



NEWS

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Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

November 6, 2000

OPEN PROCEEDINGS

The following is a listing of current FCC Notices of Proposed Rulemaking and Notices of Inquiry open for public comment, except routine petitions to amend the Table of Allotments. This listing also includes pertinent Public Notices announcing comment subjects and dates. For additional information, contact Marilyn Abraham, Consumer Information Bureau at (202) 418-2374. Please note: as comment and reply comment periods expire, they are deleted from this listing. *Asterisk indicates comment period deadline is past, but reply comment period still is open.

CABLE SERVICES BUREAU

CS-97-80; FNPRM 9/18/00 (adopted 9/14/00); FCC 00-341

Implementation of Section 304 of the Telecommunications Act of 1996, Commercial Availability of Navigation Devices.

The Commission adopted Further Notice of Proposed Rulemaking and Declaratory Ruling in this proceeding. Comments due: November 15; replies due: December 18.

GEN 00-185; NOI 9/28/00 (adopted 9/28/00); FCC 00-355

In the Matter of Inquiry Concerning High-Speed Access to the Internet Over Cable and Other Facilities.

The Commission is seeking comments to determine what regulatory treatment, if any, should be accorded to cable modem service and the cable modem platform used in providing this service. Comments due 45 days after publication in the Federal Register; replies due 75 days after publication in the Federal Register.

COMMON CARRIER BUREAU

CC 98-147; CC 96-98; PN 9/6/00; DA 00-2036

Common Carrier Bureau Extends Pleading Cycle for Second Further Notice of Proposed Rulemaking in CC Docket No. 98-147 and Fifth Notice of Proposed Rulemaking in CC Docket No. 96-98.

On August 10, 2000, the Commission released the *Order on Reconsideration and Second Further Notice of Proposed Rulemaking in CC Docket No. 98-147* and *Fifth Further Notice of Proposed Rulemaking in CC Docket No. 96-98*. The *Order on Reconsideration* clarified certain aspects of the Commission's collocation rules. Additionally, the Commission adopted a *Second Further Notice of Proposed Rulemaking in CC Docket No. 98-147* that invites comment on the issues that were remanded by the U.S. Court of Appeals in *GTE Service Corp. v. FCC* and on other collocation-related issues important to local competition. The Commission also adopted a *Fifth Further Notice of Proposed Rulemaking in CC Docket No. 96-98*, inviting comment on whether the Commission's local competition rules should be modified or clarified, particularly those applying to the transport, loop, and subloop elements, in light of the deployment of new network architectures by incumbent. Comments due October 12*; replies due November 14. Contact: William Kehoe at (202) 418-1580.

CC 96-98; PN 9/25/00; DA 00-2175

Common Carrier Bureau Seeks Comment on the Louisiana Public Service Commission Petition for Delegated Authority to Implement Number Conservation Measures NSD File No. L-00-170, Pleading Cycle Established.

The Commission is seeking comment on Petitioner's request for additional delegated authority to implement the number conservation measures to the extent that they are not superseded by the national resource optimization measures addressed in the *Numbering Resource Optimization Order*. Comments due October 25*; replies due November 8. Contact: Aaron Goldberger at (202) 418-2320.

PN 9/25/00; DA 00-2176

Common Carrier Bureau Seeks Comment on the Maryland Public Service Commission Petition for Delegated Authority to Implement Number Conservation Measures. NSD File No. L-00-171, Pleading Cycle Established.

The Commission is seeking comment on Petitioner's request for additional delegated authority to implement number conservation measures to the extent that they are not superseded by the national number resource optimization measures addressed in the *Numbering Resource Optimization Order*. Comments due October 25*; replies due November 8. Contact: Aaron Goldberger at (202) 418-2320.

CC 96-45; PN 10/4/00; FCC 00J-3

Federal-State Joint Board on Universal Service Seeks Comment on Rural Task Force Recommendation Pleading Cycle Established.

In the May 1997 *Universal Service Order*, the Commission, acting on the recommendation of the Federal-State Joint Board on Universal Service encouraged the Joint Board to establish a Rural Task Force to "provide valuable assistance in identifying the issues unique to rural carriers and analyzing the appropriateness of proxy cost models for rural carriers. On September 17, 1997, the Joint Board announced the creation of the Rural Task Force and directed it to present a report to the Joint Board making specific recommendations on the establishment of a forward-looking economic cost mechanism for rural telephone companies. The Joint Board will consider this report in formulating a recommendation to the Commission for universal service reform for rural carriers. Comments due November 3; replies due November 30. Contact: Gene Fullano at (202) 418-7400.

PN 10/12/00; DA 00-2306

Alteac, Inc., Alaska Telephone Company, Arctic Slope Telephone Association Cooperative, Inc., Interior Telephone Company, Inc., Mukluk Telephone Company, Inc., and United-Kuc, Inc. Seek a Waiver of the Definition of "Study Area" in Part 36 of The Commission's Rules - Pleading Cycle Established.

On September 22, 2000, ATEAC, Inc., Alaska Telephone Company, Arctic Slope Telephone Association Cooperative, Inc., Interior Company, Inc., Mukluk Telephone Company and United-KUC filed a petition for waiver of the definition of "study area" as set forth in Part 36 of the Commission's rules. Comments due October 27*; replies due November 6. Contact: Adrian Wright at (202) 418-0484.

PN 10/12/00; DA 00-2329

Inquiry Concerning High-Speed Access to the Internet over Cable and Other Facilities, Pleading Cycle Extended; and United States Telecom Association Files Petition for Declaratory Ruling Regarding Universal Service Obligations of Cable Operators Pleading Cycle Established.

On September 28, 2000, the Commission adopted and released a Notice of Inquiry seeking public comment on several matters related to high-speed access to the Internet over cable and other facilities. Comments due December 1, 2000; replies due January 10, 2001. Contact: Katherine Schroder at (202) 418-7400.

PN 10/13/00; DA 00-2327

Common Carrier Bureau Seeks Comment on Western Wireless' Supplemental Filing Relating to its Petition for Designation as an Eligible Telecommunications Carrier on the Crow Reservation in Montana, Pleading Cycle Established.

On August 4, 1999, Western Wireless filed with the Commission a petition under § 214(e)(6) seeking a designation of eligibility to receive federal universal service support for a service area comprised of the Crow Reservation in Montana. Comments due 30 days after

publication in the Federal Register; replies due 45 days after publication in the Federal Register. Contact: Richard D. Smithat (202) 418-7400.

PN 10/17/00; DA 00-2342

FCC Seeks Comments to Update the Record in the Calea Technical Capabilities Proceeding, CC Docket 97-213.

The Commission is seeking comments on the definition of the term "call identifying information" as used in CALEA, discussed in the legislative history, and used in the interim standard, and whether the four punch list capabilities are call identifying information, whether deficiencies exist in the interim standard, and how each of the four punch list capabilities would address such deficiencies. Comments due November 16; replies due December 1. Contact: Geraldine Matise 202-418-2322 or Rodney Small 418-2452.

PN 10/18/00; DA 00-2349

All West Communications, Inc., Carbon/Emery Telcom, Inc., Central Utah Telephone, Inc. Hanksville Telcom, Inc., Manti Telephone Company, Skyline Telecom, UBET Telecom, Inc. and QWEST Corporation Seek a Waiver of the Definition of "Study Area" in Part 36 and Sections 61.41(C), 69.3(E)(11), and 69.605(C) of the Commission's Rules.

On October 6, 2000, All West Communications, Inc., Carbon/Emery Telcom, Inc., Central Utah Telephone, Inc., Hanksville Telcom, Inc., Manti Telephone Company, Skyline Telecom, UBET Telecom, Inc., and Qwest Corporation filed a joint petition for waiver of the definition of "study area" as set forth in Part 36 of the Commission's rules. Comments due November 2; replies due November 13. Contact: Adrian Wright at (202) 418-7400.

PN 10/18/00; DA 00-2354

Pleading Cycle Established for Comments on National Exchange Carrier Association, Inc. 2001 Modification of Average Schedule Universal Service Formulas.

On October 2, 2000, the National Exchange Carrier Association, Inc. filed its 2001 Modifications of Average Schedule Universal Service Formulas. These proposed formulas, if approved, would be scheduled to take effect of January 1, 2001 and remain in effect through December 31, 2001. Comments due November 6; replies due November 20. Contact: George Williams at (202) 418-0867.

CC 00-199; NPRM 10/18/00 (adopted 10/12/00); FCC 00-364

2000 Biennial Regulatory Review.

The Commission is seeking comments on whether and how to streamline significantly the existing accounting and reporting requirements. Phase 2 - Comments due December 21, 2000;

replies due January 30, 2001; Phase 3 - Comments due January 30, 2001, replies due February 28, 2001.

PN 10/19/00; DA 00-2367

Comments Sought on Comptel's Petition for Reconsideration of the Modification of the SBC/Ameritech Merger Conditions.

On September 8, 2000, the Commission released an Order granting the request of SBC Communications, Inc. to modify certain aspects of the conditions contained in the *SBC/Ameritech Merger Order. (SBC Plug & Play Order)*. On October 10, 2000, the Competitive Telecommunications Association filed a petition for reconsideration of the SBC Modification Order pursuant to Section 1.106 of the Commission's rules. Comments due November 2; replies due November 9. Contact: Anthony Dale at (202) 418-2260.

PN 10/26/00; DA 00-2399

Comments Invited on OnePoint Communications Corp's Application to Discontinue Providing Domestic Services.

On September 18, 2000, OnePpoint Communications Corp. filed an application requesting authority under section 214(a) of the Communications Act of 1934, 47 U.S.C. §214(a), and section 63.71 of the Federal Communications Commission's rules, 47 C.F.R. § 63.71 to discontinue provision of interLATA toll service for current customers in Maryland, Virginia, Pennsylvania, Delaware, and Washington, D.C. as of October 31, 2000. Comments due November 9. Contact: Marty Schwimmer at (202) 418,2320 or Carmell Weather at (202) 418-2325.

CC 00-217; PN 10/26/00; DA 00-2414

Comments Requested on the Application by SBC Communications, Inc. for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Service in the States of Kansas and Oklahoma.

On October 26, 2000, SBC Communications Inc. and its subsidiaries, Southwestern Bell Telephone Company and Southwestern Bell Communications Services, Inc., d/b/a Southwestern Bell Long Distance (collectively, SWBT) filed a joint application for authorization to provide in-region, interLATA service in the State of Kansas and Oklahoma, pursuant to § 271 of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 271. Comments due November 15; replies due December 11. Contact: John Stanley at (202) 418-1496, Gary Remondino at (202) 418-2298 or Michael Balmoris at (202) 418-0253.

CC 80-286; PN 10/30/00; DA 00-2433

Comment Sought on Recommended Decision Issued by Federal-State Joint Board on Jurisdictional Separations.

On July 21, 2000, the Federal-State Joint Board on Jurisdictional Separations released a *Recommended Decision* for instituting an interim freeze of the Part 36 category relationships and jurisdictional allocation factors. On August 15, 2000, the Commission released a public notice, similar to this *Public Notice* that sought comment on the *Recommended Decision*. The *August 15 Public Notice* inadvertently was not published in the Federal Register. In order to provide adequate notice to interested parties, the Commission now release this *Public Notice* seeking comment on the *Recommended Decision*. Comments due 15 days from Federal Register publication; replies due 25 days from Federal Register publication. Contact William Cox at (202) 418-7400.

CC 96-45; PN 10/31/00; DA 00-2460

Common Carrier Bureau Announces the Comment and Reply Comment Dates Relating to Western Wireless' Supplemental Filing and Petition for Designation as an Eligible Telecommunications Carrier on the Crow Reservation in Montana.

On October 13, 2000, the Common Carrier Bureau released a Public Notice seeking comment on Western Wireless' supplemental filing relating to its petition for designation as an eligible telecommunications carrier on the Crow Reservation in Montana. Comments due November 24; replies due December 11. Contact: Richard D. Smith at (202) 418-7400.

PN 11/01/00; DA 00-2464

Cinergy E-Supply Network, LLC Seeks Commission Determination of "Exempt Telecommunications Company" Status Under the Public Utility Holding Company Act.

On September 14, 2000, Cinergy e-Supply Network, LLC, pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935 as added by section 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, filed an application requesting a Commission determination that it is an exempt telecommunications company. Comments due November 9. Contact: Marty Schwimmer at (202) 418-2320.

INTERNATIONAL BUREAU

PN 10/11/00; DA 00-2251

VoiceStream Wireless Corporation, Powertel, Inc., and DeutscheTelekom AG Seek FCC Consent to Transfer Control of Licenses and Authorizations and Request Declaratory Ruling Allowing Indirect Foreign Ownership.

On September 18, 2000, VoiceStream Wireless Corporation, Powertel, Inc., and Deutsche Telekom filed applications under § 214 and 310(d) of the Communications Act of 1934, as amended, seeking Commission approval of the transfer of control to DT of licenses and

authorizations presently held by VoiceStream, Powertel, and their subsidiaries.
Petitions/Comments due November 13; Oppositions/Responses due November 27.
Contact: Lauren Kravetz or John Branscome at (202) 418-7240.

IB 00-203; NPRM 10/24/00 (adopted 10/13/00); FCC 00-369

FWCC Request for Declaratory Ruling on Partial-Band Licensing of Earth Stations in the Fixed-Satellite Service that Share Terrestrial Spectrum.

The Commission is seeking comment on this adopted notice of proposed rulemaking designed to promote efficient use of the radio spectrum and wide access to electronic commerce in underserved rural areas of America. Comments due 45 days from publication in the Federal Register; replies due 75 days from publication in the Federal Register.

MASS MEDIA BUREAU

MM 00-44; R&O and FNPRM 10/5/00 (adopted 9/14/00); FCC 00-343

In the Matter of Extension of the Filing Requirement for Children's Television Programming Reports (FCC Form 398).

In this Report and Order the Commission made a number of changes to the children's educational television reporting requirements of commercial broadcast television licenses. Extended quarterly Children's television programming Reports (FCC Form 398). Require broadcasters to file these reports on a quarterly basis, at the time prepared, rather than annually, announce a number of revisions to be made to the FCC Form 398 to make the information on the form clearer and more useful to the public and the Commission. Comments due December 18, 2000; replies due January 17, 2001.

MM-00-167; NPRM 10/5/00 (adopted 9/14/00); FCC 00-344

In the Matter of Children's Television Obligations of Digital Television Broadcasters.

The Commission is seeking comments on a range of issues related to the obligation of digital television broadcasters to children. Comments due December 18, 2000; replies due January 17, 2001.

MISCELLANEOUS

PN 10/19/00

FCC Seeks Public Comment on Website Effectiveness.

The FCC invites interested parties who use the website to submit comments, including their views about improvements that would make retrieval of information faster and easier. Comments should address usability, navigability, format, content, interactivity and ease of

contacting the Commission. Please submit all comments by November 10 to webeval@fcc.gov. Contact: Dave Kitzmiller at (202) 418-0507.

OFFICE OF ENGINEERING AND TECHNOLOGY

ET 98-237; 1st R&O and 2nd NPRM 10/24/00 (adopted 10/12/00); FCC 00-363

Amendment of the Commission's Rules with Regard to the 3650-3700 MHz Government Transfer Band.

The Commission adopted rules allocating the 50 megahertz of spectrum in the 3650-3700 MHz band to the fixed and mobile terrestrial services on a primary basis, facilitating the provision of a broad range of services. Proposed licensing and service rules for assignment of licenses in this band by competitive bidding. Comments due 30 days from publication in the Federal Register; replies due 60 days from publication in the Federal Register.

WIRELESS TELECOMMUNICATIONS BUREAU

WT 96-86; Fourth NPRM 8/2/00 (adopted 7/25/00); FCC 00-271

The Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communication Requirements Through the Year 2010.

In this Fourth Notice of Proposed Rule Making, the Commission is considering various technical and operational issues regarding the use of interoperability frequencies in the 764-776 MHz and 794-806 MHz frequency bands. Comments can be filed 30* days after publication in the Federal Register; reply comments can be filed 45 days after publication in the Federal Register.

CC 92-105; WT 00-110; NPRM 8/29/00 (adopted 8/24/00); FCC 00-327

Implementation of 911 Act, The Use of N11 Codes and Other Abbreviated Dialing Arrangements.

The Commission is seeking comment on (1) appropriate transition periods for areas in which 911 is not currently in use as an emergency number, including service area-specific circumstances and capabilities that the Commission should address before carriers can deploy 911 as the uniform emergency number; and (2) how the Commission should facilitate States' efforts to deploy comprehensive emergency communications systems, such as through guidelines, meetings, or other information-sharing measures, in a manner that does not impose obligations or costs on any person. Comments due October 16*; replies due November 15.

PN 9/20/00; DA 00-2083

FCC Seeks Comment on Petition for a Declaratory Ruling Regarding Whether Certain CMRS Practices Violate the Communications Act.

The Commission is seeking comment on a petition for declaratory ruling filed on February 2, 2000 by the plaintiffs in the *White v. GTE* class action lawsuit. The White petition requests a declaratory ruling on the issues contained in count I of the Third Amended Complaint of the GTE class action. GTE filed an opposition to the White petition on February 10, 2000. On March 3, 2000, petitioners submitted a reply to GTE's opposition.

The issues presented by the White petition are focused on whether the following practices are unjust and unreasonable practices under § 201(b) of the Communications Act: (1) charging customers for dead time; (2) charging for unanswered or unconnected calls; (3) measuring the time of a call from the time the "send" button (or other similar button) is pushed; and (4) the practice of rounding up any of the foregoing types of charges to the next minute. In light of the Commission decisions in response to the Southwestern Bell Mobile Systems petition and the WCA petition. Comments due October 20*; replies due November 6. Contact: Susan Kimmel or Mary Woytek at (202) 418-1310.

PN 10/3/00; DA 00-2248

Wireless Telecommunications Bureau Conforms Due Dates for Filing Comments and Replies to the Fourth Further Notice of Proposed Rulemaking in WT Docket No. 97-82.

This *Public Notice* conforms the dates for filing comments and reply comments to the *Order on Reconsideration of the Third Report and Order, Fifth Report and Order, and Fourth Further Notice of Proposed Rule Making* (GCC 00-274), which was released on August 14, 2000, with the dates published in the Federal Register on August 29, 2000. Comments due October 30*; replies due November 27.

PN 10/19/00; DA 00-2352

Motorola, Inc. and Nextel Communications, Inc. Seek Consent to Assign 900 MHz SMR Licenses.

Motorola, Inc., and two of its wholly-owned subsidiaries, Motorola SMR, Inc., and Motorola Communications and Electronics, Inc., and FCI 900, Inc., a wholly-owned subsidiary of Nextel Communications, Inc., filed applications under §310(d) of the Communications Act of 1934, as amended, seeking Commission approval to assign various 900 MHz Specialized Mobile Radio licenses and authorizations held by Motorola to FCI 900. Petitions/Comments due November 20; oppositions/replies due November 30. Contact: Lauren Kravetz or John Branscome at (202) 418-7240.

AUC-00-38-B; PN 10/20/00

Correction to Comment Due Dates for Auction of Licenses for the 700 MHz Guard Bands Scheduled for FEB. 13, 2001, Comment Sought on Reserve Prices or Minimum Opening Bids and Other Auction Procedural Issues.

This Public Notice changes the comment and the reply comment dates for Public Notice DA 00-2291. Comments due October 27*; replies due November 3. Contact: Howard Davenport or Craig Bomberger at (202) 418-0660.

PN 10/25/00; DA 00-2402

Wireless Telecommunications Bureau Seeks Comment on Request to Reopen the Petition for Rulemaking Regarding Hearing Aid-Compatible Telephones.

On October 7, 2000, the Wireless Access Coalition formally requested that the Federal Communications Commission re-open the Petition for Rule Making in the Matter of § 68.4(a) of the Commission's Rules, Hearing Aid-Compatible Telephones. Originally filed in 1995 by the HEAR-IT NOW Coalition, the Petition asked that the exemption for PCS devices from the Hearing Aid Compatibility Act of 1988 be revoked. Comments due December 8; replies due January 8. Contact: E. Wendy Austrie at (202) 418-1310.

Order 10/25/00 (adopted 10/23/00); DA 00-2395

State of Ohio Applications for 800 MHZ General Category Channels and Request for Waiver of Rules.

On October 13, 2000, the State of Ohio filed a Motion for Extension of Time to file reply comments in the above-caption proceeding. The Commission granted the Motion and extended the time to file reply comments from October 17* to November 7.

PN 10/24/00; DA 00-2397

Voicestream Wireless Corporation and Cook Inlet Region, Inc. Seek FCC Consent for Transfer of Control of Licenses and Authorizations, WT Docket 00-207.

Cook Inlet Region, Inc., an Alaska Regional Corporation organized under the Alaska Native Claims Settlement Act, 47 U.S.C. §§ 1601 *et seq.*, and VoiceStream Wireless Corporation a Delaware corporation, have filed applications under sections 214 and 310(d) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 214, 310(d), and the Department of Defense Appropriations Act of 2001, Public Law No. 106-259, seeking Commission consent to a transfer of control of licenses from Cook to VoiceStream. Comments due November 24; replies due December 1. Contact: Lauren Kravetz or John Branscome (parts 24 and 27) at (202) 418-7240 or Claudia Fox or Justin Connor (international 24, § 310(b)(4)) at (202) 418-1460.

WT 99-217; 1st R&O and Further NPRM 10/25/00 (adopted 10/12/00); FCC 00-366

In The Matter of Promotion of Competitive Networks in Local Telecommunications Markets.

The Commission took actions 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. Comments due December 22, 2000; replies due January 22, 2001.

WT 00-193; NPRM 11/01/00 (adopted 10/04/00); FCC 00-361

Automatic and Manual Roaming Obligations Pertaining to Commercial Mobile Radio Services.

The Commission initiated new proceeding to consider adopting and "automatic" roaming rule and whether to sunset the "manual" roaming requirement. Comments due January 5; replies due February 5. Contact: Paul Murray (202) 418-0688.