

The Commission is seeking an extension (no change in requirements) in order to obtain the full three year OMB clearance.

*OMB Control Number:* 3060-0957.

*Title:* Wireless Enhanced 911 Service, Fourth Memorandum Opinion and Order.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit, not-for-profit institutions, state, local or tribal government and individuals or household.

*Number of Respondents:* 2,500.

*Estimated Time per Response:* 3 hours.

*Frequency of Response:* On occasion reporting requirement.

*Total Annual Burden:* 7,500 hours.

*Total Annual Cost:* N/A.

*Needs and Uses:* The Fourth Memorandum Opinion and Order (MO&O) responded to petitions for reconsideration of certain aspects of the Third Report and Order (R&O) in this proceeding concerning establishment of a nationwide wireless enhanced 911 emergency communications service. This decision revised, among other things, the deployment schedule that must be followed by wireless carriers that choose to implement E911 service using a handset-based technology. The public burden involves guidelines for filing successful requests for waiver of the E911 Phase II rules. Also, an existing approved burden is slightly changed (but not resubmitted) by extending the deadline for filing reports.

*OMB Control Number:* 3060-0975.

*Title:* Promotion of Competitive Networks in Local Telecommunications Markets Multiple Environments (47 C.F.R. Parts 1, 64 & 68).

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit, not-for-profit institutions, Federal government, State, local or tribal government and individuals or household.

*Number of Respondents:* 6,421.

*Estimated Time per Response:* .50-120 hours.

*Frequency of Response:* On occasion reporting requirement and third party disclosure requirement.

*Total Annual Burden:* 623,910 hours.

*Total Annual Cost:* N/A.

*Needs and Uses:* This collection involves information regarding the location of the demarcation point, antennas placed on subscriber premises, and the state of the market. This information will be used to foster

competition in local telecommunications markets by ensuring that competing telecommunications providers are able to provide services to customers in multiple tenant environments. The Commission is seeking an extension (no change) to obtain the full three year OMB clearance.

*OMB Control Number:* 3060-0979.

*Title:* Spectrum Audit Letter.

*Form No.:* N/A.

*Type of Review:* Revision of currently approved collection.

*Respondents:* Business or other for-profit, not-for-profit institutions, State, local or tribal government and individuals or household.

*Number of Respondents:* 310,000.

*Estimated Time per Response:* .50 hours.

*Frequency of Response:* One time reporting requirement.

*Total Annual Burden:* 155,000 hours.

*Total Annual Cost:* N/A.

*Needs and Uses:* The information collected is required for audits of the construction/buildout requirements and/or operational status of various Wireless Radio services in the Commission's licensing database that are subject to rule-based construction/buildout and operational requirements. The Commission's rules for these radio services require construction/buildout within a specified timeframe and require a station to remain operational in order for the license to remain valid.

The Commission is revising this information collection to reflect that automation of the audit process will increase electronic filing from 20% to 80% and reduce the cost to the government.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-5269 Filed 3-8-04; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Submitted to OMB for Review and Approval.

February 23, 2004.

**SUMMARY:** The Federal Communications Commissions, as part of its continuing effort to reduce paperwork burden, invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13. An agency

may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number.

Comments are requested concerning (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before April 8, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov) or Kristy L. LaLonde, Office of Management and Budget (OMB), Room 10236 NEOB, Washington, DC 20503, (202) 395-3562 or via Internet at [Kristy\\_L.LaLonde@omb.eop.gov](mailto:Kristy_L.LaLonde@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collections contact Les Smith at (202) 418-0217 or via the Internet at [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**SUPPLEMENTARY INFORMATION:** *OMB Control Number:* 3060-1040.

*Title:* Broadcast Ownership Rules, MB Docket No. 02-277 and MM Docket Nos. 02-235, 02-327, and 00-244.

*Form Number:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents:* 12.

*Estimated Time per Response:* 2-10 hours.

*Frequency of Response:* One-time reporting requirement.

*Total Annual Burden:* 12 hours.

*Total Annual Cost:* None.

*Needs and Uses:* On June 2, 2003, the Commission adopted a Report and Order and Notice of Proposed Rulemaking (R&O), *In the Matter of 2002 Biennial Regulatory Review—*

*Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996*, MM Docket No. 02-277, *Cross Ownership of Broadcast Stations and Newspapers*, MM Docket No. 01-235, *Rules and Policies Concerning Multiple Ownership of Radio Broadcast Stations in Local Markets*, MM Docket No. 01-317, *Definition of Radio Markets*, MM Docket No. 00-244, and *Definition of Radio Markets for Areas Not Located in an Arbitron Survey Areas Not Located in an Arbitron Survey Area*, MB Docket No. 03-130, FCC 03-127. That R&O contained several one-time reporting requirements which were outside of form collections, affecting licensees with: temporary waivers, conditional waivers, pending waiver requests, extensions of waiver, or requests for permanent waivers of the broadcast ownership rules. These reporting requirements were adopted to ensure compliance with the new broadcast ownership rules and to ensure the rules' effectiveness.

*OMB Control Number:* 3060-1032.

*Title:* Commercial Availability of Navigation Devices and Compatibility Between Cable Systems and Consumer Electronics Equipment, CS Docket No. 97-80 and PP Docket No. 00-67.

*Form Number:* N/A.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit entities.

*Number of Respondents:* 587.

*Estimated Time per Response:* 30 seconds to 40 hours.

*Frequency of Response:* Recordkeeping; On occasion reporting requirements; Third party disclosure.

*Total Annual Burden:* 72,402 hours.

*Total Annual Costs:* None.

*Needs and Uses:* On October 9, 2003, the FCC released the Second Report and Order and Second Further Notice of Proposed Rulemaking (2nd R&O), *In the Matter of Implementation of Section 304 of the Telecommunications Act of 1996, Commercial Availability of Navigation Devices, Compatibility Between Cable Systems and Consumer Electronics Equipment*, CS Docket No. 97-80, PP Docket No. 00-67, FCC 03-225, the Commission adopted final rules that set technical and other criteria that manufacturers would have to meet in order to label or market unidirectional digital cable televisions and other unidirectional digital cable products as "digital cable ready." This regime includes testing and self-certification standards, certification recordkeeping requirements, and consumer information disclosures in appropriate post-sale materials that describe the functionality of these devices and the need to obtain a security module from their cable operator. To the extent manufacturers have complaints regarding the certification process, they may file formal complaints with the Commission. In addition, should manufacturers have complaints regarding administration of the Dynamic Feedback Arrangement Scrambling Technique or DFAST license which

governs the scrambling technology needed to build unidirectional digital cable products, they may also file complaints with the FCC. The 2nd R&O also prohibits MVPDs from encoding content to activate selectable output controls on unidirectional digital cable products, or the down-resolution of unencrypted broadcast television programming. MVPDs are also limited in the levels of copy protection that could be applied to various categories of programming. As a part of these encoding rules is a petition process for new services within existing business models, a PR Newswire Notice relating to initial classification of new business models, and a complaints process for disputes regarding new business models.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**Sunshine Act Meeting**

Date: March 4, 2004.

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Thursday, March 11, 2004, which is scheduled to commence at 9:30 a.m. in Room TW-C305, at 445 12th Street, SW., Washington, DC.

Item no.	Bureau	Subject
1	Consumer & Governmental Affairs .....	<p><i>Title:</i> Policy and Rules Implementing the Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003; and Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 (CG Docket No. 02-278).</p> <p><i>Summary:</i> The Commission will consider a Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking concerning rules to protect consumers from unwanted mobile service commercial messages under the CAN-SPAM Act and possible revisions to the TCPA rules involving the national do-not-call registry, respectively.</p>
2	International .....	<p><i>Title:</i> International Settlements Policy Reform (IB Docket No. 02-324); and International Settlement Rates (IB Docket No. 96-261).</p> <p><i>Summary:</i> The Commission will consider a Report and Order to reform existing international regulatory policies governing the relationship between U.S. and foreign carriers in the provision of services over U.S. international routes.</p>
3	Wireline Competition .....	<p><i>Title:</i> Section 272(b)(1)'s "Operate Independently" Requirement for Section 272 Affiliates (WC Docket No. 03-228); Petition of SBC for Forbearance from the Prohibition of Sharing Operating, Installation, and Maintenance Functions under Sections 53.203(a)(2) and 53.203(a)(3) of the Commission's Rules and Modification of Operating, Installation, and Maintenance Conditions Contained in the SBC/Ameritech Merger Order (CC Docket Nos. 96-149 and 98-141); Petition of BellSouth Corporation for Forbearance from the Prohibition of Sharing Operating, Installation, and Maintenance Functions Under Section 53.203(a)(2)-(3) of the Commission's Rules (CC Docket No. 96-149); and Review of Regulatory Requirements for Incumbent LEC Broadband Telecommunications Services (CC Docket No. 01-337).</p> <p><i>Summary:</i> The Commission will consider a Report and Order and Memorandum Opinion and Order concerning the Commission's rules implementing the Section 272(b)(1) "operate independently" requirement.</p>
4	Consumer & Governmental Affairs .....	<p><i>Title:</i> Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers.</p>