

Verizon shall file its direct case on issue B, designated in the *Combined OPEB Investigations Order* by April 11, 2003. Pleadings responding to the direct case must be captioned "Opposition to Direct Case" or "Comments on Direct Case" and may be filed by May 12, 2003. Verizon may file a "rebuttal" to oppositions by May 27, 2003.

Interested parties may file comments on other OPEB issues including issues regarding rate base treatment of OPEBs discussed in the *1996 Tariff Order*, no later than April 8, 2003. Reply comments are due no later than April 22, 2003.

#### *Additional Filing Information*

An original and four copies of all pleadings shall be filed with the Secretary of the Federal Communications Commission. In addition, parties shall serve with three copies: Pricing Policy Division, Wireline Competition Bureau, 445 12th Street, SW., Room 5A-333, Washington, DC 20554. Parties shall also serve with one copy: Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, (202) 863-2893. Members of the general public who wish to express their views in an informal manner regarding the issues in this Order, Notice, and Erratum may do so by submitting one copy of their comments to the Office of the Secretary, FCC, 445 12th Street, SW., Room TW-A325, Washington, DC 20554. Such comments should specify the docket number of this proceeding, CC Docket No. 94-157. Parties are also strongly encouraged to submit their pleadings via the Internet through the Electronic Comment Filing System at <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket number, which in this instance is CC Docket No. 94-157. Parties may also submit an electronic comment via 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.

Interested parties who wish to file comments via hand-delivery are also notified that, the FCC will only receive such deliveries weekdays from 8 a.m. to 7 p.m., via its contractor, Vistrionix, Inc., located at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The FCC no longer accepts these filings

at 9300 East Hampton Drive, Capitol Heights, MD 20743. Please note that all hand deliveries must be held together with rubber bands or fasteners, and envelopes must be disposed of before entering the building. In addition, this is a reminder that the FCC no longer accepts hand-delivered or messenger-delivered filings at its headquarters at 445 12th Street, SW., Washington, DC 20554. Messenger-delivered documents (e.g., FedEx), including documents sent by overnight mail (other than United States Postal Service (USPS) Express and Priority Mail), must be addressed to 9300 East Hampton Drive, Capitol Heights, MD 20743. This location is open weekdays from 8 a.m. to 5:30 p.m. USPS First-Class, Express, and Priority Mail should be addressed to the Commission's headquarters at 445 12th Street, SW., Washington, DC 20554.

Federal Communications Commission.

**William F. Maher, Jr.,**

*Chief, Wireline Competition Bureau.*

[FR Doc. 03-5651 Filed 3-10-03; 8:45 am]

**BILLING CODE 6712-01-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

[Report No. 2597]

### **Petition for Reconsideration of Action in Rulemaking Proceeding**

March 5, 2003.

Petition for Reconsideration has been filed in the Commission's rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of this document is available for viewing and copying in Room CY-A257, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Qualex International (202) 863-2893. Oppositions to this petition must be filed by March 26, 2003. See § 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)91). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

*Subject:* Amendment of the FM Table of Allotments (Madisonville, and College Station, Texas) (MM Docket No. 99-331, RM-9848).

*Number of Petitions Filed:* 1.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 03-5652 Filed 3-10-03; 8:45 am]

**BILLING CODE 6712-01-M**

## **FEDERAL DEPOSIT INSURANCE CORPORATION**

### **Notice of Agency Meeting; Sunshine Act**

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10 a.m. on Tuesday, March 11, 2003, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, pursuant to sections 552b(c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii) and (c)(9)(B) of Title 5, United States Code, to consider matters relating to the Corporation's resolution, enforcement, and corporate activities.

The meeting will be held in the Board Room on the Sixth floor of the FDIC Building located at 550 17th Street, NW., Washington, DC.

Requests for further information concerning the meeting may be directed to Mr. Robert E. Feldman, Executive Secretary of the Corporation, at (202) 898-3742.

Federal Deposit Insurance Corporation.

Dated: March 7, 2003.

**Robert E. Feldman,**

*Executive Secretary.*

[FR Doc. 03-5874 Filed 3-7-03; 8:45 am]

**BILLING CODE 6714-01-M**

## **BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM**

### **Sunshine Act Meeting**

**AGENCY HOLDING THE MEETING:** Board of Governors of the Federal Reserve System.

**TIME AND DATE:** 12 p.m., Monday, March 17, 2003.

**PLACEL:** Marriner S. Eccles Federal Reserve Board Building, 20th and C Streets, NW, Washington, DC 20551.

**STATUS:** Closed.

#### **MATTERS TO BE CONSIDERED:**

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

**FOR FURTHER INFORMATION CONTACT:** Michelle A. Smith, Assistant to the Board; 202-452-2955.

**SUPPLEMENTARY INFORMATION:** You may call 202-452-3206 beginning at approximately 5 p.m. two business days before the meeting for a recorded announcement of bank and bank holding company applications scheduled for the meeting; or you may

contact the Board's Web site at <http://www.federalreserve.gov> for an electronic announcement that not only lists applications, but also indicates procedural and other information about the meeting.

Dated: March 7, 2003.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 03-5953 Filed 3-7-03; 3:20 pm]

BILLING CODE 6210-01-P

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## GENERAL SERVICES ADMINISTRATION

### Office of Management Services

#### Cancellation of an Optional Form by the U.S. Office of Personnel Management

**AGENCY:** Office of Management Services, GSA.

**ACTION:** Notice.

**SUMMARY:** The U.S. Office of Personnel Management cancelled the following Optional Form because of low usage:

OF 299, Request by Employee for Action on Allotment of Pay

**DATES:** Effective March 11, 2003.

**FOR FURTHER INFORMATION CONTACT:** Ms. Mary Beth Smith-Toomey, U.S. Office of Personnel Management, (202) 606-8358.

Dated: February 28, 2003.

**Barbara M. Williams,**

*Deputy Standard and Optional Forms  
Management Officer, General Services  
Administration.*

[FR Doc. 03-5667 Filed 3-10-03; 8:45 am]

BILLING CODE 6820-34-M

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## GENERAL SERVICES ADMINISTRATION

#### Interagency Committee for Medical Records (ICMR); Cancellation of Medical Standard Forms

**AGENCY:** General Services Administration.

**ACTION:** Notice

**SUMMARY:** Standard Form 556, Medical Record—Immunohematology is cancelled. The Federal medical community no longer uses this form.

**FOR FURTHER INFORMATION CONTACT:** Ms. Barbara Williams, General Services Administration, (202) 501-0581.

**DATES:** Effective March 11, 2003.

Dated: March 3, 2003.

**Barbara M. Williams,**

*Deputy Standard and Optional Forms  
Management Officer, General Services  
Administration.*

[FR Doc. 03-5668 Filed 3-10-03; 8:45 am]

BILLING CODE 6820-34-M

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office for Civil Rights

#### Notice of Address for Submission of Requests for Preemption Exception Determinations

**AGENCY:** Office for Civil Rights, HHS.

**ACTION:** Notification of address for submission of requests for preemption exception determinations.

**SUMMARY:** This notice advises that, in accordance with the requirements of 45 CFR 160.204(b), a request to except a provision of State law from preemption by a federal standard, requirement, or implementation specification adopted under the Administrative Simplification title of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, must be submitted in writing to the Director, Office for Civil Rights, Department of Health and Human Services, Mail Stop Room 506F, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201. The requirements for submission of a request for an exception determination are described in the Supplemental Information below, and can be found at 45 CFR 160.203-205.

**EFFECTIVE DATES:** Requests for preemption exception determinations may be submitted at the designated address upon publication of this notice.

**SUPPLEMENTAL INFORMATION:** Section 1178(a)(1) of the Social Security Act (the Act), as added by section 262 of HIPAA, Public Law 104-191, establishes a general rule that State law provisions which are contrary to the standards, requirements, or implementation specifications adopted or established by the Secretary of Health and Human Services pursuant to the Administrative Simplification title of HIPAA are preempted by the Federal requirements. The Act, as amended, at sections 1178(a)(2), 1178(b) and 1178(c) provides for certain exceptions to this general rule. Regulations implementing the preemption rule and its exceptions are codified at 45 CFR part 160, subpart B. This notice pertains to section 1178(a)(2)(A) of the Act, which sets forth the circumstances under which the

Secretary of Health and Human Services, or his designee, may make a determination that a contrary provision of State law will not be preempted by the Administrative Simplification title of HIPAA.<sup>1</sup>

Section 1178(a)(2)(A) of the Act provides that requests may be made for an exception to the general rule of Federal preemption, where the Secretary determines that a contrary provision of State law meets certain criteria. These criteria for a Secretarial exception determination are set forth at 45 CFR 160.203(a), as follows:

“(a) A determination is made by the Secretary under § 160.204 that the provision of State law:

(1) Is necessary:

(i) To prevent fraud and abuse related to the provision of or payment for health care;

(ii) To ensure appropriate State regulation of insurance and health plans to the extent expressly authorized by statute or regulation;

(iii) For State reporting on health care delivery or costs; or

(iv) For purposes of serving a compelling need related to public health, safety, or welfare, and, if a standard, requirement, or implementation specification under part 164 of this subchapter is at issue, if the Secretary determines that the intrusion into privacy is warranted when balanced against the need to be served; or

(2) Has as its principal purpose the regulation of the manufacture, registration, distribution, dispensing, or other control of any controlled substances (as defined in 21 U.S.C. 802), or that is deemed a controlled substance by State law.”

In addition, only State laws that are “contrary” to the Federal requirements are subject to preemption, and thus eligible for an exception determination. See 45 CFR 160.203. As defined at 45

<sup>1</sup> The Secretary does not have the legal authority to make determinations with respect to the exceptions to preemption in section 1178(a)(2)(B), 1178(b) and 1178(c) of the Act. Thus, the Secretary will not make exception determinations with respect to section 1178(a)(2)(B), which excepts from preemption contrary provisions of State law that relate to the privacy of individually identifiable health information and, under section 264(c)(2) of HIPAA, are “more stringent” than the federal requirements. Similarly, the Secretary does not have the legal authority to make determinations with respect to State laws that are excepted from preemption under sections 1178(b), concerning certain State laws providing for public health reporting, surveillance, investigation, or intervention, or 1178(c), concerning State laws requiring a health plan to report or provide access to information concerning management audits, financial audits, program monitoring or evaluation, or licensure or certification of facilities or individuals.