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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).

August 20, 2001

OPEN PROCEEDINGS

The following is a listing of current FCC Notices of Proposed Rulemaking (NPRMs) and Notices of Inquiry (NOIs) open for public comment; however, routine petitions to amend the Table of Allotments are not included. This listing also includes pertinent Public Notices (PNs) announcing comment subjects and dates. For additional information, contact Marilyn Abraham (202) 418-2374 in the Consumer Information Bureau. Please note: as comment and reply comment periods expire, they are deleted from this listing. An asterisk indicates that the comment period deadline has past, but the reply comment period is still open.

CABLE SERVICES BUREAU

CS 01-129; NOI 06/25/01 (adopted 06/20/01); FCC 01-191

In the Matter of Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming.

The Commission seeks information that will allow it to evaluate the status of competition in the video marketplace, prospects for new entrants to that market, and its effect on the cable television industry and consumers. Comments due August 3*; replies due September 5. Contact: Marcia Glauber at (202) 418-7200 (voice), (202) 418-7172 TTY.

COMMON CARRIER BUREAU

CC 96-45; PN 06/20/01; DA 01-1458

Common Carrier Bureau Seeks Comment on Translation of Cost Model to Delphi Computer Language and Announces Posting of Updated Cost Model.

The Commission seeks comment on whether it should use the Delphi version for purposes of calculating support amounts for 2002. Comments due 45 days after publication in the Federal Register; replies due 60 days after publication in the Federal Register. Contact: Katie King or Tom Buckley at (202) 418-0725.

CC 96-150; PN 06/21/01; DA 01-1462

Common Carrier Bureau Seeks Comments on Verizon Section 272 Compliance Biennial Audit Report.

The Commission seeks comment on the above-captioned report. Comments due August 20. Contact: Hugh L. Boyle at (202) 418-7147 or Anthony Dale at (202) 418-2260.

CC 80-286; PN 06/22/01; DA 01-1496

Common Carrier Bureau Seeks Comment on Proposed Streamlined ARMIS 43-04 (Jurisdictional Separations) Report.

On May 22, 2001, the Commission adopted the recommendation of the Federal-State Joint Board to impose an interim freeze of certain jurisdictional cost categories and allocation factors. Comments due 20 days after date of publication in the Federal Register; replies due 35 days after date of publication in the Federal Register. Contact: Andrew Multz at (202) 418-0827.

CC 95-116; PN 07/05/01; DA 01-1596

Pleading Cycle Established for Comments on Citizens Communications Company's Petition for Waiver of Section 52.33(a) of the Commission's Number Portability Rules.

On June 26, 2001, Citizens Communications Company filed a petition for waiver of section 52.33(a) of the Commission's rules. In its petition, Citizens seeks a waiver of section 52.33(a) to permit it to recover its long-term number portability costs through a bifurcated end-user charge. Comments due August 6*; replies due August 21. Contact: Margaret Dailey at (202) 418-2396.

CC 96-45; PN 07/10/01; DA 01-1605

Saddleback Communications and Qwest Corporation Seek a Waiver of the Definition of "Study Area" in Part 36 and Sections 61.41(c) and 69.3(e)(11) of the Commission's Rules. Pleading Cycle Established.

On June 12, 2001, Saddleback Communications 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 August 9*; replies due August 24. Contact: Gene Fullano at (202) 418-7400 (voice), (202) 418-0484 TTY.

PN 07/13/01; DA 01-1672

Comments Sought on SBC Inc. Petition for Waiver of 47 C.F.R. § 32.27(c).

On July 2, 2001, Southwest Bell Communications, Inc. (SBC) filed a petition for waiver of the Commission's affiliate transactions rules. SBC requests that the Commission waive § 32.27(c) of its rules to allow SBC service affiliates to continue to offer services to another affiliate at fully

distributed cost pending the sale of that affiliate to a third party. Comments due August 15*; replies due August 30. Contact: Ed Dashkin at (202) 418-0806 (voice), (202) 418-0484 TTY.

CC 98-67; PN 07/16/01; DA 01-1706

Common Carrier Bureau Seeks Comment on Requests for Temporary Waiver of Video Relay Service Requirements.

The Common Carrier Bureau seeks comment on the waiver requests filed by Hamilton Telephone Company and Sprint Communications. Both Hamilton and Sprint request temporary waiver of certain mandatory minimum requirements for providing Video Relay Services. Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register. Contact: Pam Slipakoff at (202) 418-7705 (voice), (202) 418-0484 TTY.

CC 01-150; Declaratory Ruling and NPRM 07/20/01 (adopted 07/12/01); FCC 01-205

Implementation of Further Streamlining Measures for Domestic Section 214 Authorizations.

The Commission seeks comment on (1) how best to streamline the application process to reduce the regulatory burden on applications and simplify application procedures (2) whether certain transactions merit treatment similar to that currently afforded pro forma assignments and transfers of control in the wireless and international context and (3) what treatment should apply where an internal corporate restructuring results in a new or existing subsidiary assuming interstate carrier operations under section 214 from an existing parent or affiliated company. Comments due 30 days after publication in the Federal Register; replies due 60 days after publication in the Federal Register.

CC 98-184; PN 08/01/01; DA 01-1790

Common Carrier Bureau Seeks Comment on Proposed Change to Verizon's Merger Performance Plan.

The Bell Atlantic/GTE Merger Order requires Verizon Communications, Inc. to publicly file performance data demonstrating its progress in opening its local markets to competitors as part of the Carrier-to-Carrier Performance Plan.

Verizon has requested the Common Carrier Bureau's approval to remove Illinois, Ohio, and Pennsylvania from the federal Carrier-to-Carrier Performance Plan. The Bureau seeks comment on Verizon's proposal. Comments due: August 31; replies due: September 15. Contact: Mark Stone at (202) 418-0816.

CC 96-45; PN 08/01/01; DA 01-1842

Common Carrier Bureau Seeks Comment on Guam Cellular and Paging, Inc. d/b/a Guamcell Communications Petition for Designation as a Eligible Telecommunications Carrier in the Territory of Guam. Pleading Cycle Established

On July 26, 2001, Guam Cellular and Paging, Inc. d/b/a Guamcell Communications filed a petition under section 214(e)(6) seeking designation as an eligible telecommunications carrier to receive federal universal service support for service offered in Guam. 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 (voice), (202) 418-0484 TTY.

PN 08/07/01; DA 01-1880

Energy East Corporation Seeks Commission Determination of "Exempt Telecommunications Company" Status Under the Public Utility Holding Company Act for its Affiliate, Neon Communications, Inc. Pleading Cycle Established

On July 11, 2001, Energy East Corporation, pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935, 15 U.S.C. §§ 79 *et seq.*, as amended by section 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, filed an application on behalf of its affiliate, Neon Communications, Inc., requesting a determination by the Commission that it is an "exempt telecommunications company". Comments due August 22; replies due August 29. Contact: Jon Minkoff at (202) 418-2353 (voice) or Carmell Weather at (202) 418-2325 (voice), (202) 418-0484 TTY.

ORDER 08/07/01 (adopted 08/06/01); DA 01-1882

Children's Home Society, Sioux Falls, South Dakota, et. al.

The Commission extended for 30 days the deadline for resolution of the captioned Request for Review.

PN 08/10/01; DA 01-1917

OnSite Access Local, LLC Application to Discontinue Domestic Telecommunications Services.

On July 18, 2001, OnSite Access Local, LLC 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 Commission's rules, 47 C.F.R. § 63.71, to discontinue providing U.S. domestic telecommunications services. Comments due August 24. Contact: Carmell Weathers at (202) 418-2325 (voice) or Jon Minkoff at (202) 418-2353 (voice), (202) 418-0484 TTY.

PN 08/10/01; DA 01-1918

AFN Finance Company No. 3, LLC Seeks Commission Determination of "Exempt Telecommunications Company" Status Under the Public Utility Holding Company Act. Pleading Cycle Established.

On July 25, 2001, AFN Finance Company No. 3, LLC, pursuant to section 34(a)(1) of the Public Utility Holding Company Act of 1935, 15 U.S.C. §§ 79 *et seq.*, as amended by section 103 of the Telecommunications Act of 1996, Pub. L. No. 104-104, filed an application requesting a determination by the Commission that it is an "exempt telecommunications company." Comments due August 27; replies due September 3. Contact: Carmell Weathers at (202) 418-2325 (voice) or Jon Minkoff at (202) 418-2353 (voice), (202) 418-0484 TTY.

PN 08/10/01; DA 01-1919

Comments Invited on Teligent, Inc. and its Domestic Subsidiaries Application to Discontinue Domestic Telecommunications Services.

On June 15, 2001, Teligent, Inc., and its domestic subsidiaries, 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 commission's rules, 47 C.F.R. § 63.71, to discontinue its domestic telecommunications services in all of its markets. Comments due August 24. Contact: Carmell Weathers at (202) 418-23250 (voice) or Jon Minkoff at (202) 418-2353 (voice), (202) 418-0484 TTY.

CONSUMER INFORMATION BUREAU

CC 98-67; PN 06/29/01; DA 01-1555

Consumer Information Bureau Seeks Additional Comment on the Provision of Improved Telecommunications Relay Service. Pleading Cycle Established

The Commission seeks comment on the provision of improved Telecommunications Relay Service (TRS). Title IV of the Americans with Disabilities Act requires the Commission to promulgate regulations on TRS, to make available to Americans with hearing or speech disabilities telecommunications services that are functionally equivalent to those available to individuals without disabilities. Comments due July 30*; replies due August 20. Contact: Dana Jackson at (202) 418-2247 (voice), (202) 418-7898 TTY or Brian Millin at (202) 418-7426 (voice), (202) 418-7365 TTY.

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 seeks 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 proposed to revise Part 11 of the Rules to eliminate references to the now-defunct Emergency Action Notification network and its participants. Further, the Commission proposed 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 97-95; FNPRM 05/31/01; (adopted 05/24/01); FCC 01-182

Allocation and Designation of Spectrum for Fixed-Satellite Services in the 37.5-38.5 GHZ, 40.5-41.5 GHZ and 48.2-50.2 GHZ Frequency Bands, et al.

The Commission has proposed to modify the band plan for the 36.051.4 GHz band. Comments due 60 days after publication in the Federal Register; replies due 90 days after publication in the Federal Register.

MASS MEDIA BUREAU

PN 05/22/01; DA 01-1264

Comment Sought on "Petition for Inquiry into Network Practices" Filed by Network Affiliated Stations Alliance.

On March 8, 2001, Network Affiliated Stations Alliance filed a Petition for Inquiry into network practices. The Commission seeks comment on the Petition and the responses to the Petition. Comments due July 23*; replies due August 22. Contact: Mania K. Baghdadi at (202) 418-2120.

OFFICE OF ENGINEERING AND TECHNOLOGY

ET 99-231; FNPRM & ORDER 05/11/01 (adopted 05/10/01); FCC 01-158

Amendment of Part 15 of the Commission's Rules Regarding Spread Spectrum Devices, WI-LAN, Inc. et al.

The Commission proposes to amend Part 15 of its rules to improve spectrum sharing by unlicensed devices operating in the 2.4 GHz band (2400 - 2483.5 MHz), provide for introduction of new digital transmission technologies, and eliminate unnecessary regulations for spread spectrum systems. Comments due 75 days after publication in the Federal Register; replies due 105 days after publication in the Federal Register. Contact: Neal L. McNeil at (202) 418-2408 (voice), (202) 418-2989 TTY.

WIRELESS TELECOMMUNICATIONS BUREAU

PN 07/16/01; DA 01-1659

Wireless Telecommunications Bureau Seeks Comment on Request for Waiver by Breitling U.S.A., Inc. for Type Certification of Breitling Emergency Watch Emergency Locator Transmitter.

Breitling U.S.A., Inc. is requesting a permanent waiver in the above-captioned proceeding. Comments due August 16*; replies due August 31. Contact: Jim Shaffer at (202) 418-0687 (voice), (202) 418-7233 TTY.

WT 01-146; NPRM 07/24/01 (adopted 07/02/01); FCC 01-199

Part 90 of the Commission Rules and Policies.

The Commission seeks comment on the proposals set forth in the LMCC's Petition as well as other matters related to low power operations in the private land mobile radio (PLMR) 450-470 MHz band. Comments due 30 days after date of publication in the Federal Register; replies due 60 days after date of publication in the Federal Register.

GEN 90-287; PN 07/26/01; DA 01-1649

Comments Invited on Northern California Area (Region 6) Public Safety Plan Amendment.

On June 11, 2001, the Commission received an amendment request from the Northern California (Region 6) Planning Update Committee proposing to amend its 821-824/866-869 MHz (800 MHz) Public Safety Plan. Comments due August 27; replies due September 11. Contact: Joy Alford at (202) 418-0694 (voice), (202) 418-7233 TTY.

WT 91-143; PN 07/26/01; DA 01-1738

Comments Invited on Arizona (Region 3) Public Safety Plan Amendment.

On May 25, 2001, the Commission received an amendment request from the Arizona (Region 3) Regional Review Committee proposing to amend its 821-824/866-869 (800 MHz) Public Safety Plan. Comments due August 27; reply due September 11. Contact: Joy Alford at (202) 418-0694 (voice), (202) 418-7233 TTY.

CC 94-102; PN 07/30/01; DA 01-1816

WTB Seeks Comment on Wireless E911 Phase II Waiver Request Filed by Qwest Wireless, LLC and TW Wireless, LLC.

On July 23, 2001, Qwest Wireless LLC and TW Wireless, LLC requested a limited waiver of the Phase II rules to permit it to deploy an assisted-global positioning satellite (A-GPS) hybrid E-911 Phase solution on a schedule that deviates from the schedule contained in the Commission's rules. Comments due August 20; replies due August 30. Contact: Andra Cunningham at (202) 418-1630.

CC 94-102; PN 07/31/01; DA 01-1836

WTB Seeks Comment on Wireless E911 Phase II Waiver Request Filed by Verizon Wireless.

On July 25, 2001, Verizon Wireless requested a limited waiver of the Phase II rules to permit it to deploy a network assisted Global Positioning System/Advanced Forward Link Trilateration (AGPS/AFLT) handset solution for its CDMA Broadband PCS Network E-911 Phase II solution on a schedule that deviates from the schedule contained in the Commission's rules. The Commission seeks comment on the waiver request. Comments due August 21; replies due August 31. Contact: Jane Phillips at (202) 418-1310.

CC 94-102; PN 08/02/01; DA 01-1857

WTB Seeks Comment on E911 Phase II Waiver Request Filed by Sprint Spectrum L. P.

On July 30, 2001, Sprint Spectrum L. P. d/b/a Sprint PCS provided additional information on its efforts to meet Phase II rules and requested a waiver of those rules to permit it to deploy an assisted Global Positioning Satellite solution for its CDMA network. Comments due August 22; replies due September 1. Contact: Steve Rangel at (202) 418-1310.

CC 94-102; PN 08/06/01; DA 01-1866

WTB Seeks Comment on Wireless E911 Phase II Waiver Request Filed by ALLTEL Communications, Inc.

On July 25, 2001, ALLTEL Communications, Inc. requested a waiver of the Phase II rules to permit it to deploy an assisted-global positioning satellite hybrid E911 Phase II solution on a schedule that deviates from the schedule contained in the Commission's rules. Comments due August 27; replies due September 6. Contact: Jennifer Salhus at (202) 418-1310.

WT 01-184; PN 08/07/01; DA 01-1872

WTB Seeks Comment on Wireless LNP Forbearance Petition Filed by Verizon Wireless.

On July 26, 2001, Verizon Wireless submitted a petition for forbearance from the LNP requirements. Comments due: September 21; replies due October 22. Contact: Jennifer Salhus at (202) 418-1310.