

The Commission has considered a number of preemption items since the passage of the Telecommunications Act of 1996, and believes it in the public interest to inform the public of the information necessary to support its full consideration of the issues likely to be involved in preemption actions.

The Commission will use the information to discharge its statutory mandate relating to the preemption of state or local statutes or other state or local legal requirements.

*OMB Control No.:* 3060-0876.

*Title:* USAC Board of Directors Nomination Process (47 CFR Section 54.703) and Review of Administrator's Decision (47 CFR Sections 54.719-54.725).

*Form No.:* N/A.

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

*Respondents:* Business or other for-profit and not-for-profit institutions.

*Number of Respondents:* 1,312.

*Estimated Time Per Response:* 20-32 hours.

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

*Total Annual Burden:* 41,840 hours.

*Total Annual Cost:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* This collection will be submitted as an extension (after this 60 day comment period) to OMB in order to obtain the full three year clearance. Pursuant to 47 CFR 54.703, industry and non-industry groups may submit to the Commission for approval nominations for individuals to be appointed to the Universal Service Administrative Company (USAC) Board of Directors. Sections 54.719 through 54.725 contain the procedures for Commission review of USAC decisions, including the general filing requirements which parties must file requests for review. The information is used by the Commission to select the USAC Board of Directors and to ensure that requests for review are filed properly with the Commission.

*OMB Control No.:* 3060-1031.

*Title:* Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems—Petition of the City of Richardson, TX, Order on Reconsideration II.

*Form No.:* N/A.

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

*Respondents:* Business or other for-profit and not-for-profit institutions.

*Number of Respondents:* 1,158.

*Estimated Time Per Response:* 2-4 hours.

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

*Total Annual Burden:* 6,576 hours.

*Total Annual Cost:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* This collection will be submitted as an extension (after this 60 day comment period) to OMB in order to obtain the full three year clearance.

This collection contains various reporting and third party disclosure requirements. Under the Commission's E911 rules, a wireless carrier must provide E911 service to a particular Public Safety Answering Point (PSAP) within six months only if that PSAP makes a request for the service and is capable of receiving and utilizing the information provided. In the City of Richardson Order on Reconsideration, the Commission adopted rules clarifying what constitutes a valid PSAP request so as to trigger a wireless carrier's obligation to provide service to a PSAP within six months. The Order on Reconsideration modified the E911 rules to provide additional clarification on the issue of PSAP readiness. The Commission's actions were intended to facilitate the E911 implementation process by encouraging parties to communicate with each other early in the implementation process, and to maintain a constructive, on-going dialogue throughout the implementation process.

The Order on Reconsideration contained three new public information collection burdens subject to the Paperwork Reduction Act (PRA). First, the Commission adopted procedural guidelines for requesting documentation predictive of a PSAP's readiness to receive and utilize the enhanced 911 service it has requested. Specifically, we provide that, where a wireless carrier requests such documentation from a PSAP within 15 days of receiving the PSAP's request for E911 service, the PSAP must respond within 15 days or the carrier's six-month implementation period will be tolled until such documentation is provided. Second, the Commission clarified that the readiness showing is for the purpose of commencing the wireless carrier's six-month implementation obligation; and we established a procedure whereby wireless carriers that have completed all necessary steps toward E911 implementation are not dependent on PSAP readiness may have their compliance obligation temporarily tolled, if the PSAP is not ready to receive the information at the end of the six-month period and carrier files a certification to that effect with the

Commission. Finally, the Commission clarified that nothing in our rules precludes wireless carriers and PSAPs from mutually agreeing to an implementation schedule different from that prescribed by our rules.

The Commission will use the certification filings from wireless carriers to determine each carrier's compliance with its E911 obligations.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E5-7871 Filed 12-27-05; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority

December 15, 2005.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Persons wishing to comment on this information collection should submit comments by February 27, 2006. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** You may submit your Paperwork Reduction Act (PRA) comments by e-mail or U.S. postal mail. To submit your comments by e-mail send them to: [PRA@fcc.gov](mailto:PRA@fcc.gov). To submit your comments by U.S. mail, mark it to the attention of Judith B. Herman, Federal Communications Commission, 445 12th Street, SW., Room 1-C804, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection(s) send an e-mail to [PRA@fcc.gov](mailto:PRA@fcc.gov) or contact Judith B. Herman at 202-418-0214.

**SUPPLEMENTARY INFORMATION:**

*OMB Control No.:* 3060-1036.

*Title:* Potential Reporting Requirements on Local Exchange Carriers (LECs) to Assist Expedient Implementation of Wireless E911 Service.

*Form No.:* N/A.

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

*Respondents:* Business or other for-profit.

*Number of Respondents:* 6 respondents; 24 responses.

*Estimated Time Per Response:* 8 hours.

*Frequency of Response:* On occasion reporting requirement.

*Total Annual Burden:* 192 hours.

*Annual Cost Burden:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* This collection will be submitted as an extension (after this 60 day comment period) to OMB in order to obtain the full three year clearance.

In the City of Richardson reconsideration order released November 2002, the Commission indicated its concern about the potential threat to timely wireless E911 deployment posed by a delay or lack of cooperation on the part of the LECs. To ensure that LECs timely perform their role in the successful deployment of wireless E911 services, the Commission gathers information, on a periodic basis, from six of the nation's largest Local Exchange Carriers (LECs) regarding the status of their efforts in connection with wireless E911 deployment. The information will be used by the Commission to determine whether the LECs are meeting their responsibilities to provide access to, and interconnection with, their networks for E911 purposes.

*OMB Control No.:* 3060-0910.

*Title:* Third Report and Order in CC Docket No. 94-102, Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems.

*Form No.:* N/A.

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

*Respondents:* Business or other for profit and not-for-profit institutions.

*Number of Respondents:* 4,000 respondents; 8,000 responses.

*Estimated Time Per Response:* 1 hour.

*Frequency of Response:* On occasion reporting requirement.

*Total Annual Burden:* 4,000 hours.

*Annual Cost Burden:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* This collection will be submitted as an extension (after this 60 day comment period) to OMB in order to obtain the full three year clearance.

Commission rules allows wireless carriers to permit the use of handset-based solutions, or hybrid solutions that require changes both to handsets and wireless networks, in providing caller location information as part of enhanced 911 services. Those rules also require carriers to report changes in their deployment plans. The information in these reports will provide public service answering points (PSAPs), providers of location technology, investors, manufacturers, local exchange carriers (LECs), and the Commission with valuable information necessary for preparing for full Phase II E911 implementation. These reports will provide helpful, if not essential information, for coordinating carrier plans with those manufacturers and PSAPs. It will also assist the Commission's efforts to monitor Phase II developments and to take necessary actions to maintain the Phase II implementation schedule.

*OMB Control No.:* 3060-1027.

*Title:* Section 27.602, Guard Band Manager Agreements.

*Form No.:* N/A.

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

*Respondents:* Business or other for profit.

*Number of Respondents:* 62.

*Estimated Time Per Response:* 6 hours.

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

*Total Annual Burden:* 372 hours.

*Annual Cost Burden:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* This collection will be submitted as an extension (after this 60 day comment period) to OMB in order to obtain the full three year clearance.

The Commission adopted service rules for 27 megahertz of

electromagnetic spectrum in the 216-220 MHz, 1390-1395 MHz, 1427-1429.5 MHz, 1429.5-1432 MHz, 1432-1435 MHz, 1670-1675 MHz, and 2385-2390 MHz bands, which have been reallocated for non-Government use. The service rules adopted establish a flexible regulatory and licensing framework. The Commission believes that this decision will provide opportunities for new services to utilize this spectrum, thus addressing spectrum scarcity concerns, as well as to promote the delivery of technologically innovative services to the public. The originally exempt frequencies of Private Land Mobile licensees are now required to obtain guard band manager agreements with other licensees who plan on using their licensed spectrum. Guard Band Managers are required to enter into written agreements regarding the use of their licensed spectrum by others, subject to certain conditions outlined in Commission rules, and retain such records for at least two years after the date such agreements expire. Such records need to be kept current and be made available upon request for inspection by the Commission or its representatives.

*OMB Control No.:* 3060-0400.

*Title:* Tariff Review Plan.

*Form No.:* N/A.

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

*Respondents:* Business or other for profit.

*Number of Respondents:* 40.

*Estimated Time Per Response:* 61 hours.

*Frequency of Response:* Biennial and annual reporting requirements.

*Total Annual Burden:* 2,440 hours.

*Annual Cost Burden:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* This collection will be submitted as an extension (after this 60 day comment period) to OMB in order to obtain the full three year clearance.

Certain local exchange carriers are required to submit a biennial or annual Tariff Review Plan in partial fulfillment of cost support material required by 47 CFR part 61. The information is used by FCC and the public to determine the justness and reasonableness of rates, terms and conditions in tariffs as required by the Communications Act of 1934, as amended.

*OMB Control No.:* 3060-0514.

*Title:* Section 43.21(b), Holding Company Annual Report.

*Form No.:* N/A.

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

*Respondents:* Business or other for profit.

*Number of Respondents:* 17.

*Estimated Time Per Response:* 1 hour.

*Frequency of Response:* Annual reporting requirement.

*Total Annual Burden:* 17 hours.

*Annual Cost Burden:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* This collection will be submitted as an extension (after this 60 day comment period) to OMB in order to obtain the full three year clearance.

The filing of SEC Form 10-K is required by section 1.785 and 43.21(b) of the Commission's rules and authorized by section 219 of the Communications Act of 1934, as amended. Each company, not itself a communications common carrier, that directly or indirectly controls any communications common carrier having annual revenues equal to or above the indexed revenue threshold, as defined in section 32.9000, shall file annually with the Commission, not later than the date prescribed by Security and Exchange Commission (SEC), for its purposes, two complete copies of any SEC Form 10-K annual report (or any superseding form) filed with that Commission.

The information filed pursuant to section 43.21(b) is used by staff members to regulate and monitor the telephone industry and by the public to analyze the industry. Selected information is compiled and published in the Commission's annual common carrier statistical publication.

*OMB Control No.:* 3060-0755.

*Title:* Sections 59.1 through 59.4, Infrastructure Sharing.

*Form No.:* N/A.

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

*Respondents:* Business or other for profit.

*Number of Respondents:* 75.

*Estimated Time Per Response:* 2-24 hours.

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

*Total Annual Burden:* 2,325 hours.

*Annual Cost Burden:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* This collection will be submitted as an extension (after this 60 day comment period) to OMB in order to obtain the full three year clearance.

Section 259 requires incumbent local exchange carriers (LECs) to file any arrangements showing the conditions under which they share infrastructure. Section 259 also requires incumbent LECs to provide information on deployments of new services and

equipment to qualifying carriers. Finally, the Commission requires incumbent LECs to provide 60 day notice prior to terminating section 259 agreements.

The Commission uses the information in the following ways: (1) The information collected under the requirement that LECs file any tariffs, contracts or other arrangements for infrastructure sharing will be made available for public inspection; (2) the information collected under the requirement that incumbent LECs provide timely information on planned deployments of new services and equipment will be provided to third parties (qualifying carriers); and (3) the information collected under the requirement that providing incumbent LECs furnish 60 days notice prior to termination of a section 259 sharing agreement will be provided to third parties, i.e., qualifying carriers, to protect customers from sudden changes in service.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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## FEDERAL COMMUNICATIONS COMMISSION

**[Report No. AUC-05-64-B (Auction No. 64); DA 05-2987]**

### **Auction of Full Power Television Construction Permits Scheduled for March 15, 2006, Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments and Other Procedures for Auction No. 64**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document announces the procedures and minimum opening bids for the upcoming auction of eleven full power television station construction permits. This document is intended to familiarize prospective bidders with the procedures and minimum opening bids for Auction No. 64.

**DATES:** Auction No. 64 short-form applications are due before 6 p.m. Eastern Time (ET) on January 20, 2006. Upfront payments are due before 6 p.m. ET on February 17, 2006. Competitive bidding is scheduled to begin on March 15, 2006.

**FOR FURTHER INFORMATION CONTACT:** Auction and Spectrum Access Division, Wireless Telecommunications Bureau: *for legal questions:* Lynne Milne at (202)

418-0660; *for general auction questions:* Debbie Smith or Lisa Stover at (717) 338-2888. Video Division, Media Bureau: *for service rule questions:* Shaun Maher at (202) 418-2324 or Shaleim Henry at (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Auction No. 64 Procedures Public Notice* released on November 23, 2005. The complete text of the *Auction No. 64 Procedures Public Notice*, including attachments and related Commission documents, is available for public inspection and copying from 8 a.m. to 4:30 p.m. Monday through Thursday or from 8 a.m. to 11:30 p.m. on Friday at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The *Auction No. 64 Procedures Public Notice* and related Commission documents may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. ("BCPI"), Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-488-5300, facsimile 202-488-5563, or Web site: <http://www.BCPIWEB.com>. When ordering documents from BCPI, please provide the appropriate FCC document number (for example, DA 05-2987 for the Auction No. 64 Procedures Public Notice). The *Auction No. 64 Procedures Public Notice* and related documents are available also on the Internet at the Commission's Web site: <http://wireless.fcc.gov/auctions/64/>.

## **I. General Information**

### *A. Introduction*

1. The Media Bureau (MB) and the Wireless Telecommunications Bureau (WTB) (collectively the *Bureaus*) announce the procedures and minimum opening bid amounts for the auction of 11 full power television station construction permits in Auction No. 64, scheduled to begin on March 15, 2006. On September 23, 2005, in accordance with 47 U.S.C. 309(j)(4), the Bureaus released a public notice seeking comment on reserve prices or minimum opening bid amounts and the procedures to be used in Auction No. 64. The Bureaus received comments from one commenter in response to the *Auction No. 64 Comment Public Notice*, 70 FR 58700 (October 7, 2005).

#### *i. Background*

2. The Commission's competitive bidding rules will be used to select among mutually exclusive applications for these construction permits in Auction No. 64. When two or more short-form applications are accepted for filing for the same construction permit