

CFR chapter IV part 413 as set forth below:

**PART 413—PRINCIPLE OF REASONABLE COST REIMBURSEMENT; PAYMENT FOR END-STAGE RENAL DISEASE SERVICES; PROSPECTIVELY DETERMINED PAYMENT RATES FOR SKILLED NURSING FACILITIES**

**Subpart F—Specific Categories of Cost**

1. The authority citation for part 413 continues to read as follows:

**Authority:** Sections 1102, 1812(d), 1814(b), 1815, 1833(a), (i), and (n), 1871, 1881, 1883, and 1886 of the Social Security Act (42 U.S.C. 1302, 1395d(d), 1395f(b), 1395g, 1395l(a), (i), and (n), 1395hh, 1395rr, 1395tt, and 1395ww).

2. In § 413.80, paragraphs (h) and (i) are revised to read as follows:

**§ 413.80 Bad debts, charity, and courtesy allowances.**

\* \* \* \* \*

(h)(1) *Limitations on bad debts for hospitals.* The amount of bad debts otherwise treated as allowable costs (as defined in paragraph (e) of this section) is reduced as follows for cost reporting periods beginning during:

- (i) Fiscal year 1998, by 25 percent.
- (ii) Fiscal year 1999, by 40 percent.
- (iii) Fiscal year 2000, by 45 percent.
- (iv) All subsequent fiscal years, by 30 percent.

(2) *Limitations on bad debts for other entities.* Except as provided in § 417.536 of this title, the amount of bad debts otherwise treated as allowable costs (as defined in paragraph (e) of this section) is reduced as follows for cost reporting periods beginning on or after:

- (i) October 1, 2003, by 10 percent.
- (ii) October 1, 2004, by 20 percent.
- (iii) October 1, 2005 and all

subsequent years, by 30 percent.

(i) *Exception.* Bad debts arising from services paid under a reasonable charge-based methodology or a fee schedule are not reimbursable under the program.

**Subpart H—Payment for End-Stage Renal Disease (ESRD) Services and Organ Procurement Costs**

3. In § 413.178, paragraph (a) is revised to read as follows:

**§ 413.178 Bad debts.**

(a) CMS will reimburse each facility its allowable Medicare bad debts, as defined in § 413.80(b)(1), as determined under Medicare principles, in a single lump sum payment at the end of the facility's cost reporting period. The amount of allowable bad debt is reduced in accordance with § 413.80(h)(2).

\* \* \* \* \*

(Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 3, 2002.

**Thomas A. Scully,**

*Administrator, Centers for Medicare & Medicaid Services.*

Approved: January 2, 2003.

**Tommy G. Thompson,**

*Secretary.*

[FR Doc. 03–2974 Filed 2–3–03; 4:31 pm]

BILLING CODE 4120–01–P

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 90**

[WT Docket No. 02–55; DA 03–19]

**Supplemental Comments of the Consensus Parties Filed in the 800 MHz Public Safety Interference Proceeding; Request for Comments**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** This document seeks comment on “Supplemental Comments of the Consensus Parties” filed in the 800 MHz Public Safety Interference Proceeding—WT Docket No. 02–55. The Bureau, by this action, affords interested parties an opportunity to submit comments and reply comments that will improve public safety operations in the 800 MHz band. Improving public safety operations in the 800 MHz band will reduce interference experienced by 800 MHz public safety operators.

**DATES:** Comments are due on or before February 3, 2003 and Reply Comments are due on or before February 18, 2003.<sup>1</sup>

**ADDRESSES:** Federal Communications Commission 445, 12th Street, SW., TW–A325, Washington, DC 20554. See **SUPPLEMENTARY INFORMATION** for filing instructions.

**FOR FURTHER INFORMATION CONTACT:**

Karen Franklin, Esq. or Michael J. Wilhelm, Esq., Policy and Rules Branch, Public Safety and Private Wireless Division at (202) 418–0680.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Public Notice, DA 03–19, released on January 3, 2003. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from

<sup>1</sup> This document was received at the Office of the Federal Register on February 5, 2003.

the Commission's copy contractor, Qualex International, 445 12th Street, SW., Room CY–B402, Washington, DC, 20554. The full text may also be downloaded at: [www.fcc.gov](http://www.fcc.gov).

Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418–7426 or TTY (202) 418–7365 or at [bmillin@fcc.gov](mailto:bmillin@fcc.gov).

On December 24, 2002, a group of sixteen parties filed “Supplemental Comments of the Consensus Parties” in WT Docket 02–55, Improving Public Safety Communications in the 800 MHz Band—Consolidating the 900 MHz Industrial/Land Transportation and Business Pool Channels (67 FR 16351, April 5 2002).<sup>2</sup> In these comments, the parties provide additional details concerning the “Consensus Plan” for addressing interference issues in the 800 MHz band. In order to develop a full and complete record, the Wireless Telecommunications Bureau issues this public notice seeking comment on the Supplemental Comments of the Consensus Parties (Supplemental Comments). The Commission will accept comments on the Supplemental Comments on or before February 3, 2003; and reply comments on or before February 18, 2003.

The Supplemental Comments primarily address four issues: (1) Funding for the Consensus Plan; (2) procedures and processes for relocating 800 MHz incumbents; (3) post-realignment interference protection standards; and (4) border area realignment plans.

Interested parties may view the “Supplemental Comments of the Consensus Parties” on the Commission's Electronic Comment Filing System (ECFS) using the following steps: (1) Access ECFS at <http://www.fcc.gov/e-file/ecfs.html>. (2) In the introductory screen, click on “Search for Filed Comments.” (3) In the “Proceeding” box, enter “02–55.” (4) In the “Filed on Behalf of” box, enter “Consensus Parties.” (5) In the “Date Submitted” box, enter “12/24/2002.” In addition, the Supplemental Comments of the Consensus Parties will be available for inspection and duplication during regular business hours in the FCC Reference Information Center (RIC) of the Consumer and Governmental Affairs Bureau, Federal

<sup>2</sup> Subsequent to issuance of the public notice, the comment and reply comment dates were extended to February 10, 2003 and February 25, 2003, respectively (published elsewhere in this issue). See Improving Public Safety Communications in the 800 MHz Band and Consolidating the 800 MHz Industrial Land Transportation and Business Pool Channels, *Order Extending Time for Filing of Comments*, WT Docket 02–55, DA 03–163 (January 16, 2003)

Communications Commission, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. Copies of the Supplemental Comments of the Consensus Parties also may be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, (202) 863-2893, facsimile (202) 863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com). For further information regarding the public reference file for this Public Notice, contact Maria Ringold, Chief, Wireless Branch, RIC, (202) 418-1355, with reference to the DA number of this *Public Notice*.

Comments may be filed using the ECFS or by filing paper copies. See Electronic Filing of Documents in Rule Making Proceedings, 63 Fed. Reg. 24121 (1988). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the docket number "02-55."

Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message: "get form <your e-mail address>." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Ave., NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail or Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Federal Communications Commission.  
**D'wana R. Terry**,  
*Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.*  
 [FR Doc. 03-3276 Filed 2-6-03; 3:02 pm]  
**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 90

[WT Docket No. 02-55; DA 03-163]

#### Improving Public Safety Communications in the 800 MHz Band; Consolidating the 800 MHz Industrial/ Land Transportation and Business Pool Channels Order Extending Time for Filing of Comments

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; extension of comments and reply comments due dates.

**SUMMARY:** This document addresses the Request for Extension of Time (Request) filed by the Cellular Telecommunications & Internet Association (CTIA). The Request sought additional time to respond to the public notice that sought comment on "Supplemental Comments of the Consensus Parties" filed in the 800 MHz Public Safety Interference Proceeding—WT Docket No. 02-55. The Bureau extended the comment and reply comment due dates. Extending the comment and reply comment period permits for a more thorough review of the proposal advanced in the "Supplemental Comments of the Consensus Parties" and affords additional time to prepare comments and reply comments. Such comments will enhance the record of WT Docket 02-55 and lead to an improvement in public safety operations in the 800 MHz band and will reduce interference experienced by 800 MHz public safety operators.

**DATES:** Comments are due on or before February 10, 2003 and Reply Comments are due on or before February 25, 2003.

**ADDRESSES:** Federal Communications Commission 445, 12th Street, SW., TW-A325, Washington, D.C. 20554. See Supplementary Information for filing instructions

**FOR FURTHER INFORMATION CONTACT:** Karen Franklin, Esq., or Michael J. Wilhelm, Esq., Policy and Rules Branch, Public Safety and Private Wireless Division at (202) 418-0680.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Order Extending Time for Filing of Comments*, DA 03-163, adopted on January 16, 2003, and released on January 16, 2003. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the Commission's copy contractor, Qualex International, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: [www.fcc.gov](http://www.fcc.gov). Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 or TTY (202) 418-7365 or at [bmillin@fcc.gov](mailto:bmillin@fcc.gov).

On December 24, 2002, the "Consensus Parties" filed supplemental comments further explaining the particulars of their proposal addressing interference experienced by 800 MHz public safety systems. On January 3, 2003, the Wireless Telecommunications Bureau sought comment on the Consensus Parties supplemental comments. On January 13, 2002, the Cellular Telecommunications & Internet Association (CTIA) filed a *Request for Extension of Time (Request)* in the captioned proceeding, asking that the current date set for the filing of comments, February 3, 2003, and the date set for filing of reply comments, February 18, 2003, be extended by four weeks; *i.e.* that the date for submitting comments be changed to March 3, 2003, and the date for submitting reply comments be changed to March 18, 2003. We also note that Cinergy Corporation, Entergy Corporation and Entergy Services, Inc., Consumers Energy Company and Southern Communications Company each submitted pleadings supporting CTIA's request.

It is the policy of the Commission that extensions of time are not routinely granted. Here, CTIA requests additional time to thoroughly review the plan presented in the supplemental comments thereby to provide a more complete record in this docket. CTIA also asserts that it needs additional time to permit consultation with its members and expert personnel. It submits that time is not of the essence in this proceeding because the proposed band reconfiguration would take several years to implement. We disagree. On March 15, 2002, the Commission released the *Notice of Proposed Rule Making (NPRM)*, [67 FR 16351, April 5, 2002], associated with this docket. In the *NPRM*, the Commission stated that it intended to move swiftly to achieve its