

■ 9. Add § 32.6623 to read as follows:

**§ 32.6623 Customer services.**

(a) This account shall include costs incurred in establishing and servicing customer accounts. This includes:

(1) Initiating customer service orders and records;

(2) Maintaining and billing customer accounts;

(3) Collecting and investigating customer accounts, including collecting revenues, reporting receipts, administering collection treatment, and handling contacts with customers regarding adjustments of bills;

(4) Collecting and reporting pay station receipts; and

(5) Instructing customers in the use of products and services.

(b) This account shall also include amounts paid by interexchange carriers or other exchange carriers to another exchange carrier for billing and collection services. Subsidiary record categories shall be maintained in order that the entity may separately report interstate and intrastate amounts. Such subsidiary record categories shall be reported as required by part 43 of this Commission's rules and regulations.

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 101**

[DA 04-1588; WT Docket No. 99-327; FCC 00-272]

**Amendment of the Commission's Rules To License Fixed Services at 24 GHz**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** In a rule published October 5, 2000, the Commission added and amended regulations governing the licensing and operation of the 24.25–24.45 GHz and 25.05–25.25 GHz bands to promote the effective use of the 24 GHz band and to accommodate deployment of point-to-point, point-to-multipoint fixed wireless technology at 24 GHz. In addition, the Commission adopted competitive bidding rules to select among mutually exclusive applicants for licenses in these bands. The FCC determined that the 24.25–24.45 GHz and 25.05–25.25 GHz bands (24 GHz band) would be made available for licensing throughout the United States by Economic Areas (EAs). In this

connection, the Commission decided to use a total of 176 service areas—the 172 EAs specified by the Department of Commerce and four Commission-created EA-like areas for Guam and the Northern Mariana Islands, Puerto Rico and the United States Virgin Islands, American Samoa, and the Gulf of Mexico. This document contains editorial corrections to the final rules document.

**DATES:** Effective on July 27, 2004.

**FOR FURTHER INFORMATION CONTACT:** Nancy Zaczek at (202) 418-2487.

**SUPPLEMENTARY INFORMATION:** On October 5, 2000, (65 FR 59350), the **Federal Register** published a final rule in the above captioned proceeding. The Commission reached this decision in paragraph 18 of the *Report and Order*, which did not include a reference to the perimeter of the FCC-created EA-like area, Gulf of Mexico (EA 176). This document corrects paragraph 18 of the *Report and Order*, published on October 5, 2000, (FR 65 59350).

18. For these reasons, we determine that EAs constitute the most appropriate geographic area licensing for the 24 GHz band. EAs will provide ample population coverage and allow 24 GHz band licensees the flexibility to provide a multitude of service offerings. Thus, we determine to use a total of 176 service areas—the 172 EAs specified by the Department of Commerce and four EA-like areas for Guam and the Northern Mariana Islands, Puerto Rico and the United States Virgin Islands, American Samoa, and the Gulf of Mexico. In defining the perimeter of the Gulf of Mexico (EA 176), the Commission has stated that:

land-based license regions abutting the Gulf of Mexico will extend to the limit of the territorial waters of the United States in the Gulf, which is the maritime zone that extends approximately twelve nautical miles from the U.S. baseline.

Beyond that line of demarcation, we will create the Gulf of Mexico [service area], which will extend from that line outward to the broadest geographic limits consistent with international agreements.\*

Appendix C of the *Report and Order* contained Final Rules including 47 CFR 101.523, which establishes the service areas for the 24 GHz band. As adopted, the rule states that there are “three EA-like areas”; however, four EA-like areas are listed by name. Additionally, as adopted, the rule states that a “total of 176 authorizations will be issued for the

24 GHz Service by the FCC,” which is inaccurate given that, for the 24 GHz band, each EA has five channel pairs (each of which is licensed separately) for a total of 880 authorizations. See 47 CFR 101.505 citing 47 CFR 101.147(m), (n), and (r)(9). This correction is issued pursuant to § 0.331 of the Commission's rules on delegated authority, 47 CFR 0.331.

**Need for Correction**

As published, the final regulations contain errors which may prove to be misleading and need to be clarified.

**List of Subjects in 47 CFR Part 101**

Communications equipment, Radio, Reporting and recordkeeping requirements.

Federal Communications Commission.

**Joel Taubenblatt,**

*Chief, Broadband Division.*

■ For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 101 as follows:

**PART 101—FIXED MICROWAVE SERVICES**

■ 1. The authority for part 101 continues to read as follows:

**Authority:** 47 U.S.C. 154 and 303.

■ 2. Section 101.523 is amended by revising paragraph (a) to read as follows:

**§ 101.523 Service areas.**

(a) The service areas for 24 GHz are Economic Areas (EAs) as defined in this paragraph (a). The Bureau of Economic Analysis, U.S. Department of Commerce, organized the 50 States and the District of Columbia into 172 EAs. See 60 FR 13114 (March 10, 1995). Additionally, there are four FCC-created EA-like areas:

(1) Guam and Northern Mariana Islands;

(2) Puerto Rico and the U.S. Virgin Islands;

(3) American Samoa, and

(4) the Gulf of Mexico. The Gulf of Mexico EA extends from 12 nautical miles off the U.S. Gulf coast outward into the Gulf. See 62 FR 9636 (March 3, 1997), in which the Commission created an additional four economic area-like areas for a total of 176 EA service areas. Maps of the EAs and the **Federal Register** Notice that established the 172 Economic Areas (EAs) are available for public inspection and copying at the FCC Reference Center, Room CY A-257, 445 12th St., SW., Washington, DC 20554. These maps and data are also

\* Amendment of the Commission's Rules to Establish part 27, The Wireless Communications Service, GN Docket No. 96-228, *Report and Order*, 12 FCC Rcd 10,785, 10,816 paragraph 59 (1997) (internal cross-reference omitted).

available on the FCC Web site at  
[www.fcc.gov/oet/info/maps/areas/](http://www.fcc.gov/oet/info/maps/areas/).

\* \* \* \* \*

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## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850 and 1851

RIN 2700-AC87

### Re-Issuance of NASA FAR Supplement Subchapter G

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** This rule adopts as final without change, the proposed rule published in the **Federal Register** on April 22, 2004. This final rule amends the NASA FAR Supplement (NFS) by removing from the Code of Federal Regulations (CFR) those portions of the NFS containing information that consists of internal Agency administrative procedures and guidance that does not control the relationship between NASA and contractors or prospective contractors. This change is consistent with the guidance and policy in FAR Part 1 regarding what comprises the Federal Acquisition Regulations System and requires publication for public comment. The NFS document will continue to contain both information requiring codification in the CFR and internal Agency guidance in a single document that is available on the Internet. This change will reduce the administrative burden and time associated with maintaining the NFS by only publishing in the **Federal Register** for codification in the CFR material that is subject to public comment.

**DATES:** *Effective Date:* July 27, 2004.

**FOR FURTHER INFORMATION CONTACT:** Celeste Dalton, NASA, Office of Procurement, Contract Management Division (Code HK); (202) 358-1645; e-mail: [Celeste.M.Dalton@nasa.gov](mailto:Celeste.M.Dalton@nasa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Currently the NASA FAR Supplement (NFS) contains information to implement or supplement the FAR. This information contains NASA's policies, procedures, contract clauses, solicitation provisions, and forms that govern the contracting process or otherwise control the relationship between NASA and contractors or prospective contractors. The NFS also

contains information that consists of internal Agency administrative procedures and guidance that does not control the relationship between NASA and contractors or prospective contractors. Regardless of the nature of the information, as a policy, NASA has submitted to the Office of Information and Regulatory Affairs (OIRA) within the Office of Management and Budget (OMB) and published in the **Federal Register** all changes to the NFS. FAR 1.101 states in part that the "Federal Acquisition Regulations System consists of the Federal Acquisition Regulation (FAR), which is the primary document, and agency acquisition regulations that implement or supplement the FAR. The FAR System does not include internal agency guidance of the type described in 1.301(a)(2)." FAR 1.301(a)(2) states in part "an agency head may issue or authorize the issuance of internal agency guidance at any organizational level (e.g., designations and delegations of authority, assignments of responsibilities, work-flow procedures, and internal reporting requirements)." Further, FAR 1.303 states that issuances under FAR 1.301(a)(2) need not be published in the **Federal Register**. Based on the foregoing, NASA is not required to publish and codify internal Agency guidance.

This final rule modifies the existing practice by only publishing those regulations which may have a significant effect beyond the internal operating procedures of the Agency or have a significant cost or administrative impact on contractors or offerors.

The NFS will continue to integrate into a single document both regulations subject to public comments and internal Agency guidance and procedures that do not require public comment. Those portions of the NFS that require public comment will continue to be amended by publishing changes in the **Federal Register**. NFS regulations that require public comment are issued as chapter 18 of title 48, CFR. Changes to portions of the regulations contained in the CFR, along with changes to internal guidance and procedures, will be incorporated into the NASA-maintained Internet version of the NFS through Procurement Notices (PNs). The single official NASA-maintained version of the NFS will remain available on the Internet. NASA personnel must comply with all regulatory and internal guidance and procedures contained in the NFS.

This change will result in savings in terms of the number of rules subject to publication in the **Federal Register** and provide greater responsiveness to internal administrative changes.

NASA published a proposed rule in the **Federal Register** on April 22, 2004 (69 FR 21804). No comments were received in response to the proposed rule. Therefore, the proposed rule is being converted to a final rule without change.

##### B. Regulatory Flexibility Act

NASA certifies that this final rule does not have a significant economic impact on a substantial number of small entities with the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because this rule would only remove from the CFR information that is considered internal Agency administrative procedures and guidance. The information removed from the CFR will continue to be made available to the public via the Internet.

##### C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes do not impose recordkeeping or information collection requirements which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

##### List of Subjects in 48 CFR 1842 through 1851

Government procurement.

**Tom Luedtke,**

*Assistant Administrator for Procurement.*

■ Accordingly, 48 CFR parts 1842 through 1851 are amended as follows:

■ 1. The authority citation for 48 CFR parts 1842 through 1851 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1).

##### PART 1842—CONTRACT ADMINISTRATION AND AUDIT SERVICES

■ 2. Amend part 1842 by—

■ (a) Removing subpart 1842.1, sections 1842.202, 1842.202-70, 1842.270, subparts 1842.3, 1842.5, 1842.7, 1842.8, 1842.12, 1842.13, 1842.14, and 1842.15;

■ (b) In section 1842.7201 removing and reserving paragraph (a) and removing paragraphs (b)(3) through (b)(5) and paragraph (c); and

■ (c) Removing subpart 1842.73 and section 1842.7401.

##### PART 1843—CONTRACT ADMINISTRATION

■ 3. Amend part 1843 by removing subpart 1843.70.