

**PART 51—INTERCONNECTION**

■ 1. The authority citation for part 53 continues to read as follows:

**Authority:** Sections 1–5, 7, 201–05, 207–09, 218, 225–27, 251–54, 256, 271, 303(r), 332, 48 Stat. 1070, as amended, 1077; 47 U.S.C. 151–55, 157, 201–05, 207–09, 218, 225–27, 251–54, 256, 271, 303(r), 332, 47 U.S.C. 157 note, unless otherwise noted.

■ 2. Revise § 51.809 to read as follows:

**§ 51.809 Availability of agreements to other telecommunications carriers under section 252(i) of the Act.**

(a) An incumbent LEC shall make available without unreasonable delay to any requesting telecommunications carrier any agreement in its entirety to which the incumbent LEC is a party that is approved by a state commission pursuant to section 252 of the Act, upon the same rates, terms, and conditions as those provided in the agreement. An incumbent LEC may not limit the availability of any agreement only to those requesting carriers serving a comparable class of subscribers or providing the same service (*i.e.*, local, access, or interexchange) as the original party to the agreement.

(b) The obligations of paragraph (a) of this section shall not apply where the incumbent LEC proves to the state commission that:

(1) The costs of providing a particular agreement to the requesting telecommunications carrier are greater than the costs of providing it to the telecommunications carrier that originally negotiated the agreement, or

(2) The provision of a particular agreement to the requesting carrier is not technically feasible.

(c) Individual agreements shall remain available for use by telecommunications carriers pursuant to this section for a reasonable period of time after the approved agreement is available for public inspection under section 252(h) of the Act.

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 54**

[CC Docket No. 96–45; FCC 03–249]

**Federal-State Joint Board on Universal Service**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** This document announces the effective date of the amendments to our rules for modifying the high-cost universal service support mechanism for non-rural carriers and adopting measures to induce states to ensure reasonable comparability of rural and urban rates in areas served by non-rural carriers that contained information collection requirements.

**DATES:** Sections 54.316(a) and 54.316(c) published at 68 FR 69622, December 15, 2003, were approved by the Office of Management and Budget (OMB) and became effective on June 7, 2004. The OMB approval of the information collection requirements contained in these rules was announced in the **Federal Register** on June 24, 2004.

**FOR FURTHER INFORMATION CONTACT:** Theodore Burmeister, Attorney, or Jennifer Schneider, Attorney, Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418–7400.

**SUPPLEMENTARY INFORMATION:** On October 27, 2003, the Commission released an Order on Remand and Memorandum Opinion and Order in CC Docket No. 96–45 (Order). In this document, in response to the decision of the United States Court of Appeals for the Tenth Circuit and the recommendations of the Federal-State Joint Board on Universal Service, the Commission modified the high-cost universal service support mechanism for non-rural carriers and adopts measures to induce states to ensure reasonable comparability of rural and urban rates in areas served by non-rural carriers. A summary of the Order was published in the **Federal Register**. See 68 FR 69622, December 15, 2003. In that summary, the Commission stated that the modified rules would become effective 30 days after publication in the **Federal Register** except for § 54.316(a) and § 54.316(c) which would become effective upon approval by OMB of the associated information collection requirements. The rule amendments other than § 54.316(a) and § 54.316(c) became effective on January 14, 2004. On June 7, 2004, OMB approved the information collections associated with § 54.316(a) and § 54.316(c), and those sections, pursuant to the Order, became effective. See OMB No. 3060–0894. The OMB approval of the information collection requirements was announced in the **Federal Register** on June 24, 2004. See 69 FR 35345.

**List of Subjects in 47 CFR Part 54**

Reporting and recordkeeping requirements, Telecommunications, Telephone.

Federal Communications Commission.

**Marlene H. Dortch,**  
*Secretary.*

[FR Doc. 04–16740 Filed 7–21–04; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[FCC 04–154; MM Docket No. 90–66]

**Radio Broadcasting Services; Lincoln, Osage Beach, Steelville, and Warsaw, MO**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; petition for reconsideration, dismissed.

**SUMMARY:** The Commission dismissed a petition for reconsideration filed by Twenty-One Sound Communications, licensee of Station KNSX(FM), Steelville, Missouri, of a decision, denying its application for review and its petition to upgrade the class of the Steelville station. Since Twenty-One Sound's arguments were fully considered in the prior decision, reconsideration was not warranted. See 67 FR 17014 (April 9, 2002).

**FOR FURTHER INFORMATION CONTACT:** Andrew J. Rhodes, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Memorandum Opinion and Order* in MM Docket No. 90–66, adopted June 30, 2004, and released July 8, 2004. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY–A257, 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone 1–800–378–3160, or via e-mail <http://www.BCPIWEB.com>. This document is not subject to the Congressional Review Act. (The Commission is, therefore, not required to submit a copy of this to GAO, pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because this proposed rule was denied or dismissed.)

Federal Communications Commission.

**Marlene H. Dortch,**  
*Secretary.*

[FR Doc. 04–16735 Filed 7–21–04; 8:45 am]

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