notice	02/26/03	68 FR 10724
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions

**Government Levels Affected:** Undetermined

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**RIN:** 3060-AF85

**3967. TOLL-FREE SERVICE ACCESS CODES**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 201 et seq; 47 USC 251(e)

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** This proceeding assures that toll-free numbers are allocated on an efficient, fair, and orderly basis.

**Timetable:**

Action	Date	
NPRM	10/05/95	60 FR 57157
Second R&O	04/25/97	62 FR 20126
Third R&O	10/09/97	62 FR 55179
Fourth R&O and MO&O	03/30/98	63 FR 16440
Fifth R&O	07/05/00	65 FR 53189
Next Action Undetermined		

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Jennifer Gorny, Attorney, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street, SW., Washington, DC 20554  
Phone: 202 418-2320

**RIN:** 3060-AG11

**3968. IMPLEMENTATION OF SECTION 273 OF THE TELECOMMUNICATIONS ACT OF 1996**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151; 47 USC 153; 47 USC 154; 47 USC 157; 47 USC 201 to 209; 47 USC 218; 47 USC 251; 47 USC 273; 47 USC 403

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** This rulemaking implements provisions of the Telecommunications Act of 1996 relating to the manufacturing of telecommunications equipment and customer premises equipment by the Bell Operating Companies and their affiliates.

## FCC—Wireline Competition Bureau

## Long-Term Actions

**Timetable:**

Action	Date
NPRM	01/24/97 62 FR 3638
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None

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**RIN:** 3060-AG36

**3969. TELECOMMUNICATIONS CARRIERS' USE OF CUSTOMER PROPRIETARY NETWORK INFORMATION AND OTHER CUSTOMER INFORMATION**

**Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 222; 47 USC 272; 47 USC 303(r)**CFR Citation:** 47 CFR 64.2001; 47 CFR 64.2003; 47 CFR 64.2005; 47 CFR 64.2007; 47 CFR 64.2009**Legal Deadline:** None

**Abstract:** The Commission adopted rules implementing the new statutory framework governing carrier use and disclosure of customer proprietary network information (CPNI) created by section 222 of the Communications Act of 1934, as amended. CPNI includes, among other things, to whom, where, and when a customer places a call, as well as the types of service offerings to which the customer subscribes and the extent to which the service is used.

**Timetable:**

Action	Date
NPRM	05/28/96 61 FR 26483
Public Notice	02/25/97 62 FR 8414
Second R&O and FNPRM	04/24/98 63 FR 20364
Order on Reconsideration	10/01/99 64 FR 53242
Final Rule, Announcement of Effective Date	01/26/01 66 FR 7865
Clarification Order & Second NPRM	09/07/01 66 FR 50140
3rd R&O and 3rd FNPRM (Release Date)	07/25/02
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AG43

**3970. IMPLEMENTATION OF SECTION 402(B)(1)(A) OF THE TELECOMMUNICATIONS ACT OF 1996; LEC TARIFF STREAMLINING PROVISIONS**

**Priority:** Other Significant**Legal Authority:** 47 USC 151; 47 USC 154**CFR Citation:** 47 CFR 1.773(a); 47 CFR 61.58

**Legal Deadline:** Final, Statutory, February 8, 1997, The Act of 1996 provides that streamlining provisions apply to any charge, classification, regulation, or practice filed on or after one year after date of enactment of the Act (i.e., 2/8/97).

**Abstract:** In this Report and Order, the FCC adopted rules to implement the specific streamlining requirements of the Telecommunications Act of 1996. Petitions for reconsideration were filed.

**Timetable:**

Action	Date
NPRM	09/24/96 61 FR 49987
NPRM Comment Period End	10/24/96
R&O	02/07/97 62 FR 5757
Order on Recon	10/16/02 67 FR 63850
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

**Agency Contact:** Joi Nolen, Attorney, Federal Communications Commission, Wireline Competition Bureau, 445 12th Street, SW., Washington, DC 20554  
Phone: 202 418-1520

**RIN:** 3060-AG47**3971. ACCESS CHARGE REFORM****Priority:** Economically Significant**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 201 to 205; 47 USC 403; 47 USC 553**CFR Citation:** 47 CFR 61.41 to 61.49; 47 CFR 69**Legal Deadline:** None

**Abstract:** On December 24, 1996, the Commission initiated a rulemaking to revise its access charge rules to make them compatible with a competitive market envisioned by the Telecommunications Act of 1996. On May 7, 1997, the Commission adopted revised access charge rate structure rules and adjusted the price cap productivity factor. The Commission also adopted a market-based approach to reducing overall access charge levels and moving such levels toward forward-looking economic costs. The Commission adopted a Further Notice of Proposed Rulemaking seeking comment on proposals to allow presubscribed interexchange carrier charges on special access lines and to adjust the allocation of General Support Facilities costs recovered through interstate access charges.

On July 10, 1997, on its own motion, and on October 9, 1997, in response to reconsideration petitions, the Commission revised or clarified certain parts of the rules adopted in the May 1997 Access Charge Reform Order. On November 26, 1997, the Commission adopted rules requiring price cap carriers to adjust the allocation of General Support Facilities costs and to reduce their price cap indices to ensure that regulated access rates do not recover those costs which are related to nonregulated services. Reconsideration petitions filed in response to the Access Charge Reform Order, if not yet addressed, will be addressed in future reconsideration orders. On May 27, 1999, the Commission initiated a further rulemaking, seeking comment on how to adjust interstate access charges in conjunction with the removal from access charges of implicit universal service support for non-rural local exchange carriers. On August 5, 1999, the Commission adopted rules implementing the market-based approach to access charge reform, pursuant to which incumbent price cap local exchange carriers receive progressively greater pricing flexibility

FCC—Wireline Competition Bureau

Long-Term Actions

as competition develops. The Commission also initiated a Further Notice of Proposed Rulemaking, seeking comment on additional pricing flexibility, proposed changes to the rate structure for local switching and tandem-switched transport, and the need to constrain access charges imposed by competitive local exchange carriers. Reconsideration petitions filed in response to the November 1997 General Support Facilities Order will be addressed in a future reconsideration order. On May 31, 2000, the Commission adopted an industry proposal establishing a 5-year plan for price cap local exchange carriers and resolving many outstanding issues concerning interstate access charges and interstate universal service. On April 27, 2001, the Commission revised its tariff rules to establish benchmark access rates for competitive local exchange carriers, whereby access rates at or below the benchmark will be presumed just and reasonable and may be imposed by tariff, and access rates above the benchmark will be mandatorily detariffed. The Commission adopted a rural exemption to this benchmark scheme, recognizing that a higher level of access charges is justified for certain carriers serving rural areas. On May 21, 2001, the Commission determined that price cap local exchange carriers should not be permitted to assess prescribed interexchange carrier charges on special access lines. On June 4, 2002, the Commission concluded a cost review proceeding in which it determined that price cap carriers' forward-looking costs justified scheduled increases to the subscriber line charge cap.

**Timetable:**

Action	Date
NPRM	01/31/97 62 FR 4670
FNPRM	06/06/97 62 FR 31040
R&O	06/11/97 62 FR 31868
Second Report & Order	06/11/97 62 FR 31939
Order on Reconsideration	07/29/97 62 FR 40460
Second Order on Reconsideration	10/29/97 62 FR 56121
Third Report & Order	12/15/97 62 FR 65619
Public Notice	10/09/98 63 FR 54430
Third Order on Reconsideration	10/15/98 63 FR 55334
Fourth Report & Order and FNPRM	06/09/99 64 FR 30949
Fifth Report & Order and FNPRM	09/22/99 64 FR 51258

Action	Date
NPRM	10/04/99 64 FR 53648
Sixth Report & Order	06/21/00 65 FR 38684
Public Notice	06/26/00 65 FR 39335
Seventh Report & Order and FNPRM	05/21/01 66 FR 27892
Order	07/20/01 66 FR 37943
Order	06/25/02 67 FR 42735
Next Action Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

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**RIN:** 3060-AG49

**3972. IMPLEMENTATION OF THE LOCAL COMPETITION PROVISIONS OF THE TELECOMMUNICATIONS ACT OF 1996**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 151 to 155; 47 USC 157; 47 USC 201 to 205; 47 USC 207 to 209; 47 USC 218

**CFR Citation:** 47 CFR 51; 47 CFR 52

**Legal Deadline:** Final, Statutory, August 8, 1996.

**Abstract:** The Second Report and Order and Memorandum Opinion and Order implemented the dialing parity, nondiscriminatory access, network disclosure, and number administration provisions of the Telecommunications Act of 1996. The Order also denied the Petition for Expedited Declaratory Ruling on the area code relief plan for Dallas and Houston filed with the FCC by the Texas Public Utilities Commission on May 9, 1996. Finally, this Order addressed petitions for clarification or reconsideration in the matters of proposed 708 Relief Plan and 630 Numbering Plan Area Code by Ameritech and the Administration of the North American Numbering Plan. On July 19, 1999, the Commission released an order denying the petition for reconsideration of the Local Competition Second Report and Order and Memorandum Opinion and Order filed by Beehive Telephone Company, Inc., Local Competition Second Report and Order, First Order on Reconsideration, CC Docket No. 96-98, FCC 99-170, 1999 WL 507245 (1999). On August 17, 1999, Beehive filed a Notice of Appeal of this order with the

U.S. Court of Appeals for the D.C. Circuit. On May 18, 2000, the Court affirmed the Commission's decision without a published opinion. On June 30, 2000, Beehive filed a Petition for Rehearing with the Court. That petition was denied on July 18, 2000.

On September 9, 1999, the Commission released the Second Order on Reconsideration of the Local Competition Second Report and Order, FCC 99-227, resolving petitions for reconsideration of rules adopted in the Local Competition Second Report and Order to implement the requirement of section 251(b)(3), 47 U.S.C. section 251(b)(3), that LECs provide non-discriminatory access to directory assistance, directory listing and operator services. At the same time the Commission released a Notice of Proposed Rulemaking (NPRM), FCC 99-227, seeking comment on issues related to developments in, and the convergence of, directory publishing and directory assistance. On October 21, 1999, the Commission released the Third Order on Reconsideration of the Local Competition Second Report and Order, FCC 99-243, resolving the petitions for reconsideration regarding numbering administration under section 251(e)(1) of the Act, 47 U.S.C. section 251(e)(1). On January 9, 2002, the Commission released an Order on Reconsideration dismissing petitions for reconsideration or clarification of the Local Competition Second Report and Order and Memorandum Opinion and Order regarding dialing parity under section 251(b)(3) of the Act, 47 U.S.C. section 251(b)(3), and network disclosure under Section 251(c)(1) of the Act, 47 U.S.C. section 251(c)(1). On January 23, 2001, the Commission released a First Report and Order, FCC 01-27, resolving issues raised in the September 9th NPRM, and concluding, among other things, that competing Directory Assistance (DA) providers that are certified as CLECs, are agents of CLECs, or that offer call completion services provide telephone exchange or telephone toll service, and thus are entitled to nondiscriminatory access to LEC local DA databases.

Petitions for Reconsideration in response to this Order are currently pending before the Commission.

On January 9, 2002, the FCC released the Directory Assistance Notice of Proposed Rulemaking, FCC 01-384, in which the Commission solicited

## FCC—Wireline Competition Bureau

## Long-Term Actions

comment on whether there is sufficient competition in the retail DA market, and if not, what, if any, action the Commission should take to promote such competition. The Commission sought specific comment on whether alternative dialing methods would promote competition. Proposed methods include: (1) presubscription to 411, (2) utilizing national 555 numbers, (3) utilizing carrier access codes (1010 numbers), (4) utilizing 411XX numbers. The Commission also sought comment on whether the 411 dialing code should be eliminated. This proceeding currently is pending before the Commission.

**Timetable:**

Action	Date
NPRM	04/25/96 61 FR 18311
NPRM Comment Period End	06/03/96
Order	09/06/96 61 FR 47284
NPRM	09/27/99 64 FR 51949
Second Order on Recon	09/27/99 64 FR 51910
Third Order on Recon	11/18/99 64 FR 62983
First Report & Order	02/21/01 66 FR 10965
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** State, Federal

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**RIN:** 3060-AG50**3973. ENHANCED 911 SERVICES FOR WIRELINE****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 201; 47 USC 222; 47 USC 251**CFR Citation:** 47 CFR 64.706; 47 CFR 64.708; 47 CFR 68.2; 47 CFR 68.3; 47 CFR 68.3(a); 47 CFR 68.228; 47 CFR 68.308; 47 CFR 68.310**Legal Deadline:** None

**Abstract:** The rules generally will assist State governments in drafting legislation that will ensure that multi-line telephone systems are compatible with the enhanced 911 network.

**Timetable:**

Action	Date
NPRM	10/11/94 59 FR 54878
FNPRM	01/23/03 68 FR 3214
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations**Government Levels Affected:** State, Local, Tribal, Federal

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**RIN:** 3060-AG60**3974. COMPUTER III FURTHER REMAND PROCEEDINGS: BELL OPERATING COMPANY PROVISION OF ENHANCED SERVICES****Priority:** Other Significant**Legal Authority:** 47 USC 151; 47 USC 152; 47 USC 154; 47 USC 160; 47 USC 161; 47 USC 202 to 205; 47 USC 251; 47 USC 271; 47 USC 272; 47 USC 274 to 276**CFR Citation:** 47 CFR 51; 47 CFR 53; 47 CFR 64**Legal Deadline:** None

**Abstract:** On January 30, 1998, the FCC released a Further Notice of Proposed Rulemaking (FNPRM) proposing to streamline the safeguards under which the Bell Operating Companies (BOCs) provide information (or enhanced) services, such as voice mail and electronic messaging. The FCC sought comment on tentative conclusions relating to nonstructural safeguards, Comparably Efficient Interconnection (CEI) plans, and network information disclosure rules, among other things. Finally, the FNPRM sought to build a record on which to respond to a partial remand of certain orders by the Court of Appeals for the Ninth Circuit. On February 25, 1999, the Commission adopted a Report and Order which streamlined the Commission's CEI and network information disclosure rules. Although the BOCs must continue to comply with their CEI obligations, they are no longer required to obtain pre-approval of their CEI plans and

amendments from the Commission before initiating or altering an intra-LATA information service. Instead, the Commission requires the BOCs to post their CEI plans on their publicly accessible Internet sites, and to notify the Common Carrier Bureau upon such posting. The Commission removed the network information disclosure rules set forth in the Computer II and Computer III proceedings, with the narrow exception of the Computer II rules that require carriers to disclose changes that could affect how customer premises equipment (CPE) is attached to the network. On March 7, 2001, the FCC released a Public Notice requesting further comment on the outstanding issues discussed in its January 30, 1998 FNPRM.

Because the issues in this FNPRM overlap with certain issues that the Commission is now considering in a separate docket regarding broadband services, the Commission has incorporated the FNPRM into the broadband proceeding insofar as the FNPRM relates to the BOCs' obligations to promote access to their networks with respect to broadband services. The broadband proceeding is entitled, "Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities; Universal Service Obligations of Broadband Providers," CC Docket No. 02-33, NPRM, FCC 02-42 (rel. Feb. 15, 2002).

**Timetable:**

Action	Date
FNPRM	02/26/98 63 FR 9749
R&O	03/24/99 64 FR 14141
Public Notice	03/15/01 66 FR 15064
NPRM	02/15/02 67 FR 9232
NPRM Comment Period End	05/03/02
Reply Comment Period End	07/01/02
Next Action Undetermined	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Undetermined

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**RIN:** 3060-AG72

## FCC—Wireline Competition Bureau

## Long-Term Actions

**3975. DETARIFFING OF COMPETITIVE LOCAL EXCHANGE CARRIERS' INTERSTATE EXCHANGE ACCESS SERVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151 to 154; 47 USC 160; 47 USC 201 to 205**CFR Citation:** 47 CFR 61.26**Legal Deadline:** None

**Abstract:** In an Order released on April 27, 2001, the Commission addressed a number of interrelated issues concerning charges for interstate switched access services provided by competitive local exchange carriers (CLECs) and the obligations of interexchange carriers to exchange access traffic with CLECs. The Order seeks to ensure that CLEC access charges are just and reasonable, to reduce regulatory arbitrage opportunities, and to avoid disrupting the development of competition in the local telecommunications market.

In an attached Further Notice of Proposed Rulemaking, the Commission sought comment on whether tariffed CLEC-provided access service for toll free, or "8YY," numbers should be afforded different treatment than CLEC tariffed switched access traffic generally.

**Timetable:**

Action	Date	
NPRM	07/17/97	62 FR 38244
FNPRM	09/22/99	64 FR 51280
Public Notice	06/26/00	65 FR 39335
Order	05/21/01	66 FR 27892
FNPRM	05/21/01	66 FR 27927
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined

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**RIN:** 3060-AG73**3976. PERFORMANCE MEASUREMENTS AND REPORTING REQUIREMENTS FOR OPERATIONS SUPPORT SYSTEMS, INTERCONNECTION, OPERATOR SERVICES, AND DIRECTORY ASSISTANCE****Priority:** Other Significant**Legal Authority:** 47 USC 151; 47 USC 152; 47 USC 154; 47 USC 201; 47 USC 202; 47 USC 251; 47 USC 303**CFR Citation:** Not Yet Determined**Legal Deadline:** None

**Abstract:** On April 17, 1998, the FCC released an NPRM seeking comment on a set of model performance measurements and reporting requirements for operations support systems, interconnection, and access to operator services and to directory assistance.

**Timetable:**

Action	Date	
NPRM	04/17/98	63 FR 27021
NPRM (To Terminate Proceeding)	11/19/01	66 FR 59759
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None

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**RIN:** 3060-AH00**3977. DEPLOYMENT OF WIRELINE SERVICES OFFERING ADVANCED TELECOMMUNICATIONS CAPABILITY****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 47 USC 151; 47 USC 152; 47 USC 153; 47 USC 154; 47 USC 157; 47 USC 160; 47 USC 201; 47 USC 202; 47 USC 203; 47 USC 204; 47 USC 205; 47 USC 251; 47 USC 252; 47 USC 253; 47 USC 254; 47 USC 256; 47 USC 271; 47 USC 303(r)**CFR Citation:** 47 CFR 51.5; 47 CFR 51.230; 47 CFR 51.231; 47 CFR 51.232; 47 CFR 51.233; 47 CFR 51.319; 47 CFR 51.321; 47 CFR 51.323; 47 CFR 51.605; 47 CFR 51.607**Legal Deadline:** None

**Abstract:** On March 31, 1999, the Commission released a First Report and Order and Further Notice of Proposed Rulemaking (NPRM) (Advanced Services Order), in CC Docket No. 98-147, adopting several measures to enable competitive providers of advanced services such as those used to provide high-speed Internet access, to deploy new technologies on a faster, more cost-effective basis to consumers. This order is intended to create marketplace conditions conducive to the nationwide deployment of advanced telecommunications services consistent with the goals of section 706 of the Telecommunications Act of 1996. Because the Commission concluded that the record did not sufficiently address long-term spectrum compatibility issues, the Commission adopted a companion Further NPRM that sought comment on issues related to developing long-term standards and practices for spectrum compatibility and management. In the Further NPRM, the Commission also tentatively concluded that it is technically feasible for two different telecommunications carriers sharing a single line to provide traditional voice service and advanced services. The Further Notice sought comment on the operational, pricing, legal and policy ramifications of mandating such line sharing at the Federal level.

On November 9, 1999, the Commission released a Second Report and Order (Advanced Services Resale Order) in CC Docket No. 98-147, which addressed whether the discounted resale obligation of section 251(c)(4) applies to incumbent Local Exchange Carrier (LEC) provision of advanced services. The Commission determined that analysis of section 251(c)(4) requires a fact-specific evaluation of the features and characteristics of a particular transaction, and concluded that advanced services sold at retail by incumbent LECs to residential and business end-users are subject to the section 251(c)(4) discounted resale obligation, without regard to their classification as telephone exchange service or exchange access service. The Commission, however, reached a

## FCC—Wireline Competition Bureau

## Long-Term Actions

different result as to advanced services sold to Internet Service Providers for inclusion in a high-speed Internet service offering, concluding that these advanced services are inherently different from advanced services made available directly to business and residential end-users, and as such, are not subject to the discounted resale obligations of section 251(c)(4).

On December 9, 1999, the Commission released a Third Report and Order in CC Docket No. 98-147 and Fourth Report and Order in CC Docket No. 96-98 (Line Sharing Order). In the Line Sharing Order, the Commission adopted measures to promote the availability of competitive broadband Digital Subscriber Line (DSL) services, especially to residential and small business customers. The Third R&O amended the Commission's network unbundling rules to require incumbent LECs to provide unbundled access to a new network element, the high frequency portion of the local loop. This enables competitive LECs to compete with incumbent LECs to provide DSL services through telephone lines that the competitive LECs can share with incumbent LECs. In addition, the Line Sharing Order adopted spectrum management policies and rules to facilitate the competitive deployment of advanced services. These rules will significantly benefit the rapid and efficient deployment of DSL technologies.

On January 19, 2001, the Commission issued an Order on Reconsideration and a Further Notice of Proposed Rulemaking in which the Commission reinforced its line sharing rules to promote availability of unbundled access to the high frequency portion of the loop. It also addressed issues in a variety of petitions for clarification and/or reconsideration filed in response to the Line Sharing Order.

On December 20, 2001, the Commission released a Notice of Proposed Rulemaking in CC Docket Nos. 01-338, 96-98, and 98-147 seeking comment on whether, in light of changed circumstances, it should retain the unbundling requirement.

**Timetable:**

Action	Date	
NPRM	08/24/98	63 FR 45140
Order	08/24/98	63 FR 45133
R&O and Further NPRM	04/30/99	64 FR 23229

Action	Date	
Third R&O	01/10/00	65 FR 1331
Second R&O	02/11/00	65 FR 6912
Reconsideration Order and Further NPRM	02/06/01	66 FR 9035
NPRM	01/15/02	67 FR 1947
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

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**RIN:** 3060-AH03**3978. PRESCRIBING THE AUTHORIZED RATE OF RETURN FOR INTERSTATE SERVICES OF LOCAL EXCHANGE CARRIERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 201(b); 47 USC 202 to 205; 47 USC 218 to 220; 47 USC 303(r); 47 USC 403**CFR Citation:** 47 CFR 65.301**Legal Deadline:** None

**Abstract:** This Notice initiates a proceeding to rephrase the authorized rate of return for interstate access services provided by ILECs. It marks the first prescription proceeding since we revised the rules governing procedures and methodologies for prescribing and enforcing the rate of return for ILECs not subject to price cap regulation, and the first prescription proceeding since the Commission adopted its price cap rules for local exchange carriers. In this Notice, we seek comment on the methods by which we could calculate the ILECs' cost of capital. In the Notice, we propose corrections to errors in the codified formulas for the cost of debt and cost of preferred stock and seek comment on whether this proceeding warrants a change in the low-end formula adjustment for local exchange carriers subject to price caps.

**Timetable:**

Action	Date	
NPRM	10/05/98	63 FR 55988
NPRM Comment	04/08/99	
Period End		
Next Action Undetermined		

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 3060-AH18**3979. LOCAL TELEPHONE NETWORKS THAT LECS MUST MAKE AVAILABLE TO COMPETITORS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 47 USC 251**CFR Citation:** 47 CFR 51 (Revision)**Legal Deadline:** None

**Abstract:** This revises the rules applicable to incumbent local exchange carriers (LECs) to permit competitive carriers to access portions of the incumbent LECs' networks on an unbundled basis. Unbundling allows competitors to lease portions of the incumbent LECs' network to provide telecommunications services. These rule changes are intended to remove uncertainty regarding the incumbent LECs' unbundling obligations under the Telecommunications Act of 1996 and are expected to accelerate the development of local exchange competition.

On April 10, 2001, the Commission issued a Public Notice seeking comment on a Joint Petition filed by BellSouth, SBC, and Verizon asking the Commission to find that high-capacity loops and dedicated transport should not be subject to mandatory unbundling. The Commission issued Public Notices on April 23, 2001, and May 14, 2001, seeking additional comment.

On December 20, 2001, the Commission issued a Notice of Proposed Rulemaking to comprehensively consider the appropriate changes, if any, to its unbundling policies in light of market developments and technological advances. 67 FR 1947. As part of this triennial review, the Commission incorporated the records of several pending proceedings on unbundling into this docket, including:

FCC—Wireline Competition Bureau

Long-Term Actions

(1) the availability of loops, transport, and combinations thereof; (2) high-capacity loops and dedicated transport; (3) local switching; and (4) next-generation networks.

On May 29, 2002, the Commission extended the reply comment date of the Notice of Proposed Rulemaking to July 17, 2002, to allow all interested parties to incorporate their review and analysis of *USTA v. FCC*, 290 F.3d 415 (D.C. Cir. 2002). On August 1, 2002, the Commission issued a Public Notice seeking comment on a Verizon telephone companies' petition asking the Commission to forbear from applying certain section 271 checklist items if the Commission determines that the corresponding network elements no longer need to be unbundled. On August 13, 2002, the Commission issued a Public Notice seeking comment on a petition filed by WorldCom, Inc., asking the Commission to declare that requesting carriers are entitled to access certain data from incumbent LECs at cost-based rates when they use such data to provide interexchange and exchange access service.

**Timetable:**

Action	Date	
Second Further NPRM	04/26/99	64 FR 20238
Fourth Further NPRM	01/14/00	65 FR 2367
Second Errata Third R&O and Fourth Further NPRM	01/18/00	65 FR 2542
Supplemental Order	01/18/00	65 FR 2542
Errata Third R&O and Fourth Further NPRM	01/18/00	65 FR 2542
Third R&O	01/18/00	65 FR 2542
Correction	04/11/00	65 FR 19334
Supplemental Order Clarification	06/20/00	65 FR 38214
Public Notice	02/01/01	66 FR 8555
Public Notice	03/05/01	66 FR 18279
Public Notice	04/10/01	
Public Notice	04/23/01	
Public Notice	05/14/01	
NPRM	01/15/02	67 FR 1947
Public Notice	05/29/02	
Public Notice	08/01/02	
Public Notice	08/13/02	
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** State, Local

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**RIN:** 3060-AH44

**3980. 2000 BIENNIAL REGULATORY REVIEW — TELECOMMUNICATIONS SERVICE QUALITY REPORTING REQUIREMENTS**

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i); 47 USC 154(j); 47 USC 201(b); 47 USC 303(r); 47 USC 403

**CFR Citation:** 47 CFR 32; 47 CFR 32.11; 47 CFR 32.1220(h); 47 CFR 32.2311(f); 47 CFR 32.2003(b); 47 CFR 32.5280(c); 47 CFR 32.27(c); 47 CFR 64.903(a)

**Legal Deadline:** None

**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.

**Timetable:**

Action	Date	
NPRM	12/04/00	65 FR 75657
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** Undetermined

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**RIN:** 3060-AH72

**3981. ACCESS CHARGE REFORM AND UNIVERSAL SERVICE REFORM**

**Priority:** Economically Significant

**Legal Authority:** 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 201 to 205; 47 USC 254; 47 USC 403

**CFR Citation:** 47 CFR 36; 47 CFR 54; 47 CFR 61; 47 CFR 69

**Legal Deadline:** None

**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.

**Timetable:**

Action	Date	
NPRM	01/25/01	66 FR 7725
Report and Order	11/30/01	66 FR 59719
Further NPRM	11/30/01	66 FR 59761
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH74



## FCC—Wireline Competition Bureau

## Long-Term Actions

### 3982. 2000 BIENNIAL REGULATORY REVIEW — COMPREHENSIVE REVIEW OF THE ACCOUNTING REQUIREMENTS AND ARMIS REPORTING REQUIREMENTS FOR INCUMBENT LOCAL EXCHANGE CARRIERS; PHASE 2 AND PHASE 3

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 154(i); 47 USC 154(j); 47 USC 161; 47 USC 201(b); 47 USC 303(r); 47 USC 403

**CFR Citation:** 47 CFR 32.1 et seq

**Legal Deadline:** None

**Abstract:** This NPRM seeks comment on various measures to streamline existing accounting and ARMIS reporting requirements.

**Timetable:**

Action	Date	
NPRM	11/13/00	65 FR 67675
NPRM Comment Period End	03/14/01	
Public Notice	06/26/01	66 FR 33938
Public Notice Comment Period End	07/26/01	
R&O	02/06/02	67 FR 5669
Order	09/05/02	67 FR 66069
Order	11/12/02	67 FR 77432
Comment Period End	02/18/03	
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 3060-AH76

### 3983. STREAMLINING PROCEDURES FOR COMMON CARRIER TRANSFERS OF CONTROL AND IMPLEMENTATION OF FURTHER STREAMLINING MEASURES FOR DOMESTIC SECTION 214 AUTHORIZATIONS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 47 USC 152; 47 USC 154(i); 47 USC 154(j); 47 USC 201; 47 USC 214; 47 USC 303(r)

**CFR Citation:** 47 CFR 63.01; 47 CFR 63.51; 47 CFR 63.52

**Legal Deadline:** None

**Abstract:** On July 20, 2001, the Commission adopted a Notice of

Proposed Rulemaking in CC Docket No. 01-150 (FCC 01-205) (Merger Streamlining NPRM). The Commission proposes to streamline application procedures under 47 USC 214 for common carrier authorizations to acquire domestic transmission lines through acquisitions of corporate control. The Commission requests comments on the criteria it should adopt for deciding which applications would require little scrutiny to determine that they would serve the public interests.

On March 14, 2002, the Commission adopted rules to streamline the review of applications for section 214 authorization to transfer control of domestic transmission lines. The streamlining procedures allow domestic telecommunications carriers to qualify for expedited review of their merger applications, thus eliminating unnecessary regulatory burdens on carriers while increasing the efficiency and transparency of the FCC review process.

**Timetable:**

Action	Date	
NPRM	08/09/01	66 FR 41823
R&O	04/17/02	67 FR 18827
Next Action	Undetermined	

**Regulatory Flexibility Analysis**

**Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060-AH79

### 3984. NUMBERING RESOURCE OPTIMIZATION

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 47 USC 151; 47 USC 154; 47 USC 201 et seq; 47 USC 251(e)

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** In 1999, the Commission released the Numbering Resource Optimization Notice of Proposed

Rulemaking (Notice) in CC Docket 99-200. The Notice examined and sought comment on several administrative and technical measures aimed at improving the efficiency with which telecommunications numbering resources are used and allocated. It incorporated input from the North American Numbering Council (NANC), a Federal advisory committee, which advises the Commission on issues related to number administration.

In the Numbering Resource Optimization First Report and Order and Further Notice of Proposed Rulemaking (NRO First Report and Order), released on March 31, 2000, the Commission adopted a mandatory utilization data reporting requirement, a uniform set of categories of numbers for which carriers must report their utilization, and a utilization threshold framework to increase carrier accountability and incentives to use numbers efficiently. In addition, the Commission adopted a single system for allocating numbers in blocks of one thousand, rather than ten thousand, wherever possible, and established a plan for national rollout of thousands-block number pooling. The Commission also adopted numbering resource reclamation requirements to ensure that unused numbers are returned to the North American Numbering Plan (NANP) inventory for assignment to other carriers. Also, to encourage better management of numbering resources, carriers are required, to the extent possible, to first assign numbering resources within thousands blocks (a form of sequential numbering).

In the NRO Second Report and Order, the Commission adopted a measure that requires all carriers to use at least 60 percent of their numbering resources before they may get additional numbers in a particular area. That 60 percent utilization threshold increases to 75 percent over the next three years. The Commission also established a five-year term for the national Pooling Administrator and an auditing program to verify carrier compliance with the Commission's rules. Furthermore, the Commission addressed several issues raised in the Notice, concerning area code relief. Specifically, the Commission declined to amend the existing Federal rules for area code relief or specify any new federal guidelines for the implementation of area code relief. The Commission also declined to state a preference for either

## FCC—Wireline Competition Bureau

## Long-Term Actions

all-services overlays or geographic splits as a method of area code relief. Regarding mandatory nationwide ten-digit dialing, the Commission declined to adopt this measure at the present time. Furthermore, the Commission declined to mandate nationwide expansion of the "D digit" (the "N" of an NXX or central office code) to include 0 or 1, or to grant state commissions the authority to implement the expansion of the D digit as a numbering resource optimization measure at the present time.

In the NRO Third Report and Order, the Commission addressed national thousands-block number pooling administration issues, including declining to alter the implementation date for covered CMRS carriers to participate in pooling. The Commission also addressed Federal cost recovery for national thousands-block number pooling, and continued to require states to establish cost recovery mechanisms for costs incurred by carriers participating in pooling trials. The Commission reaffirmed the Months-to-Exhaust (MTE) requirement for carriers. The Commission declined to lower the utilization threshold established in the Second Report and Order, and declined to exempt pooling carriers from the utilization threshold. The Commission also established a safety valve mechanism to allow carriers that do not meet the utilization threshold in a given rate center to obtain additional numbering resources.

In the NRO Third Report and Order, the Commission lifted the ban on technology specific overlays (TSOs), and delegated authority to the Common Carrier Bureau, in consultation with the Wireless Telecommunications Bureau, to resolve any such petitions. Furthermore, the Commission found that carriers who violate our numbering requirements, or fail to cooperate with an auditor conducting either a "for cause" or random audit, should be denied numbering resources in certain instances. The Commission also reaffirmed the 180-day reservation period, declined to impose fees to extend the reservation period, and found that State commissions should be allowed password-protected access to the NANPA database for data pertaining to NPA's located within their State.

The measures adopted in the NRO orders will allow the Commission to

monitor more closely the way numbering resources are used within the NANP, and will promote more efficient allocation and use of NANP resources by tying a carrier's ability to obtain numbering resources more closely to its actual need for numbers to serve its customers. These measures are designed to create national standards to optimize the use of numbering resources by: (1) minimizing the negative impact on consumers of premature area code exhausts; (2) ensuring sufficient access to numbering resources for all service providers to enter into or to compete in telecommunications markets; (3) avoiding premature exhaust of the NANP; (4) extending the life of the NANP; (5) imposing the least societal cost possible, and ensuring competitive neutrality, while obtaining the highest benefit; (6) ensuring that no class of carrier or consumer is unduly favored or disfavored by the Commission's optimization efforts; and (7) minimizing the incentives for carriers to build and carry excessively large inventories of numbers.

In NRO Third Order on Recon in CC Docket No. 99-200, Third Further Notice of Proposed Rulemaking in CC Docket No. 99-200 and Second Further Notice of Proposed Rulemaking in CC Docket No. 95-116, the Commission reconsidered its findings in the NRO Third Report and Order regarding the local Number portability (LNP) and thousands-block number pooling requirements for carriers in the top 100 Metropolitan Statistical areas (MSAs). Specifically, the Commission reversed its clarification that those requirements extend to all carriers in the largest 100 MSAs, regardless of whether they have received a request from another carrier to provide LNP. The Commission also sought comment on whether the Commission should again extend the LNP requirements to all carriers in the largest 100 MSAs, regardless of whether they receive a request to provide LNP. The Commission also sought comment on whether all carriers in the top 100 MSAs should be required to participate in thousands-block number pooling, regardless of whether they are required to be LNP capable. In addition, the Commission sought comment on whether all MSAs included in Combined Metropolitan Statistical Areas (CMSAs) on the Census Bureau's list of the largest 100 MSAs should be

included on the Commission's list of the top 100 MSAs.

**Timetable:**

Action	Date
NPRM	06/17/99 64 FR 32471
R&O and Further NPRM	06/16/00 65 FR 37703
Second R&O and Second Further NPRM	02/08/01 66 FR 9528
Third R&O and Second Order on Recon	02/12/02 67 FR 643
3rd O on Recon & 3rd FNPRM	04/05/02 67 FR 16347

Next Action Undetermined

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses, Governmental Jurisdictions, Organizations

**Government Levels Affected:** Undetermined

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**RIN:** 3060-AH80

### 3985. PERFORMANCE MEASUREMENTS AND STANDARDS FOR UNBUNDLED NETWORK ELEMENTS AND INTERCONNECTION

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 47 USC 151, 152; 47 USC 154(i), 201; 47 USC 202, 206-209; 47 USC 251, 253; 47 USC 503,504,706

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** On November 8, 2001, the Commission opened a rulemaking to consider whether it should adopt a modest group of national performance measurements and standards for evaluating the provision of unbundled network elements by Incumbent Local Exchange Carriers.

**Timetable:**

Action	Date
NPRM	11/30/01 66 FR 59759
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

## FCC—Wireline Competition Bureau

## Long-Term Actions

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**RIN:** 3060–AI00

### 3986. PERFORMANCE MEASUREMENTS AND STANDARDS FOR INTERSTATE SPECIAL ACCESS SERVICES

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 47 USC 101, 152; 47 USC 154(i); 47 USC 201, 202; 47 USC 206 to 209, 251; 47 USC 272, 503

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** On November 16, 2001, the Commission opened a rulemaking to consider whether it should adopt national performance measurements, standards, and penalties for the provision of interstate special access services.

#### Timetable:

Action	Date
NPRM	12/10/01 66 FR 63651
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

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**RIN:** 3060–AI01

### 3987. CUSTOMER PREMISES EQUIPMENT/ENHANCED SERVICES BUNDLING RESTRICTIONS IN COMPUTER II

**Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 47 USC 151, 152; 47 USC 154, 160; 47 USC 161, 201 to 205; 47 USC 215, 218; 47 USC 220, 303(r)

**CFR Citation:** 47 CFR 64.702(e)

**Legal Deadline:** None

**Abstract:** This further notice of proposed rulemaking examines the need for certain restrictions on a common carrier's ability to bundle customer premises equipment (CPE), enhanced services, and regulated telecommunications services.

#### Timetable:

Action	Date
FNPRM	10/09/98 63 FR 56892
Next Action Undetermined	

**Regulatory Flexibility Analysis Required:** Yes

**Small Entities Affected:** Businesses

**Government Levels Affected:** None

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**RIN:** 3060–AI03

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