

be found in the May 1, 1995 RMAN (60 FR 21386).

## II. Specific Recommendations for Procurement of Designated Items

Recommendations for purchasing previously-designated items can be found in RMAN I (May 1, 1995); RMAN II (November 13, 1997); RMAN III (January 19, 2000); and the Paper Products RMAN's (May 29, 1996, and June 8, 1998).

### Part F—Landscaping Products

#### Section F-2. Compost Made From Recovered Organic Materials (Revised)

**Note:** EPA previously designated yard trimmings compost in CPG I and food waste compost in CPG III. The proposed CPG V discusses the use of compost made from manure or biosolids. The final CPG V would consolidate all previous and proposed compost designations under one item called "compost made from recovered organic materials." These materials could include yard trimmings, food waste, manure, biosolids, or other recovered organic materials that can be composted. Following are EPA's revised recommendations for purchasing compost. When EPA issues final recommendations for purchasing composts made from recovered organic materials, procuring agencies should substitute them for the recommendations found in section F-2 of RMAN III.

**Preference Program:** EPA recommends that procuring agencies purchase or use mature compost made from recovered organic materials in such applications as landscaping, seeding of grass or other plants on roadsides and embankments, as nutritious mulch under trees and shrubs, and in erosion control and soil reclamation. Mature compost is defined as a thermophilic converted product with high humus content, which can be used as a soil amendment and can also be used to prevent or remediate pollutants in soil, air, and storm water run-off.

EPA further recommends that those procuring agencies that have an adequate volume of organic materials, as well as sufficient space for composting, should implement a composting system to produce compost from these materials to meet their landscaping and other needs.

**Specifications:** EPA recommends that procuring agencies refer to the U.S. Composting Council's Test Methods for the Examination of Composting and Compost (TMECC) at [www.compostingcouncil.org](http://www.compostingcouncil.org), which are standardized methods for the composting industry to test and evaluate compost and verify the physical, chemical, and biological characteristics

of composting source materials and compost products. The TMECC also includes material testing guidelines to ensure product safety and market claims. Procuring agencies should also check for individual state regulations on the use of compost.

The U.S. Department of Transportation's "Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects 1996" specifies compost as one of the materials suitable for use in roadside revegetation projects associated with road construction.

EPA issued regulations in 1993 that limit the pollutants and pathogens in biosolids, entitled "The Standards for the Use or Disposal of Sewage Sludge," otherwise known as "the Part 503 Biosolids Rule" (40 CFR part 503). If biosolids are included as part of the compost, the processing and product are subject to the Part 503 Biosolids Rule Class A specifications for the highest level of pathogen and vector control (as described in section 2.3.1 of part 503) and specific metals limits, the compost product can be widely used, like any other fertilizer or soil-conditioning product.

Finally, EPA recommends that procuring agencies ensure that there is no language in their specifications relating to landscaping, soil amendments, erosion control, or soil reclamation that would preclude or discourage the use of compost made from recovered organic materials.

#### Section F-6. Organic Fertilizers

**Note:** Although fertilizer has some qualities similar to compost, for the purposes of the CPG, compost is considered a separate designation.

**Preference Program:** EPA recommends that procuring agencies purchase or use fertilizers made from recovered organic materials in such applications as agriculture and crop production, landscaping, horticulture, parks and other recreational facilities, on school campuses, and for golf course and turf maintenance.

**Specifications:** EPA recommends procuring agencies refer to the Organic Materials Review Institute (OMRI) at [www.omri.org](http://www.omri.org), which has developed guidelines and lists of materials allowed and prohibited for use in the production, processing, and handling of organically grown products. Procuring agencies should also check for individual state regulations on the use of organic fertilizers.

In addition, as mentioned above, biosolids can be used in the production of organic fertilizer and must meet the

requirements specified in EPA's Part 503 Biosolids Rule before they can be beneficially used. The 40 CFR part 503 Biosolids Rule land application requirements ensure that any biosolids that are land applied contain pathogens and metals that are below specified levels to protect the health of humans, animals, and plants.

In proposing to designate fertilizers made from recovered organic materials in the CPG, EPA is not placing any limitations on the organic materials, but rather is relying on federal, state, and local regulations and guidance, as well as existing industry standards. EPA is requesting comment on whether it should place any limitations on the recovered organic materials contained in the fertilizers that the Agency is today proposing to designate in the CPG, and on what those limitations should be. EPA is also seeking comment and information on any other specifications which we should recommend that pertain to fertilizers made with recovered organic materials.

Finally, EPA recommends that procuring agencies ensure that there is no language in their specifications relating to landscaping or soil treatment that would preclude or discourage the use of fertilizers made from recovered organic materials.

[FR Doc. 03-30267 Filed 12-9-03; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

[WC Docket No. 03-194; FCC 03-309]

### Application by Qwest Communications International Inc. for Authorization To Provide In-Region, InterLATA Services in Arizona

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In the document, the Federal Communications Commission (Commission) grants the section 271 application of Qwest Communications International Inc. (Qwest) for authorization to provide in-region, interLATA services in Arizona. The Commission grants Qwest's application based on its conclusion that Qwest has satisfied all of the statutory requirements for entry and fully opened its local exchange markets to competition.

**DATES:** Effective December 15, 2003.

**FOR FURTHER INFORMATION CONTACT:** Cathy Carpino, Attorney-Advisor,

Wireline Competition Bureau, at (202) 418-1580 or via the Internet at [cathy.carpino@fcc.gov](mailto:cathy.carpino@fcc.gov). The complete text of this Memorandum Opinion and Order is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. Further information may also be obtained by calling the Wireline Competition Bureau's TTY number: (202) 418-0484.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Memorandum Opinion and Order in WC Docket No. 03-194, FCC 03-309, adopted December 3, 2003, and released December 3, 2003. The full text of this order may be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com). It is also available on the Commission's Web site at [http://www.fcc.gov/Bureaus/Common\\_Carrier/in-region\\_applications](http://www.fcc.gov/Bureaus/Common_Carrier/in-region_applications).

### Synopsis of the Order

1. *History of the Application.* On September 4, 2003, Qwest filed an application with the Commission, pursuant to section 271 of the Telecommunications Act of 1996, to provide in-region, interLATA service in the state of Arizona.

2. *The State Commission's Evaluation.* The Arizona Corporation Commission (Arizona Commission), following an extensive review process, determined that Qwest satisfied all 14 of the checklist items contained in section 271. Consequently, the Arizona Commission recommended that the Commission grant Qwest's application to provide in-region, interLATA service in Arizona.

3. *The Department of Justice's Evaluation.* The Department of Justice filed its evaluation on October 9, 2003, recommending approval of the application. The Department of Justice concludes that opportunities are available to competing facilities-based carriers serving business and residential customers.

### Primary Issues in Dispute

4. *Checklist Item 2—Unbundled Network Elements.* Section 251(c)(3) requires incumbent LECs to provide "nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory."

Based on the evidence in the record, we conclude that Qwest has satisfied the requirements of checklist item 2.

5. *Operations Support Systems (OSS).* The Commission concludes that Qwest meets its obligation to provide access to its OSS—the systems, databases, and personnel necessary to support the network elements or services. Nondiscriminatory access to OSS ensures that new entrants have the ability to order service for their customers and communicate effectively with Qwest regarding basic activities such as placing orders and providing maintenance and repair services for customers. The Commission finds that Qwest provides access to each of the primary OSS functions (pre-ordering, ordering, provisioning, maintenance and repair, and billing, as well as change management and technical assistance), in order for competitive LECs to compete and in accordance with the Act. In particular, the Commission thus finds that the allegations raised about Qwest's change management process (CMP) in this record do not warrant a finding of checklist noncompliance. The Commission finds that Qwest's CMP and Qwest's pattern of compliance with the CMP satisfies checklist item 2.

6. *Checklist Item 4—Unbundled Local Loops.* The Commission concludes that Qwest provides unbundled local loops in accordance with the requirements of section 271 and our rules. The Commission's conclusion is based on its review of Qwest's performance for all loop types—which include voice grade loops, digital subscriber line-capable loops, and high capacity loops—as well as hot cut provisioning and our review of Qwest's processes for line sharing and line splitting. As of May 31, 2003, competitors have acquired from Qwest and placed into use approximately 37,719 stand-alone unbundled loops in Arizona. With respect to concerns regarding recent changes in Qwest's policy on construction of new facilities related to provisioning of high-capacity unbundled loops, the Commission declines to find this allegation warrants a finding of checklist noncompliance. Absent additional evidence, the Commission is not convinced that Qwest's policy has denied competitive LECs a meaningful opportunity to compete to date.

### Other Checklist Items

7. *Checklist Item 2—OSS.* The Commission finds that Qwest demonstrates it provides nondiscriminatory access to its pre-ordering, ordering, provisioning, maintenance and repair, and billing

functions. Regarding specific areas for which commenters or the Commission identifies issues with Qwest's OSS performance, the Commission finds that these problems do not demonstrate overall discriminatory treatment or are not sufficient to warrant a finding of checklist noncompliance.

8. *Pricing of Unbundled Network Elements.* The Commission finds, as did the Arizona Commission, that Qwest's UNE rates in Arizona are just, reasonable, and nondiscriminatory as required by section 252(d)(1). Thus, Qwest's UNE rates in Arizona satisfy checklist item 2.

9. *Checklist Items 1, 3, 5–14.* An applicant under section 271 must demonstrate that it complies with item 1 (interconnection), item 3 (poles, ducts, and conduits), item 5 (unbundled transport) item 6 (unbundled local switching), item 7 (E911/operator services/directory assistance), item 8 (white pages), item 9 (numbering administration), item 10 (data bases and signaling), item 11 (number portability), item 12 (local dialing parity), item 13 (reciprocal compensation), and item 14 (resale). Based on the evidence in the record, and in accordance with Commission rules and orders concerning compliance with section 271 of the Act, the Commission concludes that Qwest demonstrates that it is in compliance with checklist items 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 in Arizona.

### Other Statutory Requirements

10. *Compliance with Section 271(c)(1)(A).* In order for the Commission to approve a BOC's application to provide in-region, interLATA services, a BOC must first demonstrate that it satisfies the requirements of either section 271(c)(1)(A) (Track A) or section 271(c)(1)(B) (Track B). The Commission concludes that Qwest satisfies the requirements of Track A in Arizona. This decision is based on the number of interconnection agreements it has implemented with competing carriers in the state of Arizona.

11. *Section 272 Compliance.* Qwest provides evidence that for two of its affiliates—Qwest LD Corp. and Qwest Communications Corporation—it maintains the same structural separation and nondiscrimination safeguards in Arizona as it does in the other 13 states where Qwest has already received section 271 authority. Based on the record before us, the Commission concludes that Qwest has demonstrated that it will comply with the requirements of section 272.

12. *Public Interest Analysis.* The Commission concludes that approval of this application is consistent with the public interest. From its extensive review of the competitive checklist, which embodies the critical elements of market entry under the Act, the Commission finds that barriers to competitive entry in the local exchange markets have been removed and the local exchange markets in Arizona are open to competition.

13. *Section 271(d)(6) Enforcement Authority.* The Commission concludes that, working with the Arizona Commission, we will closely monitor Qwest's post-approval compliance to ensure that Qwest continues to meet the conditions required for section 271 approval. It stands ready to exercise its various statutory enforcement powers quickly and decisively if there is evidence that market-opening conditions have not been sustained.

Federal Communications Commission.

**Marlene H. Dortch,**  
Secretary.

[FR Doc. 03-30541 Filed 12-9-03; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

[WC Docket No. 02-361; WC Docket No. 03-45; WC Docket No. 03-211; DA 03-3777]

### FCC Announces Agenda for the Voice Over IP Forum

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Federal Communications Commission announces a Forum to discuss Voice over Internet Protocol (VoIP). All FCC Commissioners will participate. The purpose of the Forum is to gather information concerning advancements, innovations, and regulatory issues related to VoIP services. Information concerning the Forum, including the agenda, copies of presentations, and bios of the speakers, will be available at the Forum Web page <http://www.fcc.gov/voip/>.

**DATES:** The Forum will take place Monday, December 1, 2003, 10:30 a.m. to 3 p.m. The event is open to the public, and there is no fee for attendance. Pre-registration is not required.

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

**FOR FURTHER INFORMATION CONTACT:** Robert Pepper, Office of Strategic

Planning and Policy Analysis, (202) 418-2030, [voipforum@fcc.gov](mailto:voipforum@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Communications Commission announces a Forum to discuss Voice over Internet Protocol (VoIP). All FCC Commissioners will participate. The purpose of the Forum is to gather information concerning advancements, innovations, and regulatory issues related to VoIP services. The agenda and further details are attached. Information concerning the Forum, including the agenda, copies of presentations, and bios of the speakers, will be available at the Forum Web page <http://www.fcc.gov/voip/>.

The VoIP Forum will be webcast live and also archived for later viewing. Access to and additional information concerning the webcast is available at <http://www.fcc.gov/realaudio/>. Audio and video tapes of this meeting can be purchased from CACI Productions, 341 Victory Drive, Herndon, VA 20170, telephone number (703) 834-1470, Ext. 19; fax number (703) 834-0111.

The Forum will open with statements by the Chairman and the Commissioners. There will also be a background presentation by FCC staff regarding FCC Precedents regarding VoIP.

The first panel will address technical and market issues surrounding VoIP service. Panelists will be asked to describe the technology and capabilities of VoIP, and how VoIP can be used to offer end users lower-cost, innovative services with capabilities previously unavailable in voice communications. Panelists will address how the FCC might distinguish among the numerous services employing VoIP, and whether it could feasibly distinguish between VoIP and other IP-enabled applications facilitating communication (ranging from e-mail to instant messaging to videoconferencing to interactive online gaming). The panelists will include Kevin Werbach, Founder, Supernova Group, Charles H. Giancarlo, SVP and General Manager, Cisco Systems, Inc., Jeff Pulver, President and CEO, Pulver.com, John Hodulik, Managing Director, Communications Group, UBS, and John Billock, COO, Time Warner Cable.

The second panel will address public policy questions raised by VoIP. Panelists will be asked to address what, if any, regulatory obligations currently imposed upon traditional circuit-switched voice service providers should be placed upon VoIP providers and whether from either legal or technical perspectives such obligations are feasible. Panelists may focus on

traditional utility regulatory issues such as non-discrimination and price regulation as well as social policies such as access by persons with disabilities, universal service, CALEA, and E911. The panelists will include Michael Gallagher, Acting Assistant Secretary, Department of Commerce, Commissioner Carl Wood, California PUC, Commissioner Charles Davidson, Florida PSC, James Crowe, CEO, Level3, Tom Evslin, CEO, ITXC, Jeffrey Citron, CEO, Vonage, and Dr. Gregg Vanderheiden, Rehabilitation Engineering Research Project on Telecommunications Access, University of Wisconsin.

The Forum will end with closing statements by Chairman and Commissioners.

Federal Communications Commission.

**Kathleen Ham,**

Deputy Chief, Office of Strategic Planning & Policy Analysis.

[FR Doc. 03-30543 Filed 12-9-03; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than December 26, 2003.

**A. Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. *Bale South Central Family Limited Partnership, Horse Cave, Kentucky; Bale South Central Family Trust, Horse Cave, Kentucky; as general partner and Thomas M. Bale, Cave City, Kentucky; Lester D. Bale, Horse Cave, Kentucky; William O. Bale, LaFollette, Tennessee; Ellen L. Bale, Glasgow, Kentucky; and Ruth H. Bale, Bowling Green, Kentucky;* to acquire control of South Central