



# PUBLIC NOTICE

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## EFFECTIVE DATE ESTABLISHED FOR AMENDMENTS TO THE COMMISSION'S RULES ON OVER THE AIR RECEPTION DEVICES AND THE DEFINITION OF THE NETWORK DEMARICATION POINT

On October 12, 2000 the Commission adopted the *Competitive Networks Order*<sup>1</sup> to foster competition in local communications markets by implementing measures to ensure that competing telecommunications providers are able to provide services to customers in multiple tenant environments. Several of the new rules went into effect on March 12, 2001, sixty days after the order was published in the Federal Register.<sup>2</sup>

However, some of the regulations adopted in the *Competitive Networks Order* included information collections that required the approval of the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act.<sup>3</sup> First, the Commission amended Section 68.105 of the Commission's rules<sup>4</sup> to require, among other things, that a provider of wireline telecommunications services provide the location of the network demarcation point to a requesting premises owner within ten business days. Second, the Commission amended Section 1.4000 of the Commission's rules<sup>5</sup> extend to

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<sup>1</sup> *In the matter of Promotion of Competitive Networks in Local Telecommunications Markets, Wireless Communications Association International, Inc. Petition for Rulemaking to Amend Section 1.4000 of the Commission's Rules to Preempt Restrictions on Subscriber Premises Reception or Transmission Antennas Designed to Provide Fixed Wireless Services, Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, Review of Sections 68.104, and 68.213 of the Commission's Rules Concerning Connection of Simple Inside Wiring to the Telephone Network*, First Report and Order and Further Notice of Proposed Rulemaking, WT Docket No. 99-217, Fifth Report and Order and Memorandum Opinion and Order, CC Docket No. 96-98, Fourth Report and Order and Memorandum Opinion and Order, CC Docket No. 88-57, 15 FCC Rcd 22983 (2000), *erratum*, DA 01-750, (rel. March 28, 2001)(*Competitive Networks Order*).

<sup>2</sup> 66 Fed. Reg. 2322 (January 11, 2001)

<sup>3</sup> Public Law 104-13 (1995).

<sup>4</sup> 47 C.F.R. § 68.105. At the time the *Competitive Networks Order* was adopted the rule was codified at Section 68.3. However, the Commission has since recodified that rule to Section 68.105. See *In the Matter of 2000 Biennial Regulatory Review of Part 68 of the Commission's Rules and Regulations*, CC Docket No. 99-216, Report and Order, FCC 00-400 (rel. Dec. 21, 2001)

<sup>5</sup> 47 C.F.R. § 1.4000.

customer-end antennas used for fixed wireless services existing prohibitions on third-party restrictions on the placement of antennas used to receive certain video services. As part of the latter amendment, the Commission required a licensee seeking protection of the rule for antennas that transmit signals to ensure that the antennas are labeled to give notice of required safety information, and that any accompanying documentation contain an explanation of the labels and the Commission's radio frequency exposure guidelines. The *Order* explained that the effectiveness of the rules requiring an information collection was contingent upon OMB approval. OMB granted approval of the rules on May 4, 2001.<sup>6</sup> Accordingly, these regulations will become effective upon publication of this notice in the Federal Register. This notice constitutes publication of the effective date of the regulations.

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**-FEDERAL COMMUNICATIONS COMMISSION-**

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<sup>6</sup> See OMB No. 3060-0975.