



NEWS

News Media Information 202 / 418-0500
TTY 202 / 418-2555
Fax-On-Demand 202 / 418-2830
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

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. Cir. 1974).

December 18, 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

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

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*; replies due January 10. 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 section 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. Smith at (202) 418-7400.

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

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 releases 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.

PN 11/06/00; DA 00-2493

Commission Seeks Comment on Application for Consent to Transfer Control Filed by WorldCom, Inc. and Intermedia Communications, Inc.

On October 23, 2000, WorldCom, Inc. and Intermedia Communications Inc. filed an application pursuant to sections 214 and 310(d) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 214, 310(d), requesting Commission approval of the transfer of control to WorldCom of Commission licenses and authorizations held by Intermedia to provide domestic and international telecommunications services pursuant to Parts 21, 63, 90, and 101 of the

Commission's rules. Comments/petitions due December 6*; responses/oppositions due December 21. Contact: Henry Thaggert at (202) 418-1580.

ORDER 11/17/00 (adopted 11/16/00); DA 00-2586

In the Matter of Policy and Rules Concerning the Interstate, Interexchange Marketplace/Implementation of Section 254(G) of the Communications Act of 1934, as Amended.

The Commission extends the deadline for detariffing mass-market consumer services from January 31, 2001 to April 30, 2001.

PN 11/20/00; DA 00-2582

CALEA Section 107(C) Extension Petitions Receiving Preliminary Extensions from the Common Carrier Bureau.

The wireline telecommunications carriers filed petitions with the Commission seeking extensions of the deadline for complying with the capability requirements of section 103 of the Communications Assistance for Law Enforcement Act (CALEA), 47 U.S.C. § 1002, as provided by section 107(c) of CALEA, 47 U.S.C. § 1006(c). Comments due December 20; replies due January 4. Contact: Gayle Radley Teicher at (202) 418-1515.

CC 95-155; PN 11/29/00; DA 00-2688

Comments Sought on Petitions for Emergency Relief Regarding Release of the 855 Toll Free Code.

On November 9 and November 14, 2000, the Toll Free Number Coalition (TFNC) and the Toll Free Commerce Coalition (TTFCC) individually filed petitions for emergency relief seeking to defer the release of the new 855 toll free code, which was scheduled for November 18, 2000. Comments due December 13*; replies due December 20. Contact: Marty Schwimmer at (202) 418-2320.

DKT 98-206; NEWS RELEASE 11/30/00 (adopted 11/29/00); FCC 00-418

FCC Makes Spectrum Available for New Fixed Satellite Services at Ku-Band; Seeks Comment on Licensing New Fixed Service at 12 GHZ.

The Commission seeks comment on various technical and service issues concerning authorizing MVDDS in the band. Contact: Geraldine Matise at (202) 418-2322; Tom Derenge at (202) 418-2451, Jennifer Gilsenan at (202) 418-0757, Jennifer Burton at (202) 418-7581 or Nese Guendelsberger at (202) 418-0634.

ORDER 12/1/00 (adopted 11/30/00); DA 00-2697

Request for Review of the Decision of the Universal Service Administrator.

The Commission extended the time period in the above-captioned proceeding by thirty days to December 29, 2000. Contact: Mark Seifert at (202) 418-1548.

ORDER 12/01/00 (adopted 11/30/00); DA 00-2698

Request for Review of the Decision of the Universal Service Administrator.

The Commission extend the deadline for review of decisions in the above-captioned requests by an additional sixty (60) days, to February 2, 2001, for the Letter of Appeal filed by Redondo Beach Unified School District, Redondo Beach Unified School District, Redondo Beach, California; and to February 16, 2001, for the Letter of Appeal filed by United Talmudical Academy, Brooklyn, New York. Contact: Mark Seifert at (202) 418-1548.

CC 94-102; PN 12/04/00; DA No. 00-2704

WTB Seeks Comment on Phase II E911 Implementation Waiver Requests Filed by Nextel Communications, Inc. and Hawaiian Wireless, Inc.

The Commission is seeking comment on the above-caption proceeding. Comments due January 5; replies due January 22. Contact: E. Wendy Austrie at (202) 418-1310.

PN 12/01/00; DA 00-2716

Everest Broadband Networks Inc. Seeks Commission Determination of "Exempt Telecommunications Company" Status Under The Public Utility Holding Company Act.

On October 31, 2000, Everest Broadband Networks Inc., 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 December 15*; replies due December 22. Contact: Carmell Weathers at (202) 418-2325 or Marty Schwimmer at (202) 418-2320.

PN 12/06/00; DA 00-2739

Interstate TRS Fund Advisory Council and TRS Fund Administrator's Recommended TRS Cost Recovery Guidelines.

The Commission is seeking comments on the above-caption proceeding. Comments due January 5; replies due January 19. Contact: Leslie Selzer at (202) 418-7278; TTY (202) 418-0484

PN 12/06/00; DA 00-2740

Supplemental Submission Concerning the Payment Formula and Fund Size Estimate for the Interstate Telecommunications Relay Service Fund for July 2000 through June 2001.

On November 2, 2000, the National Exchange Carrier Association, Inc. filed a supplemental submission in which it proposes increases to the traditional telecommunications relay service and video relay service reimbursement rates. Comments due December 19; replies due December 26. Contact: Leslie Selzer at (202) 418-7278; TTY (202) 418-0484

PN 12/06/00; DA 00-2744

Myhomekey.Com, Inc. Seeks Commission Determination of "Exempt Telecommunications Company" Status Under the Public Utility Holding Company Act.

On November 6, 2000, MyhomeKey.com, Inc., 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 December 22; replies due December 29. Contact: Carmell Weathers at (202) 418-2325 or Marty Schwimmer at (202) 418-2320; TTY (202) 418-0484

CC 96-262; PN 12/07/00; DA 00-2751

Common Carrier Bureau Seeks Additional Comment on Issues Relation to CLEC Access Charge Reform.

The Commission is currently considering whether and how to reform the manner in which competitive local exchange carriers may tariff the charges for the switched local exchange access service that they provide to inter-exchange carriers. Pleading Cycle Established. Contact: Scott K. Bergmann at (202) 418-0940 or Jeffrey H. Dygert at (202) 418-1500.

ORDER (adopted 12/07/00); DA 00-2765

Roseville Telephone Company Request for Extension of Time to File Armis Reports.

The Commission granted Roseville's request and extended the time in this proceeding until October 1, 2001.

CC 96-45; PN 12/08/00; DA 00-2766

Roseville Telephone Company Petition for Limited Waiver of Section 54.309 of the Commission's Rules.

On November 13, 2000, Roseville Telephone Company petitioned the Commission for a limited waiver of section 54.309, 47 C.F.R. § 54.309. Specifically, Roseville seeks a limited waiver so that it can continue computing its Federal high-cost loop support using the rules contained in Part 36 Subpart F subsequent to the elimination of "hold-harmless" support, pending the Commission's action on Roseville's Petition for Reconsideration of the Commission's *Tenth Report and Order* in CC Docket 96-45 and 97-160. Comments due December 28; replies due January 8. Contact: Sharon Webber at (202) 418-7400.

R&O (adopted 12/06/00); FCC 00-428

Federal-State Joint Board on Universal Service.

The Commission adopted the recommendation for phasing down the interim hold-harmless provision of the forward-looking high-cost universal service support mechanism for non-rural carriers. Comments due 30 days and replies 45 days from Fed. Register publication. Contact: William Scher at (202) 418-7399.

PN 12/11/00; DA 00-2792

NRG ComLease, LLC Seeks Commission Determination of Exempt Telecommunications Company Status Under the Public Utility Holding Company Act.

On November 6, 2000, NRG ComLease, 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 December 22; replies due December 29. Contact: Marty Schwimmer at (202) 418-2320.

CC 98-147; PN 12/11/00; DA 00-2794

Commission Seeks Comment on Petition for Conditional Waiver Filed by BellSouth.

On December 1, 2000, BellSouth Corporation and BellSouth Telecommunications, Inc. filed a petition for conditional waiver of certain requirements adopted in *Deployment of Wireline Services Offering Advanced Telecommunications Capability*. Comments due December 28; replies: Waived. Contact: Janice Myles at (202) 418-1580.

INTERNATIONAL BUREAU

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.

ORDER 11/8/00 (adopted 11/08/00); DA 00-2521

Voicestream Wireless, Powertel, ETC, Transfer of Control Extension.

The Commission granted the Motion for Extension of Time in the above captioned proceeding. Comments due December 13*; replies due January 8. Contact: Justin Connor at (202) 418-1476.

PN 12/08/00; FCC 00-426

FCC Requests Further Comment in Part 100 Rulemaking Proceeding on Non-Confirming Use of Director Broadcast Satellite Service Spectrum.

The Commission seeks comment on the issue of non-conforming uses of DBS spectrum. Comments due January 08; replies due January 18. Contact: Selina Khan at (202) 418-7282.

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). Required broadcasters to file these reports on a quarterly basis, at the time prepared, rather than annually. Announced 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*; replies due January 17.

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; replies due January 17.

NPRM 12/04/00 (adopted 12/01/00); DA 00-2691

DTV Channel Change for WMEB-TV, Orono, ME. Proposed DTV Amendment filed by WMEB-TV, NTSC Channel *12, Orono, Maine.

The Commission has before it a petition for rule making filed by Maine Public Broadcasting Corporation licensee of noncommercial educational station WMEB-TV, NTSC channel *12, Orono, Maine. MPBC requests the substitution of DTV channel *9 for station WMEB-TV's assigned DTV channel *22. Comments due January 25; replies due February 9. Contact: Pam Blumenthal at (202) 418-1600.

PN 12/13/00; DA 00-2802

AM Auction No. 32 Mutually Exclusive Applicants -- Settlement Period and Section 307(B) Filing Period Extended to February 28, 2001.

Settlement and 307(b) submission period deadline of December 29, 2000 extended to February 28, 2001. Contact: Lisa Scanlan at (202) 418-2700.

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.

NPRM (adopted 12/07/00) FCC 00-430

Authorization and Use of Software Defined Radios.

Proposed amending Part 2 of rules to streamline the equipment authorization procedures for software defined radios. Comments due 75 days and replies 135 days from publication in Fed. Register.

1st R&O 12/8/00 and FNRPM 12/8/00 (adopted 11/29/00); FCC 00-418

Amend. of Parts 2 and 25 of Rules to Permit Operation of NGSO FSS Systems Co-Frequency with GSO and Terrestrial Systems in the Ku-Band.

Permitted non-geostationary satellite orbit fixed-satellite service providers to operate in certain segment of the Ku-band and adopted rules and policies to govern operations. Comments due 45 days and replies 60 days after Fed. Reg. publication. Contact: Tom Mooring at (202) 418-2450

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.

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.

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; replies due January 22.

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 an "automatic" roaming rule and whether to sunset the "manual" roaming requirement. Comments due January 5; replies due February 5. Contact: Paul Murray at (202) 418-0688.

PN 11/15/00; DA 00-2572

Wireless Telecommunications Bureau Solicits Assistance in Updating Commercial Operator License Examination (COLE) Question Pools for Elements 1 and 7, and Seeks Comment on Development of Procedures to update COLE Question Pools.

The Commission is soliciting private sector assistance in updating the COLE question pools for Elements 1 (Basic Radio Law) and 7 (Global Maritime Distress and Safety System radio operating procedures). Comments due December 15*; replies due January 2. Contact: Genevieve Augustin at (202) 418-0680.

PN 11/17/00; DA 00-2600

Wireless Telecommunications Bureau Seeks Comment on Terion, Inc.'s Request to Modify Its Authorization to Operate a Short-Data Messaging System in the High Frequency (HF) Range Under Part 90 of the Rules.

The Wireless Telecommunications Bureau is seeking comment on Terion's request to: (1) increase the amount of spectrum authorized from 2.862 MHz (954 channels) to 11.448 MHz (3,816 channels); (2) increase the total HF energy transmitted daily from 2 million Watt-seconds to 8 million Watt-seconds; (3) increase the aggregate transmissions per hour from one percent (36 seconds) to four percent (144 seconds); and (4) obtain a renewal expectancy in the event it provides a showing of substantial service prior to the expiration of its five-year license term, thus obviating the need for a rule making proceeding. Comments due December 18*; replies due January 2. Contact: Jay Jackson at (202) 418-1309.

PN 11/21/00; DA 00-2622

Wireless Telecommunications Bureau Seeks Comment on Petition for Declaratory Ruling that Western Wireless' Basic Universal Service in Kansas is Subject to Regulation as Local Exchange Service.

On November 3, 2000, State Independent Alliance and Independent Telecommunications Group filed a petition requesting that the Commission issue a declaratory ruling clarifying that Western Wireless' Basic Universal Service offering in Kansas is not a Commercial Mobile Radio Service and that federal law does not preempt or preclude the Kansas Corporation Commission from applying to the Basic Universal Service offering regulations and Universal Service Fund requirements applicable to all local exchange carriers and to Eligible Telecommunications Carriers in Kansas. Comments due December 21; replies due January 8. Contact: Rose Crellin at (202) 418-2066.

WT 00-230; NPRM 11/27/00 (adopted 11/9/00); FCC 00-402

Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets.

Open proceedings to examine a number of actions the FCC might take to remove unnecessary regulatory barriers to the development of more robust secondary markets in radio spectrum usage rights. Comments due 45 days after publication in the Federal Register; replies due 30 days after comment date.

PN 11/29/00; DA No. 00-2694

Wireless Telecommunications Bureau Seeks Comment on Petition for Declaratory Ruling Concerning the Requirement for Good Faith Negotiations Among Economic Area Licensees and Incumbent Licensees in the Upper 200 Channels of the 800 MHz Band.

Pursuant to Section 5(e) of the Administrative Procedures Act, 5 U.S.C. § 554(e), and Section 1.4 of the Commission's Rules, 47 C.F. R. § 1.4, the Wireless Telecommunications Bureau seeks comment on a Petition for Declaratory Ruling filed by Nextel Communications, Inc. on October 26, 2000. Comments due December 14*; replies due December 21. Contact: Richard Arsenault at (202) 418-7240.

PN 12/06/00; DA 00-2696

Comments Invited on Philadelphia Metropolitan Area (Region 58) Public Safety Regional Plan Amendment.

On September 21, 2000, Region 28 submitted a proposed amendment to its Public Safety Plan that would revise the current allotments to reflect changes made as a result of Region 28 Filing Window 6A. Comments due January 8; replies due January 23.

WT 99-217; ORDER 12/4/00 (adopted 12/01/00); DA 00-2720

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

On November 21, 2000, the Real Access Alliance filed a motion for extension of time to file comments and reply comments on the Further Notice of Proposed Rulemaking in WT Docket No. 99-217. The Commission granted the pleading cycle and extended the time in this proceeding to January 22, 2001 for comments and February 21, 2001 for replies.

ORDER (adopted 12/11/00); DA 00-2800

David Electronics, Inc.

The Commission granted the Motion for Extension of Time filed by Davis Electronics, Inc. on October 5, 2000, and the Further Motion for Extension of Time filed by Davis Electronics, Inc. on November 30, 2000, and extended to January 16, 2001 time for filing replies.