

§0.451

47 CFR Ch. I (10–1–07 Edition)

provided in paragraph (g) of this section, all general instructions to the staff and limitations upon its authority are set forth in those subparts. As part of the Commission's rules and regulations, the provisions of these subparts are indexed in the FEDERAL REGISTER and the Code of Federal Regulations. Instructions to the staff in particular matters or cases are privileged and are not published or made available for public inspection.

(i) To the extent required to prevent a clearly unwarranted invasion of personal privacy, the Commission may delete identifying details when it makes available or publishes any document described in this section. The justification for any such deletion will be fully explained in a preamble to the document.

[32 FR 10573, July 19, 1967, as amended at 40 FR 17255, Apr. 18, 1975; 50 FR 27953, July 9, 1985; 51 FR 7444, Mar. 4, 1986; 51 FR 45889, Dec. 23, 1986; 61 FR 8477, Mar. 5, 1996; 64 FR 60723, Nov. 8, 1999]

§0.451 Inspection of records: Generally.

(a) *Records which are routinely available for public inspection.* Sections 0.453 and 0.455 list those Commission records which are routinely available for public inspection and the places at which those records may be inspected. Procedures governing requests for inspection of such records are set out in §0.460.

(b) *Records which are not routinely available for public inspection.* Records which are not listed in §0.453 or §0.455 are not routinely available for public inspection. Such records fall into two categories.

(1) The first category consists of those records or kinds of records listed in §0.457 and of particular records withheld from public inspection under §0.459. The Commission has determined that there is a statutory basis for withholding these records from public inspection. In some cases, the Commission is prohibited from permitting the inspection of records. In other cases, the records are the property of another agency, and the Commission has no authority to permit their inspection. In still other cases, the Commission is authorized, for reason of policy, to with-

hold records from inspection, but is not required to do so.

(2) The second category consists of records which are not listed in §0.453, §0.455, or §0.457 and have not been withheld from inspection under §0.459. In some cases, these records have not been identified for listing. In other cases (e.g., the general correspondence files), the Commission is unable to determine either that all records in a class should be routinely available for inspection or that all records in that class should not be routinely available for inspection, and individual determination is required.

(3) Procedures governing requests for inspection of these records are set out in §0.461.

(4) Procedures governing demands by competent authority for inspection of these records are set out in §0.463.

(5) Except as provided in §§0.461 and 0.463, no officer or employee of the Commission shall permit the inspection of records which are not routinely available for public inspection under §0.453 or §0.455, or disclose information contained therein.

(c) *Copies.* Section 0.465 applies to requests for copies of Commission records which are routinely available for public inspection under §§0.453 and 0.455 and those which are made available for inspection under §0.461. Section 0.467 applies to requests for certified copies of Commission records.

(d) *Search fees.* Section 0.466 prescribes fees to cover the expense of searching for records made available for inspection under §0.460 or §0.461.

[40 FR 7313, Feb. 19, 1975]

§0.453 Public reference rooms.

The Commission maintains the following public reference rooms at its offices in Washington, DC, and Columbia, Maryland. Much of the information available from the public reference rooms may also be retrieved from the Commission's WorldWide Website at <http://www.fcc.gov>:

(a) *The Reference Information Center of the Consumer and Governmental Affairs Bureau.* (1) Files containing the record of all docketed cases, petitions for rule making and related papers. A file is maintained for each docketed hearing case and for each docket rule making

proceeding. Cards summarizing the history of such cases are available for inspection.

(2) Files, documents, and records related to the following services:

(i) Mass Media Services.

(A) Applications for broadcast authorizations and related files are available for public inspection. Certain broadcast applications, reports and records are also available for inspection in the community in which the station is located or is proposed to be located. See §§ 73.3526 and 73.3527 of this chapter.

(B) Ownership reports filed by licensees of broadcast stations pursuant to § 73.3615.

(C) Network affiliation contracts between stations and networks (for television stations only).

(D) Contracts relating to network service to broadcast licensees filed on or after the 1st day of May 1969 under § 73.3613.

(E) Annual employment reports filed by licensees and permittees of broadcast stations pursuant to § 73.3612 of this chapter.

(F) Contract files which contain pledges, trust agreements, options to purchase stock agreements, partnership agreements, management consultant agreements, and mortgage or loan agreements.

(G) broadcast applications and related files.

(H) FM Translator applications and related files.

(I) Station files containing Notice of Apparent Liability and Memorandum of Opinion and Order and related files.

(J) Network correspondence files and related materials.

(ii) Common Carrier Services, including:

(A) Annual reports filed by carriers under § 43.21 of this chapter.

(B) Reports on pensions and benefits filed by carriers under § 43.42 of this chapter.

(C) Reports of proposed changes in depreciation rates filed by carriers under § 43.43 of this chapter.

(D) Tariff schedules for all charges for interstate and foreign wire or radio communications filed pursuant to section 203 of the Communications Act, all

related documents and communications.

(E) All applications for common carrier authorizations acted upon by the Enforcement Bureau, and related files.

(F) All formal and informal complaints against common carriers filed under §§ 1.711 through 1.735 of this chapter, all documents filed in connection therewith, and all communications related thereto.

(G) Annual employment reports filed by common carrier licensees or permittees pursuant to § 1.815 of this chapter.

(H) Enforcement proceedings and public inquiries and related materials.

(I) Files containing contracts between carriers and affiliates, accounts and subaccounts, pension filings, property records, disposition units, and depreciation rate filings.

(J) Cost Allocation Manuals and related materials.

(K) Section 214 applications and related files, to the extent that they concern domestic communications facilities and services.

(L) Files containing reports required by FCC Rules and Regulations, annual reports to stockholders, administrative reports, monthly bypass reports and related materials.

(M) Files containing reference material from major telephone companies.

(N) Files containing Local Exchange Rates and related files.

(O) Currently effective tariffs filed by Communications Common Carriers pursuant to various FCC Rules and Regulations.

(P) Recent revisions to tariff filings and the Reference Information Center Log which is prepared daily and lists the tariff filings received the previous day.

(iii) Wireless Telecommunications Services and Auction related data including:

(A) Station files containing a complete history of data submitted by the applicant that has been approved by the Commission which includes background material.

(B) Pending files containing applications for additional facilities or modifications of existing facilities.

(C) Cellular and Paging Granted Station files and related materials.

§0.453

47 CFR Ch. I (10–1–07 Edition)

(D) Pending cellular and paging applications and related files.

(E) Electronically stored application and licensing data for commercial radio operators and for all authorizations in the Wireless Radio services are available for public inspection via the Commission's wide area network. Wireless Radio services include Commercial and Private Mobile Radio, Common Carrier and Private Operational Field point-to-point Microwave, Local Television Transmission Service (LTTS), Digital Electronic Message Service (DEMS), Aviation Ground and Marine Coast applications. Some of these services are available electronically now and most will be available on electronically within 90 days of the implementation of the Universal Licensing System (ULS).

(F) Petitions and related materials.

(iv) International Services, except to the extent they are excluded from routine public inspection under another section of this chapter:

(A) Satellite and earth station applications files and related materials under parts 25 and 100 of this chapter;

(B) Section 214 applications and related files under part 63 of this chapter, to the extent that they concern international communications facilities and services;

(C) International Fixed Public Radio applications and related files under part 23 of this chapter;

(D) Files relating to submarine cable landing licenses and applications for such licenses since June 30, 1934, except for maps showing the exact location of submarine cables, which are withheld from inspection under section 4(j) of the Communications Act (see §0.457(c)(1)(i));

(E) Documents relating to INTELSAT or INMARSAT;

(F) International broadcast applications, applications for permission to deliver programming to foreign stations, and related files under part 73 of this chapter;

(v) Cable services. The following files and documents are available, including:

(A) All complaints regarding cable programming rates, all documents filed in connection therewith, and all communications related thereto, unless the

cable operator has submitted a request pursuant to §0.459 that such information not be made routinely available for public inspection.

(B) Special relief petitions and files pertaining to cable television operations.

(C) Cable television system reports filed by operators pursuant to §76.403 of this chapter.

(D) Annual employment reports filed by cable television systems pursuant to §76.77 of this chapter.

(E) Files and documents related to Cable Television Relay Service (CARS)

(b) *Reference Information Center.* Station files containing applications and related materials for Remote Pickup, Aural STL/ICR, TV Auxiliary, and Low Power Auxiliary Stations in the mass media services.

(c) *The Library.* Various legal and technical publications, and legislative history compilations, related to communications are available for inspection in the Library.

(d) *The Office of Engineering and Technology, FCC Laboratory Reference Room.* The following documents, files and records are available for inspection at this location. Files containing approved applications for Equipment Authorization and related materials are available for review. These files are available in the Commission's Laboratory in Columbia, Maryland.

(e) *The International Bureau.* The International Bureau maintains international settlement agreements and contracts and international cable agreements.

(f) *The Media Bureau.* The Media Bureau maintains all cable operator requests for approval of existing or increased cable television rates for basic service and associated equipment over which the Commission had assumed jurisdiction, all documents filed in connection therewith, and all communications related thereto, unless the cable operator has submitted a request pursuant to §0.459 that such information not be made routinely available for public inspection.

(g) *The Wireline Competition Bureau.* Section 214 applications and related files, to the extent that they concern domestic communications facilities

and services are available for inspection at this location.

(1) [Reserved]

(2) Section 214 applications and related files, to the extent that they concern domestic communications facilities and services.

(h) *The Wireless Telecommunications Bureau, Commercial Mobile Services Reference Room.* The following documents, files and records are available for inspection at two different locations. The Legal Branch is the responsible custodian for both locations.

(1) *The Wireless Telecommunications Bureau Reference Room—Gettysburg.* Commercial radio operator application files and all authorizations in the Wireless Radio Services and files relating thereto, which includes Land Mobile, Microwave, Aviation Ground and Marine Coast applications. All of these materials are available in the Commission's offices in Gettysburg, Pennsylvania. See §0.457(f)(3). This reference room also contains station files containing applications and related materials for Remote Pickup, Aural STL/ICR, TV Auxiliary, and Low Power Auxiliary Stations in the Mass Media services. This reference room also contains station files containing applications and related materials for the Point-to-Point Microwave (including the Local Television Transmission Service) and Digital Electronic Message (DEMS) services in the Common Carrier services. Cards summarizing the historical record of applications and dispositions of the Broadcast Auxiliary service through May 1982 are available for inspection as well.

(2) Pending files containing applications for additional facilities or modifications of existing facilities.

(3) Cellular Granted Station files and related materials.

(4) Pending cellular applications and related files.

(5) Petitions and related materials.

(i) *The Wireline Competition Bureau, Industry Analysis Reference Room.* The following documents, files and records are available for inspection at this location.

(1) Files containing reports required by FCC Rules and Regulations, annual reports to stockholders, administrative

reports, monthly bypass reports and related materials.

(2) Files containing reference material from major telephone companies.

(3) Files containing Local Exchange Rates and related files.

(j) *The Wireline Competition Bureau, Tariff Review Reference Room.* Contains currently effective tariffs filed by Communications Common Carriers pursuant to various FCC Rules and Regulations. Also available for review and copying are recent revisions to tariff filings and the Public Reference Room Log, which is prepared daily and lists the tariff filings received the previous day.

(k) *The Office of Engineering and Technology, FCC Laboratory Reference Room.* The following documents, files and records are available for inspection at this location. Files containing approved applications for Equipment Authorization and related materials are available for review. These files are available in the Commission's Laboratory in Columbia, Maryland.

(1) *The International Bureau Reference Room.* Except to the extent they are excluded from routine public inspection under another section of this chapter, the following documents, files, and records are available for inspection at this location:

(1) Satellite and earth station applications files and related materials under parts 25 and 100 of this chapter;

(2) Section 214 applications and related files under part 63 of this chapter, to the extent that they concern international communications facilities and services;

(3) International Fixed Public Radio applications and related files under part 23 of this chapter;

(4) Files relating to submarine cable landing licenses and applications for such licenses since June 30, 1934, except for maps showing the exact location of submarine cables, which are withheld from inspection under section 4(j) of the Communications Act (see §0.457(c)(1)(i));

(5) Files relating to international settlements under part 64 of this chapter;

(6) Documents relating to INTELSAT or INMARSAT;

(7) International broadcast applications, applications for permission to

§0.455

deliver programming to foreign stations, and related files under part 73 of this chapter; and

(8) International settlement agreements and contracts and international cable agreements.

(m) *The Media Bureau Reference Center*. The following documents, files and records are available for inspection at this location.

(1) All complaints regarding cable programming rates, all documents filed in connection therewith, and all communications related thereto, unless the cable operator has submitted a request pursuant to §0.459 that such information not be made routinely available for public inspection.

(2) All cable operator requests for approval of existing or increased cable television rates for basic service and associated equipment over which the Commission has assumed jurisdiction, all documents filed in connection therewith, and all communications related thereto, unless the cable operator has submitted a request pursuant to §0.459 that such information not be made routinely available for public inspection.

(3) Special relief petitions and files pertaining to cable television operations.

(4) Cable television system reports filed by operators pursuant to §76.403 of this chapter.

(n) Electronically stored application and licensing data for commercial radio operator applications and all authorizations in the Wireless Radio services are available for public inspection via the Commission's wide area network. Wireless Radio services include Commercial and Private Mobile Radio, Common Carrier and Private Operational Fixed Point-to-Point Microwave, Local Television Transmission Service (LTTS), Digital Electronic Message Service (DEMS), Aviation Ground and Marine Coast applications.

[32 FR 10573, July 19, 1967, as amended at 46 FR 27655, May 21, 1981; 50 FR 40014, Oct. 1, 1985; 52 FR 38764, Oct. 19, 1987; 58 FR 19772, Apr. 16, 1993; 59 FR 32132, June 22, 1994; 60 FR 5325, Jan. 27, 1995; 60 FR 35507, July 10, 1995; 63 FR 36596, July 7, 1998; 63 FR 68919, Dec. 14, 1998; 64 FR 28936, May 28, 1999; 64 FR 60723, Nov. 8, 1999; 67 FR 13221, Mar. 21, 2002]

47 CFR Ch. I (10-1-07 Edition)

EFFECTIVE DATE NOTE: At 64 FR 28936, May 28, 1999, in §0.453 paragraph (o) was added, effective 90 days after ULS is implemented for all services licensed by the Wireless Telecommunications Bureau.

§0.455 Other locations at which records may be inspected.

Except as provided in §§0.453, 0.457, and 0.459, records are routinely available for inspection in the Reference Information Center or the offices of the Bureau or Office which exercises responsibility over the matters to which those records pertain (see §0.5), or will be made available for inspection at those office upon request. Upon inquiry to the appropriate Bureau or Office, persons desiring to inspect such records will be directed to the specific location at which the particular records may be inspected. A list of Bureaus and Offices and examples of the records available at each is set out below.

(a) *Media Bureau*. (1) Rulings under the Fairness Doctrine and section 315 of the Communications Act, and related materials.

(2) Ruling lists which contain brief summaries of rulings.

(3) Congressional correspondence and related materials.

(4) Correspondence and other actions and decisions relating to cable television services that are not filed in the FCC Reference Information Center, e.g. rate regulation files and related documents.

(b) *Wireline Competition Bureau*. (1) Reports of public coast station operators filed under §43.71 of this chapter.

(2) Valuation reports filed under section 213 of the Communications Act, including exhibits filed in connection therewith, unless otherwise ordered by the Commission, with reasons therefor, pursuant to section 213(f) of the Communications Act. See §0.457(c)(2).

(3) Computer II files and related materials.

(c) *Office of Managing Director*. (1) All minutes of Commission actions, containing a record of all final votes, minutes of actions and internal management matters as provided in §0.457 (b)(1) and (c)(1)(i). These records and files are available for inspection in the Agenda Group.