

enactment of the 1996 Act. Based on the record, we conclude that no regulations are necessary at this time to implement or enforce Section 275(d). The intended effect of this Report and Order is to document and explain that conclusion.

FOR FURTHER INFORMATION CONTACT:

Blaise Scinto, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418-1380, or Radhika Karmarkar, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418-1628.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order adopted August 6, 1996, and released August 7, 1996. The full text of this Report and Order is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M St., N.W., Washington, DC. The complete text also may be obtained through the World Wide Web, at <http://www.fcc.gov/Bureaus/CommonCarrier/Orders/fcc96329.wp>, or may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M St., N.W., Suite 140, Washington, DC 20037.

Synopsis of Report and Order

We conclude that Section 275(d) of the Communications Act of 1934, as amended, restricts LEC personnel from using information regarding "the occurrence or content of calls received by providers of alarm monitoring services" for the purpose of marketing their own alarm monitoring service, or an alarm monitoring service offered by another affiliated or unaffiliated entity. Information on the occurrence of such calls may constitute CPNI, if it is made available to the LEC solely by virtue of the customer-carrier relationship. We affirm our tentative conclusion that, even if a carrier has received customer authorization to obtain access to CPNI pursuant to Section 222(c)(1) of the Communications Act of 1934, as amended, such authorization does not extend to any CPNI subject to the Section 275(d) ban, namely information concerning the occurrence of calls received by alarm monitoring service providers used for marketing purposes. We conclude that no regulations are necessary at this time to implement or enforce Section 275(d).

Regulatory Flexibility Analysis

As required by Section 603 of the Regulatory Flexibility Act, 5 U.S.C. 603 (RFA), an Initial Regulatory Flexibility Analysis was incorporated in the NPRM in this proceeding (61 FR 26483 (May 28, 1996)). The Commission sought

written public comments on the proposals in the NPRM, including the Initial Regulatory Flexibility Analysis. Because the Commission is not adopting any regulations at this time to enforce Section 275(d) of the 1996 Act, no further Regulatory Flexibility Analysis is required at this time.

Paperwork Reduction Act

As required by the Paperwork Reduction Act of 1995, Public Law 104-13, the NPRM in this proceeding sought comment from the general public and the Office of Management and Budget regarding the information collections contained in the NPRM. Because the Commission is not adopting any regulations to enforce Section 275(d) of the 1996 Act, no further Paperwork Reduction analysis is required at this time.

Accordingly, it is ordered that, pursuant to Sections 1, 4, and 275 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154, and 275, the report and order is hereby adopted.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-21095 Filed 8-19-96; 8:45 am]

BILLING CODE 6712-01-P

47 CFR Part 73

[MM Docket No. 96-168, RM-8836]

Radio Broadcasting Services; Weaverville, CA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Terry L. Dunning, requesting the allotment of FM Channel 299A to Weaverville, California, as that community's second local FM transmission service. Coordinates used for this proposal are 40-44-00 and 122-56-24.

DATES: Comments must be filed on or before September 30, 1996, and reply comments on or before October 15, 1996.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Richard A. Helmick, Esq., Cohn and Marks, 1333 New Hampshire Ave., NW., Suite 600, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT:

Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 96-168, adopted August 2, 1996, and released August 9, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 96-21220 Filed 8-19-96; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 96-81; RM-8776]

Radio Broadcasting Services; Rosalia, KS

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal.

SUMMARY: This action dismisses a petition for rule making filed by Randall L. Hughes requesting the allotment of Channel 234A to Rosalia, Kansas. See 61 FR 18712, April 29, 1996. No comments were received at the Commission stating an intention to file an application for Channel 234A at Rosalia, Kansas. It is Commission policy to refrain from allotting a channel absent an expression of interest. With this action, this proceeding is terminated.