



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. Circ 1974).

April 10, 2001

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 01-07; NOI 01/18/01 (adopted 01/12/01); FCC-01-15

Nondiscrimination in the Distribution of Interactive Television Services over Cable.

The Commission is seeking comment on the initiated proceeding on interactive TV. Comments due: March 19*; replies due April 20. Contact Darryl Cooper at (202) 418- 1039.

PN 03/28/01; DA 01-780

Carriage of Digital Television Broadcast Signals, Amendments to Part 76 of the Commission's Rules, Report and Order and Further Notice of Proposed Rulemaking Published in the Federal Register, March 26, 2001.

Carriage of Digital Television Broadcast Signals, Amendments of Part 76 of the Commission's Rules, Report and Order and Further Notice of Proposed Rulemaking, FCC 01-22 (CS Docket Nos. 98-120, 00-96, 00-2) regarding cable carriage of broadcast digital television pursuant to mandatory carriage and retransmission consent has been published in the Federal Register, 66 Fed. Reg. 16523, 16532 (March 26, 2001). Comments due May 10; replies due June 25. Contact: Michelle Russo at 418-2358. TTY: (202) 418-7172.

COMMON CARRIER BUREAU

CC 96-61; 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* to April 30, 2001.

CC 99-301; 2nd NPRM 01/19/01 (adopted 01/17/01) FCC 01-19

Local Competition and Broadband Reporting.

The Commission is seeking comment on how to refine or improve the data gathering effort to assess the degree of deployment of broadband services and the development of local competition. Comments due 30 days after publication in the Federal Register and replies due 45 after publication in the Federal Register. Contact: Scott Bergmann at (202) 418-7102.

CC 96-98; PN 01/24/01; DA 01-169

Comments Sought on the Use of Unbundled Network Elements to Provide Exchange Access Services.

On June 2, 2000, the Commission issued a Supplement Order Clarification in the above caption proceeding that extended and clarified the temporary constraint on the ability of requesting carriers to use combination of unbundled network elements to provide exchange access service. Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register. Contact: Jodie Donovan-May or Tom Navin at (202) 418-1580.

CC 96-45; PN 02/02/01; DA 01-278

Common Carrier Bureau Seeks Comment on Western Wireless' Petition for Designation as an Eligible Telecommunications Carrier for or the Pine Ridge Reservation in South Dakota.

On January 19, 2001, Western Wireless Corporation filed with the Commission a petition under section 214(e)(6) seeking designation as an eligible telecommunications carrier to receive federal universal service support for the provision of service on the Pine Ridge Reservation in South Dakota. Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register. Contact: Richard D. Smith or Anita Cheng at (202) 418-7400, TTY (202) 418-0484.

CC 96-98; PN 02/23/01; DA 01-501

Common Carrier Bureau Grants Motion for Limited Extension of Time for Filing Comments and Reply Comments on the use of Unbundled Network Elements to Provide Exchange Access Service. Revised filing dates.

The Commission granted a limited extension of time in the above listed proceeding. Comments due April 5*; replies due April 30. Contact: Jodie Donovan-May or Tom Navin at (202) 418-1580.

CC 96-45; PN 03/07/01; DA 01-584

State of Alaska Seeks a Declaratory Ruling and Waiver of Section 54.504(B)(2)(II) of the Commission's Rules.

On January 30, 2001, the State of Alaska, on behalf of its rural school districts and libraries, filed a petition for waiver of section 54.504(b)(2)(ii) of the Commission's rules, which requires that the services funded by the schools and libraries universal service support program are used solely for educational purposes. Comments due April 6*; replies due May 7. Contact: Adrian Wright at (202) 418-0854.

CC 95-20, 98-10; PN 03/07/01; DA 01-620

Further Comment Requested to Update and Refresh Record on Computer III Requirements.

The Commission is seeking comment on whether ISPs can obtain, under the ONA framework, the telecommunications service inputs that they require from the BOCs, including Digital Subscriber Line (DSL) service. Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register. Contact: Jodie Donovan-May or Jessica Rosenworcel at (202) 418-1580.

CC 91-281; PN 03/09/01; DA No. 01-640

Macro International Requests a Declaratory Ruling on Interpretation of 47 C.F.R. § 64.1601(d) (2).

On September 12, 2000, Macro International, Inc. filed a petition for declaratory ruling regarding section 64.1601 (d)(2) of the Commission's rules, 47 C.F.R. 64.1601 (d) (2). Comments due April 9*; replies due April 24. Contact: Susan Magnotti at (202) 418-0871, TTY: (202) 418-0484.

CC 96-45; PN 03/14/20; DA 01-622

Commonwealth of the Northern Marian Islands Requests Enhanced Lifeline and Expanded Link up Support for Low-Income Consumers. Pleading Cycle Established.

The Commonwealth of the Northern Mariana Island has filed a request for expanded universal service support for low-income consumers in the Commonwealth, similar to the measures adopted in the Commission's Tribal Order for low-income subscribers living on tribal lands. Comments due April 13; replies due April 30. Contact: Mark Nadel at (202) 418-7400.

PN 03/16/01; DA 01-684

Mpower Communications Corp. Files Petition for Expedited Declaratory Ruling on Telric Pricing Standards for Loop Conditioning Charges. Pleading Cycle Established.

On March 6, 2001, Mpower Communications Corp., a competitive local exchange carrier, filed a petition for a declaratory ruling seeking expeditious clarification of the total element long-run incremental cost pricing methodology. Comments due April 16; replies due May 7. Contact: Shannon Lipp at (202) 418-1520, TTY (202) 418-0484.

CC 01-73; PN 03/20/01; DA No. 01-715

Commission Seeks Comment on Application for Consent to Transfer Control Filed by Chorus Communications, Ltd. and Telephone and Data Systems, Inc. Pleading Cycle Established.

On March 7, 2001, Telephone and Data Systems, Inc. and Chorus Communications, Ltd. filed applications pursuant to sections 214 and 310(d) of the Communications Act of 1934, as amended, 47 U.S.C. §§214,310(d), requesting Federal Communications Commission approval to transfer control to TDS of Commission licenses and authorizations held by Chorus and its subsidiaries to provide domestic and international telecommunications services pursuant to parts 22, 63 and 90 of the Commission's rules. Comments due April 19; replies due May 4. Contact: Aaron Goldberger at (202) 418-1580.

CC 01-77; PN 03/22/01; DA No. 01-728

Pleading Cycle Established for Comments on Petition of Coalition of Competitive Fiber Providers for Declaratory Ruling of Sections 251(B)(4) and 224(F)(1).

On March 15, 2001, the Coalition of Competitive Fiber Providers filed a petition requesting a declaratory ruling pursuant to sections 25 (b)(4) and 224(f)(1) of the Communications Act, that incumbent local exchange carriers (ILEC's) must provide to telecommunications carriers nondiscriminatory access to any "duct, conduit, or right-of-way owned or controlled by "an ILEC leading to or located in, ILEC central offices. Comments due April 23; replies due May 8. Contact: Janice M. Myles at (202) 418-1577.

PN 03/22/2001; DA 01-731

Pleading Cycle Established for Frontier Petition for Pricing Flexibility for Special Access and Dedicated Transport Services.

On March 20, 2001, Frontier Telephone of Rochester, Inc. and Frontier Communications of Seneca-Gorham, Inc. filed a petition for pricing flexibility for special access and dedicated transport services pursuant to Sections 1.774 and 69.701 et. seq. of the Commission's rules, 47 C.F.R. §§ 1.774 and 69.701 et seq. Comments due: April 4*; replies due April 16. Contact: Shannon Lipp at (202) 418-1520.

PN 03/23/01; DA 01-742

Telergy, Inc. and Affiliated Companies Seek Commission Determination of "Exempt Telecommunications Company" Status Under the Public Utility Holding Company Act. Pleading Cycle Established.

On March 7, 2001, Telergy, Inc. and its affiliate companies Telergy Operating, Inc., Telergy Network Services, Inc., Telergy Network Services of Virginia, Inc., TNS of California Inc., Telergy MidAtlantic, LLC, Telergy Central, LLC, and Telergy Metro LLC pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935 filed and application requesting a Commission determination that each is an exempt telecommunications company. Comments due April 6*; replies due April 13. Contact: Marty Schwimmer at (202) 418-2320.

CC 96-45; PN 03/27/01; DA 01-757

Petition of Genesis Communications International, Inc. for Declaratory Ruling Regarding Lifeline Assistance Revenues. Pleading Cycle Established.

On November 17, 2000, Genesis Communications International, Inc. filed a Petition for Declaratory Ruling. Genesis requests declaratory rulings regarding: (1) Whether Commission certification of Genesis' eligibility was a prerequisite to obtaining reimbursement from the National Exchange Carrier Association, Inc. for Lifeline discounts given to eligible end users under California's Universal Lifeline Telephone Service program; and (2) whether Genesis was entitled to submit claims and receive reimbursement from NECA on a retroactive basis. Comments due April 26; replies due May 11. Contact: Sheryl Todd at (202) 418-7400, TTY (202) 418-0484.

CC 98-141, 98-184; PN 03/26/01; DA 01-764

Pleading Cycle Established for Comments on Worldnet Telecommunications, Inc. Ex Parte Letter Concerning Bell Atlantic/GTE Merger Conditions.

On February 12, 2001, WorldNew Telecommunications, Inc. filed an Ex Parte Letter requesting that the Commission reopen the above referenced docket. Comments due April 25; replies due May 10. Contact: Janice M. Myles 202-418-1577.

CC 98-141, CC 98-184; PN 03/30/01; DA 01-722

CCB Seeks Comment on Letters Filed by Verizon and Birch Re: Most-Favored Nation Condition of SBC/Ameritech and Bell Atlantic/GTE Orders.

The Commission seeks comment on both letters and as to whether there are grounds to waive or modify the relevant MFN conditions. Comments due April 30; replies due May 14. Contact: Mark Stone at (202) 418-0816.

CC 98-184; PN 03/30/01; DA No. 01-810

CCB Seeks Comment on Verizon's Request to Eliminate Reporting Requirements Under the Bell Atlantic/NYNEX Merger Order.

The Commission seeks comment on Verizon 's request to cease submitting the Bell Atlantic/NYNEX performance monitoring reports. Comments Due: April 19; replies due April 30. Contact: Mark Stone at (202) 418-0816

CC 96-45; PN 04/02/01; DA 01-814

Smith Bagley, Inc. Petitions to Redefine the Service Area of Table Top Telephone Company on Tribal Lands Within the State of Arizona.

The Common Carrier Bureau provides notice that Smith Bagley, Inc. has filed a petition, pursuant to section 54.207 of the Commission's rules, requesting the Commission's consent to the Arizona Corporation Commission's proposed "service area" definition for areas served by Table Top Telephone Company within Arizona. Comments due April 30; replies due May 14. Contact: Richard D. Smith or Anita Cheng at (202) 418-7400, TTY (202) 418-0484.

ENFORCEMENT BUREAU

EB 01-66; NPRM 03/20/01 (adopted 03/13/01); FCC 01-88

Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System (EAS).

The Commission is seeking comment on requested revisions to the Part 11 rules governing the Emergency Alert System (EAS) set forth in petitions for rulemaking filed by the National Oceanic and Atmospheric Administration National Weather Service and the Society of Broadcast Engineers. In addition, the Commission propose to revise Part 11 of the Rules to

eliminate references to the now-defunct Emergency Action Notification network and its participants. Further, the Commission propose to amend Part 11 to delete the requirement that international High Frequency broadcast stations purchase and install EAS Equipment. Comments due 75 days after publication in the Federal Register; replies due 105 days after publication in the Federal Register.

INTERNATIONAL BUREAU

IB 00-248; NPRM 12/14/00; (adopted 12/11/00); FCC 00-435

2000 Biennial Regulatory Review -- Streamlining and Other Revisions of Part 25 of the Commission's Rules et al.

The Commission is seeking comment on steps to facilitate licensing of earth stations. Comments due March 26*; replies due April 23.

PN 03/02/01; DA 01-554

International Bureau Seeks Comment on a Proposal by City of Laredo, Texas, and City of Nuevo Laredo, Mexico, to Create a Cross-Border Local Calling Area.

On November 30, 2000, the City Manager of the City of Laredo, Texas filed with the Commission a copy of a "*Collaborative Agreement between the Municipality of Nuevo Laredo, Tamaulipas (Mexico) and the City of Laredo, Texas.*" The Commission is seeking comment on the *Collaborative Agreement* and its proposed cross-border calling area. Comments due April 16; replies due April 30. Contact: John Copes at (202) 418-1478, TTY: (202) 418-2555.

MASS MEDIA BUREAU

MM 00-39; R&O and FNPRM 01/19/01 (adopted 01/18/01) FCC 01-24

Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television.

The Commission resolved several issues crucial to the rapid conversion of the nation's broadcast television system from analog to digital. Comments due April 6*; replies due May 7. Contact: Roger Holberg at (202) 418-2134.

OFFICE OF ENGINEERING AND TECHNOLOGY

ET 98-206; 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 Federal Register publication. Contact: Tom Mooring at (202) 418-2450

ET 00-47; NPRM 12/08/00 (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 due 135 days from publication in the Federal Register.

ET 98-153; PN 03/23/01; DA 01-753

Comments Requested on Reports Addressing Potential Interference from Ultra-Wideband Transmission Systems.

The Commission is requesting comments on four reports it has received regarding the potential for ultra-wideband transmission systems to cause harmful interference to other radio operations. Comments due April 23; replies due May 8. Contact: John A. Reed at (202) 418-2455.

ET 98-153; PN 03/26/01; DA 01-753

Revised - Comments Requested on Reports Addressing Potential Interference from Ultra-Wideband Transmission Systems

The Commission is requesting comments on five reports it has received regarding the potential for ultra-wideband transmission systems to cause harmful interference to other radio operations. Comments due April 25; replies due May 10. Contact: John A. Reed at (202) 418-2455.

ET 00-258; PN 03/30/01; DA 01-786

FCC Releases Staff Final Report "Spectrum Study of 2500-2690 MHZ Band: The Potential for Accommodating. Third Generation Mobile Systems" Seeks Comment on Final Report in Pending Spectrum Allocation Proceeding.

Comments due April 16. Contact: Geraldine Matisse at (202) 418-2322 or Rodney Small at (202) 418-2452.

OFFICE OF GENERAL COUNSEL

NPRM 12/15/00 (adopted 10/30/00); FCC 00-392

Amendment of Section 1.1204 of the Commission's Ex Parte Rules.

The Commission proposed modifying one of the rules governing the permissibility of Ex Parte presentations in FCC proceedings. Comments due 30 days and replies 45 days after publication in the Federal Register. Contact: David Senzel at (202) 418-1720

OFFICE OF MANAGING DIRECTOR

MD 01-76; NPRM 03/29/01 (adopted 03/19/01); FCC 01-97

Assessment and Collection of Regulatory Fees for Fiscal Year 2001.

Proposed to revise its Schedule of Regulatory Fees to collect the amount of regulatory fees that Congress, as amended, has required us to collect for Fiscal Year 2001. Comments due April 27; replies due May 7.

WIRELESS TELECOMMUNICATIONS BUREAU

WT 99-87; R&O and FNPRM 11/20/00 (adopted 11/09/00; FCC 00-403

Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended.

The Commission adopt rules and policies to implement Sections 309(j) and 337 of the Communications Act of 1934, as amended by the Balanced Budget Act of 1997, which was signed into law on August 5, 1997. Comments due 60 days after publication in the Federal Register; replies due 90 days after publication in the Federal Register. Contact Leora Hochsteint at (202) 418-1022

WT 96-86; 4th R&O and 5th NPRM 01/17/01 (adopted 01/11/01) FCC 01-10

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

The Commission adopted various technical and operational rules and policies regarding the use of frequencies in the 764-776 MHz and 794-806 MHz bands designated for interoperability uses. The Commission is seeking comments on the NCC's recommendations and certain related issues. Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register.

PN 03/14/01; DA 01-665

Wireless Telecommunications Bureau Seeks Comment on Cingular Wireless LLC's Request for Waiver to Exclude 1.5 MHz of SMR Spectrum from the CMRS Spectrum Cap.

On March 7, 2001, pursuant to Section 1.925 of the Commission's rules, Cingular Wireless LLC filed a request to waiver of the Commercial Mobile Radio Service spectrum cap. Section 20.6(a) of the Commission's rules, to exclude up to 1.5 MHz of 900 MHz Specialized Mobile Radio spectrum held by its subsidiary, Cingular Interactive L.P. The Commission seeks comment on Cingular's Waiver request. Comments due April 3*; replies due April 13. Contact: Paul Murray 202-418-7240.

PN 03/15/01; DA 01-673

Wireless Telecommunications Bureau Extends CALEA Section 107(C) Preliminary Determination Period for Wireless Carriers until September 30, 2001; Seeks Comment on Additional Extension Petitions.

The Commission is extending the preliminary determination period for wireless carriers seeking extensions of the deadline for complying with section 103 of the Communications Assistance for Law Enforcement Act, 47 U.S.C. § 1002, from March 31, 2001, to September 30, 2001. Comments due April 2*; replies due April 16. Contact: John Spencer or Susan Kimmel 202-418-1310

PN 03/15/01; DA 01-688

Wireless Telecommunications Bureau Seeks Comment on Request for Rule Change and Conditionally Waives Section 1.929(C)(1) to Permit Expansion of Paging Contours Over Water on a Secondary Basis.

Pursuant to Section 1.925 of the Commission's rules, the Wireless Telecommunications Bureau seek Comment on a Request for Rule Change filed by the Paging and Messaging Alliance of the Persona Communications Industry Association. Comments on the Waiver Request due April 16; replies due May 1. Contact: Leon Jackler at (202) 418-0946.

PN 03/16/01; DA 01-686

Correction - Wireless Telecommunications Bureau Seeks Comment Regarding Intelligent Transportation System Applications Using Dedicated Short Range Communications.

The Commission is seeking information regarding current, emerging and potential intelligent Transportation System applications that use Dedicated Short Range Communication. The information will be used to assist in developing the licensing and service rules that will apply to DSRC-based ITS applications. Comments due: April 16; replies due May 1. Contact: Nancy M. Zaczek at (202) 418-7590, (TTY) 202-418-7233.

WT 98-15; PN 03/22/01; DA 01-686

Correction - Wireless Telecommunications Bureau Seeks Comment Regarding Intelligent Transportation System Applications Using Dedicated Short Range Communications.

The Wireless Telecommunications Bureau seeks information regarding current, emerging and potential Intelligent Transportation System applications that use Dedicated Short Range Communications. Comments due April 16; replies due May 1. Contact: M. Zaczel at (202) 418-7590, TTY (202) 418-7233.

WT 01-72; PN 03/16/01; DA 01-696

Wireless Telecommunications Bureau Seeks Comment on Request to Commence Rulemaking to Establish Fair Location Information Practices.

The Commission seeks comment on a petition filed by the Cellular Telecommunications and Internet Association on November 22, 2000, requesting that the Commission commence a rulemaking proceeding to implement Sections 222(f) and (h) of the Communications Act of 1934. Comments due April 6*; replies due: April 17. Contact: Barbara Reideler at (202) 418-1310.

PN 03/19/01; DA 01-698

Wireless Telecommunication Bureau Seeks Comment on Request by Maritel, Inc. to Assign Maritime Mobile Service Identities (MMSIS) to Vessel that are Required to be Licensed.

On March 6, 2001, Maritel, Inc. filed an informal request to permit private entities to assign MMSIs to vessels required by FCC rules and international regulations to obtain FCC authorization. Comments due April 18; replies due May 3. Contact: Jim Shaffer at (202) 418-0687, TTY (202) 418-7233.

GN 01-74; NPRM 03/28/01 (adopted 03/16/01); FCC 01-91

Reallocation and Service Rules for the 698-746 MHz Spectrum Band (Television Channels 52-59).

The Commission proposed to reallocate the 698-746 MHz spectrum band, currently comprising television ("TV") Channels 52-59. Comments due May 14; replies due June 4.

ET 98-206; ORDER 3/26/01 (adopted 3/26/01)

Erratm - Part 2 and Part 25. Extended the Reply Comment period from March 26, 2001 to April 5, 2001, DA 01-754, released March 23, 2001.

On March 21, 2001, DIRECTV, Inc. and EchoStar Satellite Corporation jointly filed a motion, Pursuant to Section 1.46 of the Commission's Rules, to extend the period for filing reply comments to the *Further Notice of Proposed Rule Making* in the above-captioned proceeding from March 26, 2001 to April 26, 2001.

PN 03/29/01; DA 01-788

Pleading Cycle Established for Responses to Petitions for Reconsideration of the Third Report and Order in WT Docket No. 99-168, CS Docket No. 98-120 and MM Docket No. 00-39.

Notice is hereby given that the parties listed below have petitioned the Commission for reconsideration and clarification of the Third Report and Order in WT Docket No. 99-168, CS Docket No. 98-120, and MM Docket No. 00-39, FCC 01-25, released January 23, 2001. Comments due April 10; replies due April 20. Contact: Nese Guendelsberger at (202) 418-0660, Bill Huber at (202) 418-0660, Gordon Godfrey at (202) 418-2193 or Clay Pendarvis at (202) 418-1600.