

Telephone Consumer Protection Act of 1991 ("TCPA"). Telephone Consumer Protection Act of 1991, Public Law 102-243, 105 Statute 2394 (1991), *codified at* 47 U.S.C. 227. In particular, the Coalition asks the Commission to: (1) Affirm that, under its general grant of exclusive authority to regulate interstate communications, the Commission has exclusive authority to regulate interstate commercial fax messages; and (2) find that section 17538.43 of the California Business and Professions Code, and all other State laws that purport to regulate interstate facsimile transmissions, are preempted by the federal TCPA, 47 U.S.C. 227. In this document, the Commission seeks comment on the issues raised in the Coalition's joint petition.

The Coalition asserts that States lack jurisdiction to regulate interstate fax communications. According to the Coalition, Congress granted exclusive jurisdiction to the Commission over "all interstate and foreign communication" under the Communications Act of 1934. The Coalition argues that exclusive federal regulation of interstate commercial fax transmissions is consistent with congressional intent, 47 U.S.C. 227(e)(1), and with prior Commission decisions. In addition, the Coalition contends that individual states' attempts to regulate interstate communication have resulted in varying fax regulation that is not only inconsistent with Congressional intent and the optimal goals of the TCPA, but extremely burdensome to the individuals, companies and other organizations that rely heavily on fax technology to conduct business. Accordingly, the Coalition maintains the Commission should preempt all State laws purporting to regulate interstate fax transmissions and assert exclusive jurisdiction over such regulation.

In addition, the Coalition argues that on October 7, 2005, California enacted a law that conflicts with the fax requirements of the TCPA. The Coalition contends that California's new law contains the text of section 227 of the Communications Act, without the Junk Fax Prevention Act of 2005 ("JFPA") amendments, and applies that language to any person sending faxes into or out of the state. Consequently, the Coalition maintains that the California law effectively eliminates the established business relationship ("EBR") exception to the prohibition on unsolicited faxes in the JFPA.

The Coalition urges the Commission to declare that the Commission has exclusive jurisdiction to regulate

interstate commercial fax messages and all State efforts to do so are preempted.

Federal Communications Commission.

**Jay Keithley,**

*Deputy Bureau Chief, Consumer & Governmental Affairs Bureau.*

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## FEDERAL COMMUNICATIONS COMMISSION

[DA 05-3140]

### Rescheduling of the Eighth Meeting of the Advisory Committee for the 2007 World Radiocommunication Conference (WRC-07 Advisory Committee)

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, this notice advises interested persons that the eighth meeting of the WRC-07 Advisory Committee originally scheduled for December 9, 2005 (FR Vol. 70, No. 201, Wednesday, October 19, 2005, Notices) has been rescheduled and will now be held on January 25, 2006, at the Federal Communications Commission. The purpose of the meeting is to continue preparations for the 2007 World Radiocommunication Conference. The Advisory Committee will consider any preliminary views and draft proposals introduced by the Advisory Committee's Informal Working Groups.

**DATES:** January 25, 2006; 11 a.m.-12 noon.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Room TW-C305, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Alexander Roytblat, FCC International Bureau, Strategic Analysis and Negotiations Division, at (202) 418-7501.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Public Notice, IB Docket No. 04-286, DA 05-3140, released December 5, 2005. The Federal Communications Commission (FCC) established the WRC-07 Advisory Committee to provide advice, technical support and recommendations relating to the preparation of United States proposals and positions for the 2007 World Radiocommunication Conference (WRC-07).

In accordance with the Federal Advisory Committee Act, Public Law

92-463, as amended, this notice advises interested persons of the eighth meeting of the WRC-07 Advisory Committee. The WRC-07 Advisory Committee has an open membership. All interested parties are invited to participate in the Advisory Committee and to attend its meetings. The proposed agenda for the eighth meeting is as follows:

#### Agenda

Eighth Meeting of the WRC-07 Advisory Committee, Federal Communications Commission, 445 12th Street, SW., Room TW-C305, Washington, DC 20554; January 25, 2006; 11 a.m.-12 Noon

1. Opening Remarks
2. Approval of Agenda
3. Approval of the Minutes of the Seventh Meeting
4. Reports on Recent WRC-07 Preparatory Meetings
5. NTIA Draft Preliminary Views and Proposals
6. Informal Working Group Reports and Recommendations
7. Future Meetings
8. Other Business

Federal Communications Commission.

**Don Abelson,**

*Chief, International Bureau.*

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## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2745]

### Petitions for Reconsideration of Action in Rulemaking Proceeding

December 1, 2005.

Petitions for Reconsideration have been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of these documents is available for viewing and copying in Room CY-B402, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). Oppositions to these petitions must be filed by December 29, 2005. See § 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions have expired.

*Subject:* In the Matters of Appropriate Framework for Broadband Access to the Internet over Wireline Facilities (CC Docket No. 02-33).

Universal Service Obligations of Broadband Providers (CC Docket No. 02-33).