

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 20**

[CC Docket No. 94-102; FCC 00-405]

Wireless Radio Services; Compatibility With Enhanced 911 Emergency Calling Systems**AGENCY:** Federal Communications Commission.**ACTION:** Final rule; petitions for reconsideration.

SUMMARY: In this document the Commission denies two petitions for reconsideration of the Second Memorandum Opinion and Order in this proceeding, which modified the Commission's wireless Enhanced 911 (E911) rules to eliminate the prerequisite that carrier cost recovery mechanisms be in place before the wireless carrier's obligation to provide E911 service is triggered. The Commission take these actions to respond to these petitions for reconsideration.

DATES: Effective December 18, 2000.**FOR FURTHER INFORMATION CONTACT:** Barbara Reideler, 202-418-1310.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Fifth Memorandum Opinion and Order (Fifth MO&O) in CC Docket No. 94-102; FCC 00-405, adopted November 9, 2000, and released November 22, 2000. The complete text of this Fifth MO&O is available for inspection and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, S.W., Washington, DC, and also may be purchased from the Commission's copy contractor, International Transcription Services (ITS, Inc.), CY-B400, 445 12th Street, S.W., Washington, DC.

Synopsis of the Fifth Memorandum Opinion and Order

1. In this Fifth Memorandum Opinion and Order (Fifth MO&O), the Commission denies two petitions for reconsideration of the Second Memorandum Opinion and Order (see Second MO&O, 64 FR 72951, December 29, 1999) in this proceeding, in which the Commission modified its Enhanced 911 (E911) to eliminate the prerequisite that carrier cost recovery mechanisms be in place before the wireless carrier's obligation to provide E911 service is triggered. In January 2000, Rural Cellular Association (RCA) and CorrComm, L.L.C. filed petitions for reconsideration of that decision. In April 2000, RCA filed a petition for stay of the implementation of the amended

cost recovery rule, which became effective on April 27, 2000. Inasmuch as the Commission now denies the petitions for reconsideration of the Second MO&O, the petition for stay is denied as moot.

2. In denying the petitions for reconsideration the Commission affirms that: (1) Adequate notice and opportunity for comment was provided, (2) a complete record supports our conclusion that the rule resulted in a significant impediment to Phase I implementation that was inconsistent with our rules and the statute, and (3) we fully considered the impact of removing the carrier cost recovery requirement on all carriers, including rural carriers.

Final Regulatory Flexibility Analysis

3. The Commission has not prepared an additional Final Regulatory Flexibility Analysis (FRFA) of the possible economic impact on small entities of the Commission's decisions. See generally, the Regulatory Flexibility Act (RFA), 5 U.S.C. 604, because this Fifth MO&O does not promulgate or revise any rules, and the previous FRA analyses in this proceeding remain unchanged.

Authority

4. This action is taken pursuant to sections 1, 4(i), 201, 303, 309, and 332 of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C. 151, 154(i), 201, 303, 309, and 332.

Ordering Clauses

5. The Petitions for Reconsideration filed by Corr Wireless Communications, L.L.C. (formerly CorrComm, L.L.C.) and Rural Cellular Association are denied. The Petition for Stay filed by Rural Cellular Association is denied as moot.

Federal Communications Commission.

Magalie Roman Salas,*Secretary.*

[FR Doc. 00-32134 Filed 12-15-00; 8:45 am]

BILLING CODE 6712-01-P**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Parts 36 and 54**

[CC Docket No. 96-45; FCC 00-428]

Federal-State Joint Board on Universal Service**AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: In this document, the Commission we adopt the recommendations of the Federal-State Joint Board on Universal Service (Joint Board) for phasing down the interim hold-harmless provision of the forward-looking high-cost universal service support mechanism for non-rural carriers. Specifically, the Commission adopts the Joint Board's recommendations that Long Term Support (LTS) be maintained under the current rules until the Commission considers appropriate reforms for the LTS program in connection with the pending proceedings for high-cost reform for rural carriers and/or interstate access charge reform for rate-of-return carriers and the balance of interim hold-harmless support, excluding LTS, be phased down through \$1.00 reductions in average monthly, per-line support beginning January 1, 2001, and every year thereafter, except that interim hold-harmless support transferred to a rural carrier when it acquires telephone exchanges from a non-rural carrier shall not be phased down following the transfer.

DATE: Effective December 18, 2000.**FOR FURTHER INFORMATION CONTACT:** William Scher, Attorney, Common Carrier Bureau, Accounting Policy Division, (202) 418-7400.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Thirteenth Report and Order in CC Docket No. 96-45 released on December 8, 2000. The full text of this document is available for public inspection during regular business hours in the FCC Reference Center, Room CY-A257, 445 Twelfth Street, SW., Washington, DC, 20554.

I. Introduction

1. In this Thirteenth Report and Order, we adopt the recommendations of the Federal-State Joint Board on Universal Service (Joint Board) for phasing down the interim hold-harmless provision of the forward-looking high-cost universal service support mechanism for non-rural carriers. Specifically, we adopt measures to phase down interim hold-harmless support, excluding Long-Term Support (LTS), through \$1.00 reductions in average monthly, per-line support beginning January 1, 2001, and every year thereafter until there is no more interim hold-harmless support. For the reasons discussed, we believe that these measures will ensure a prompt, equitable phase-down of interim hold-harmless support without causing undue rate disruption. We conclude that several issues, such as appropriate