



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 5, 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 98-82, 96-85; MM 92-264, 94-150, 92-51, 87-154; PN 10/12/01; DA 01-2374

Commission Seeks Comment on the Further Notice of Proposed Rulemaking Regarding the Cable Horizontal and Vertical Ownership Limits and Aspects of the Cable, Broadcast and MDS Attribution Rules.

The Commission seeks comment on the above-captioned proceeding. Comments due December 26, 2001; replies due January 25, 2002. Contact: Daniel Hodes, Kiran Duwadi, Ava Holly Berland or Andrew Wise at (202) 418-7200, (202) 418-7365 TTY.

CS 96-85, 98-82; ORDER 10/15/01 (adopted 10/12/01); DA 01-2390

Implementation of Section 11 of the Cable Television Consumer Protection and Competition Act of 1992.

The Commission extended the time period for filing comments in the above-captioned proceeding until January 4, 2002; replies due February 4, 2002.

CS 01-290; NPRM 10/18/01(adopted 10/11/01); FCC 01-307

Implementation of the Cable Television Consumer Protection and Competition Act of 1992.

The Commission initiated proceedings to examine whether or not to extend the prohibition on exclusive contracts for satellite-delivered cable or satellite-delivered broadcast programming

between vertically integrated programming vendors and cable operators. Comments due December 3, 2001; replies due January 7, 2002.

COMMON CARRIER BUREAU

**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 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.

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.

CC 96-128; PN 08/20/01; DA 01-1967

Common Carrier Bureau Seeks Comment on Petitions for Declaratory Ruling, Reconsideration and/or Clarification of the Payphone Compensation Second Order on Reconsideration.

The Commission seeks comment on the petitioners' requests for declaratory ruling, clarification and reconsideration. Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register. Contact: Tania Cho at (202) 418-2320 (voice), (202) 418-0484 TTY.

CC 96-45; PN 08/21/01; FCC 01J-1

Federal-State Joint Board on Universal Service (Joint Board) Seeks Comment on Review of the Definition of Universal Service.

The Joint Board invites comment on what services should be added to or removed from the list of core services eligible for federal universal service support and how those core service should be defined. Comments due 60 days from publication in the Federal Register; replies due 120 days from publication in the Federal Register. Contact: Greg Guice at (202) 418-7400 (voice), (202) 418-0484 TTY.

CC 01-174; NPRM 08/31/01 (adopted 07/31/01); FCC 01-218

In the Matter of 2000 Biennial Regulatory Review – Requirements Governing the NECA Board of Directors and Requirements for the Computation of Average Schedule Company Payments.

The Commission seeks comment on certain rules pertaining to the National Exchange Carrier Association. Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register.

ORDER 09/04/01 (adopted 08/31/01); DA 01-2062

Alameda County Office of Education, Hayward, CA, et al.

The Commission extended by 60 days the deadline for resolution of the captioned Requests for Review.

CC 96-115, 96-149; ORDER and 2nd FURTHER NPRM 09/07/01 (adopted 8/28/01); FCC 01-247

Customer Proprietary Network Information (CPNI).

The Commission seeks comment on the responsibilities of carriers in obtaining consent from customers for the use of CPNI and, whether it should adopt opt-in or opt-out consent under Section 222(c)(1). Comments due 30 days after publication in the Federal Register; replies due 45 days after publication in the Federal Register.

CC 96-262, 94-1; PN 09/17/01; DA 01-2163

Initiation of Cost Review Proceeding for Residential and Single-Line Business Subscriber Line Charge (SLC) Caps.

The Commission seeks comment on LECs price cap cost submissions described in CALLS Order, 15 FCC Rcd at 12994, para. 83. Cost information due October 17*; comments due November 14; replies due November 28. Contact: Jennifer McKee at (202) 418-1530 (voice).

CC 01-92; ORDER 09/19/01 (adopted 09/18/01); DA 01-2188

In the Matter of Developing a Unified Intercarrier Compensation Regime.

On September 14, 2001, the United States Telecom Association (USTA) filed a Motion for Extension of Time to extend the date for reply comments until November 19, 2001. The Commission granted the extension for reply comments until November 5, 2001.

CC 01-275; PN 10/01/01; DA 01-2268

Commission Seeks Comment on Application of Comcast Business Communications, Inc. for a Pro Forma Transfer of Corporate.

On September 11, 2001, Comcast Business Communications, Inc. filed an application pursuant to section 214 of the Communications Act of 1934, as amended 47 U.S.C. § 214, requesting authority to complete a pro forma transfer of corporate control, whereby Comcast Business Communications Holdings, Inc. will become its new parent holding company; the ultimate parent company, Comcast Corporation ("Comcast") will remain the same. Comments or petitions to deny are due within 30 days following the release of the Public Notice. Contact: Aaron Goldberger at (202) 418-1580 (voice).

CC 01-277; PN 10/02/01; DA 01-2286

Comments Requested on the Application by BellSouth Corporation for Authorization under Section 271 of the Communications Act to Provide in-Region, InterLATA Services in the States of Georgia and Louisiana.

On October 2, 2001, BellSouth Corporation, and its subsidiaries, BellSouth Telecommunications, Inc., and BellSouth Long Distance, Inc. filed a joint application for authorization to provide in-region, interLATA service in the States of Georgia and Louisiana, pursuant to section 271 of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 271. Comments due October 19*; replies due November 13. Contact: Jessica Rosenworcel at (202) 418-2764 (voice).

CC 96-262, 94-1; PN 10/05/01; DA 01-2327

Limited Extension of Time to File Cost Submissions, Comments, and Reply Comments in the Cost Review Proceeding for Residential and Single-Line Business Subscriber Line Charge (SLC) Caps.

On September 17, 2001, the Commission initiated a cost review proceeding to determine the appropriate residential and single-line business subscriber line charge caps for price cap local exchange carriers. Cost submissions due: November 16; comments due December 17; replies due January 9, 2002. Contact: Jennifer McKee, at (202) 418-1530.

PN 10/09/01; DA 01-2174

Common Carrier Bureau Seeks Comment on the Petitions of Representative Keith R. McCall and Other Pennsylvania State Representatives and the Louisiana Public Service Commission Requesting Delegated Authority to Implement Number Conservation Measures, et al.

The Commission seeks comment on the Pennsylvania State Legislator's request for delegated authority to implement thousands-block number pooling in the 570 NPA. Comments due October 23*; replies due November 5. Contact: Jennifer Gorney at (202) 418-2320 (voice), (202) 418-0484 TTY.

CC 01-286; PN 10/09/2001; DA 01-2335

Commission Seeks Comment on Application for Consent to Transfer Control Filed by Valor Telecommunications Enterprises II, LLC and Kerrville Communications Corporation, Inc..

On September 19 and 20, 2001, Valor Telecommunications Enterprises II, LLC and Kerrville Communications Corporation, Inc. filed a joint application pursuant to section 214 and 310(d) of the Act for Valor to acquire and operate domestic transmission lines held by Kerrville. Petitions to deny are due within 30 days following the release of the Public Notice; final action will be taken 31 days following the date of the Public Notice. Contact: Suzon Cameron at (202) 418-1439 (voice).

CC 01-288; PN 10/11/01; DA 01-2361

Pleading Cycle Established for Comments for BellSouth Petition for Waiver.

On September 27, 2001, BellSouth Corporation filed a petition for a waiver to provide non-local, operator-assisted and electronic reverse directory services on an integrated basis without complying with the Commission's comparably efficient interconnection requirements.

Comments due November 13; replies due November 29. Contact: Christine Newcomb or Janice Myles at (202) 418-1580 (voice).

PN 10/12/01; DA 01-2368

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

On October 10, 2001, Qwest Corporation filed a petition for pricing flexibility for special access and dedicated transport services pursuant to Section 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 October 25*; replies due November 5. Contact: Julie Saulnier at (202) 418-1530 (voice).

CC 96-45; PN 10/12/01; FCC 01J-2

Federal-State Joint Board on Universal Service Seeks Comment on Review of Lifeline and Link-Up Service for All Low-Income Consumers.

The Joint Board seeks comment regarding its review of Lifeline/Link-Up, two federal support programs that are used to preserve and advance universal service and to ensure that quality telecommunications and information services are available to low-income consumers at just, reasonable and affordable rates, as required by the Telecommunications Act of 1996. Comments due 60 days from publication in the Federal Register; replies due 120 days from publication in the Federal Register. Contact: Anita Cheng or Dana Bradford at (202) 418-7400 (voice), (202) 418-0484 TTY.

CC 99-200; PN 10/17/01; DA 01-2419

The Common Carrier Bureau Seeks Comment on the National Thousands-Block Number Pooling Rollout Schedule.

The Commission seeks comment on the above-captioned proceeding. Comments due November 6; replies due November 16. Contact: Sanford Williams at (202) 418-2320 (voice), (202) 418-0484 TTY.

PN 10/18/01; DA 01-2425

Z-Tel Petition for Waiver of Commission Rule 61.26(d) Pertaining to CLEC Access Services CCB/CPD File No. 01-19.

On August 3, 2001, Z-Tel Communications, Inc., and Z-Tel Communications of Virginia, Inc. filed a petition for Waiver of Rule 61.26(d), 47 C.F.R. § 61.26(d) that prohibits competitive local exchange carriers (CLECs) from tariffing interstate access services at rates higher than those charged by the competing incumbent LEC in a metropolitan statistical area where the CLEC has not previously served end users. Comments due November 2*; replies due November 12. Contact: Anna Curtis at (202) 418-1520 (voice), (202) 418-0484 TTY.

PN 10/18/01; DA 01-2426

Core Communications Files Petition for Waiver of the Commission's Growth Cap and New Market Rules Pertaining to Intercarrier Compensation for ISP-Bound Traffic CCB/CPD File No. 01-20.

On August 17, 2001, Core Communications, Inc. (Core) filed a petition requesting a one-year Waiver of the application of the ten-percent growth cap and new market rules that mandate the application of bill-and-keep for ISP-bound traffic with respect to carriers that were not exchanging traffic pursuant to interconnection agreement prior to April 18, 2001. Comments due November 2*; replies due November 12. Contact: Ana Curtis at (202) 418-1520 (voice), (202) 418-0484 TTY.

PN 10/29/01; DA 01-2508

Comments Invited on BroadStreet Communications of Virginia, LLC Application to Discontinue Domestic Telecommunications Services.

On October 9, 2001, BroadStreet Communications of Virginia, LLC filed an application with the Commission, 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. Comments due November 12. Contact: Carmell Weathers at (202) 418-2325 (voice) or Jon Minkoff at (202) 418-2353 (voice), (202) 418-0484 TTY.

CC 01-300; PN 10/30/01; DA 01-2417

Commission Seeks Comment on Application Filed by Vartec Telecom Holding Company and Teleglobe Holdings (U.S.) Corporation for Consent to Transfer Control of Excel Communications, Inc. and its Wholly-Owned Subsidiaries, Excel, Telecommunications, Inc., Emeritus Communications, Inc. d/b/a Dial and Save Corporation, and Long Distance Wholesale Club, Inc.

On October 3, 2001, VarTec Telecom Holding Company ("VarTec") and Teleglobe Holdings (U.S.) Corporation ("Teleglobe Holdings") filed an application requesting authority pursuant to § 214 of the Communications Act of 1934, as amended, ("the Act"), 47 U.S.C. § 214, and Section 63.01 of the Commission's Rules, 47 C.F.R. § 63.01, to transfer control of the domestic, interstate operation of Excel Communications, Inc. ("Excel U.S.") and its wholly-owned subsidiaries. Petitions to deny are due 30 days following the release of the Public Notice; final action will be taken 31 days following the date of the Public Notice. Contact: Tracey Wilson at (202) 418-1394 (voice) or Bill Dever at (202) 418-1578 (voice).

CCB 01-17; ORDER 10/30/01 (adopted 10/30/01); DA 01-2532

Thrifty Call, Inc.

The Commission granted Thrifty Call, Inc.'s Request for an Extension of Time to establish a new reply comments deadline to November 8, 2001.

PN 10/31/2001; DA 01-2469

National Exchange Carrier Association, Inc. 2002 Modification of Average Schedule Universal Service Formulas.

On October 1, 2001, the National Exchanged Carrier Association, Inc. filed its 2002 Modifications of the Average Schedule Universal Service Formulas. If approved, the formulas would be scheduled to take effect on January 1, 2002 and remain in effect through December 31, 2002. Comments due November 14; replies due November 26. Contact: Steve Burnett at (202) 418-2257 (voice), (202) 418-0484 TTY.

INTERNATIONAL BUREAU

IB 01-185; NPRM 08/17/01 (adopted 08/09/01); FCC 01-225

In the Matter of Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHZ Band, the L-Band, and the 1.6/2.4 GHZ Band.

The Commission seeks comment on proposals to bring flexibility to the delivery of communications by mobile satellite service providers. Comments due 28 days after publication in the Federal Register; replies due 42 days after publication in the Federal Register.

IB 01-185, ET 95-18; ORDER 10/04/01 (adopted 10/04/01); DA 01-2314

Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Band.

On September 25, 2001, Cellular Telephone & Internet Association filed a motion, pursuant to Section 1.46 of the Commission's rules, to extend the period for comments and reply comments to the Notice of Proposed Rule Making in the above-captioned proceeding. The Commission granted CTIA's request for an extended comment period to October 19*; and replies to November 5.

IB 95-18, 01-185; ORDER 10/31/01 (adopted 10/31/01); DA 01-2548

Flexibility for 185 Delivery of Communications by Mobile Satellite Service Providers in the 2 GHZ Band, The L-Band and the 1.6/2.4 GHZ Band, Amendment of Section 2.106 of the Commission's Rules.

The Commission granted CTIA's and Motient's requests and extended the time for filing reply comments from November 5 to November 12, 2001.

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.

PN 10/05/01; DA 01-2308

Alaska Power & Telephone Co. Request for Waiver.

On August 16, 2001, Alaska Power & Telephone Company, Inc., requested a waiver of Sections 15.319 and 15.321 of the Commission's rules to allow AP&T to operate isochronous (voice) devices in the unlicensed PCS (1910-1920 MHz) band thereby allowing it to provide fixed and mobile wireless telephone service in rural Alaska. Comments or oppositions due November 5; replies due November 20. Contact: Anh Wride at (202) 418-0577 (voice).

ET 01-278; NPRM 10/15/01 (adopted 10/02/01); FCC 01-290

Review of Part 15 and other Parts of the Commission's Rules.

The Commission seeks comment on the above-captioned proceeding. Comments due 75 days from date of publication in the Federal Register; replies due 105 days from date of publication in the Federal Register.

WIRELESS TELECOMMUNICATIONS BUREAU

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.

WT 90-53; PN 10/02/01; DA 01-2191

Comments Invited on New England Area (Region 19) Public Safety Plan Amendment.

On September 10, 2001, the Region 19 (New England) 800 MHz Radio Planning Committee submitted a proposed amendment to its Public Safety Plan that would revise the current channel allotments to reflect changes made as a result of its eighth window application process. The Commission seeks comment from the public on the proposed plan amendment. Comments due November 1*; replies due November 16. Contact: Joy Alford at (202) 418-0694 (voice), (202) 418-7233 TTY.

ET 95-18, 00-258; IB 99-81; ORDER 10/04/01 (adopted 10/04/01); DA 01-2313

Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, Including Third Generation Wireless Systems.

On September 25, 2001 the Cellular Telecommunications & Internet Association filed a request for extension of time to submit comments to the Further Notice of Proposed Rulemaking in the above-captioned proceeding. The Commission granted CTIA's request and extended the comments period to October 19*; replies due November 5.

WT 89-573; PN 10/16/01; DA 01-2385

Comments Invited on Philadelphia Metropolitan Area (Region 28) Public Safety Regional Plan Amendment.

On September 12, 2000, Region 28 submitted a proposed amendment to its Public Safety Plan that would revise the current channel allotments to reflect changes made as a result of Region 28 Filing Window 6B. Comments due November 14; replies due November 29. Contact: Joy Alford at (202) 418-0694 (voice), (202) 418-7233 TTY.

WT 01-289; NPRM 10/16/01 (adopted 10/10/01) FCC 01-303

Review of Part 87 of the Commission's Rules Concerning the Aviation Radio Service.

The Commission proposed consolidating, revising and streamlining the rules in the above captioned-proceeding. Comments due 90 days after publication in the Federal Register; replies due 120 days after publication in the Federal Register.

ET 00-258; ORDER 10/30/01 (adopted 10/30/01); DA 01-2533

Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services.

The Commission granted the October 26, 2001 request of CTIA to extend the deadline for filing reply comments from November 5, 2001 to November 8, 2001 in this proceeding.