

Federal Communications Commission.  
**Catherine Seidel**,  
*Acting Chief, Wireless Telecommunications Bureau.*  
 [FR Doc. 05-13273 Filed 7-5-05; 8:45 am]  
**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Technological Advisory Council

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, this notice advises interested persons of the second meeting of the Technological Advisory Council ("Council") under its charter renewed as of November 19, 2004.

**DATES:** July 28, 2005 at 10 a.m. to 3 p.m.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Commission Meeting Room (TW-C305), Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Jeffery Goldthorp, (202) 418-1096 (voice), (202) 418-2989 (TTY), or email: [Jeffery.Goldthorp@fcc.gov](mailto:Jeffery.Goldthorp@fcc.gov).

**SUPPLEMENTARY INFORMATION:** Increasing innovation and rapid advances in technology have accelerated changes in the ways that telecommunications services are provided to, and accessed by, users of communications services. The Federal Communications Commission must remain abreast of new developments in technologies and related communications to fulfill its responsibilities under the Communications Act. At this second meeting under the Council's new charter, the Council will consider various topics related to advanced wireless technologies.

The Federal Communications Commission will attempt to accommodate as many persons as possible. Admittance, however, will be limited to the seating available. Unless so requested by the Council's Chair, there will be no public oral participation, but the public may submit written comments to Jeffery Goldthorp, the Federal Communications Commission's Designated Federal Officer for the Technological Advisory Council, before the meeting. Mr. Goldthorp's e-mail address is [Jeffery.Goldthorp@fcc.gov](mailto:Jeffery.Goldthorp@fcc.gov). Mail delivery address is: Federal Communications Commission, 445 12th Street, SW., Room 7-A325, Washington, DC 20554.

Federal Communications Commission.  
**Marlene H. Dortch**,  
*Secretary.*  
 [FR Doc. 05-13031 Filed 7-5-05; 8:45 am]  
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## FEDERAL COMMUNICATIONS COMMISSION

[WT Docket No. 05-194; DA 05-1389]

### Petition for Declaratory Ruling Filed by CTIA

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document seeks comment on a petition for expedited declaratory rulemaking filed by the Cellular Telecommunications & Internet Association, seeking a declaratory ruling that early termination fees in wireless carriers' service contracts are "rates charged" for CMRS within the meaning of the Communications Act.

**DATES:** Submit comment on or before August 5, 2005, and reply comment on or before August 25, 2005.

**ADDRESSES:** You may submit comments, identified by WT Docket No. 05-194, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Federal Communications Commission's Web Site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Christina Clearwater, Spectrum & Competition Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission, 202-418-1893.

#### SUPPLEMENTARY INFORMATION:

##### Background

On March 15, 2005, the Cellular Telecommunications & Internet Association (CTIA) filed a Petition for Expedited Declaratory Ruling (CTIA Petition), seeking a declaratory ruling by the Commission that early termination fees in wireless carriers' service

contracts are "rates charged" for CMRS within the meaning of section 332(c)(3)(A) of the Communications Act and Commission precedent. *See* Petition of the Cellular Telecommunications & Internet Association for an Expedited Declaratory Ruling, WT Docket No. 194, filed March 15, 2005.

CTIA also seeks a declaration from the Commission that any application of state law by a court or other tribunal to invalidate, modify, or condition the use or enforcement of early termination fees based, in whole or in part, upon an assessment of reasonableness, fairness, or cost-basis of the early termination fee, or to prohibit the use of early termination fees as unlawful liquidated damages or penalties, constitutes prohibited rate regulation preempted by section 332(c)(3)(A) of the Communications Act. The CTIA Petition raises important issues, and in the Public Notice, the Wireless Telecommunications Bureau seeks comment on the Petition. The Wireless Telecommunications Bureau notes that it is contemporaneously releasing a separate public notice seeking comment on earlier-filed petitions for declaratory ruling that raise preemption-related issues regarding early termination fees. *See Wireless Telecommunications Bureau Seeks Comment on Petition for Declaratory Ruling Filed by Suncom, and Opposition and Cross-Petition for Declaratory Ruling Filed by Debra Edwards, Seeking Determination of Whether State Law Claims Regarding Early Termination Fees Are Subject to Preemption Under 47 U.S.C. Section 332(c)(3)(A)*, Public Notice, WT Docket No. 05-193, DA 05-1390 (rel. May 18, 2005).

#### Electronic Access and Filing

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments in this proceeding on or before August 5, 2005, and reply comments may be filed on or before August 25, 2005. When filing comments, please reference WT Docket No. 05-194. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (May 1, 1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <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, U.S. Postal Service mailing address, and the applicable docket or

rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send 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 send an original and four (4) copies of each filing. All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Room TW-B204, Washington, DC 20554.

Filings can be sent by hand or messenger delivery, by electronic media, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings or electronic media for the Commission's Secretary at 236 Massachusetts Avenue, 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 and electronic media sent by overnight mail (other than U.S. Postal Service Express Mail and 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.

This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules, 47 CFR 1.1200. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. See 47 CFR 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in § 1.1206(b) of the Commission's rules, 47 CFR 1.1206(b).

The full text of the petition and copies of any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th

Street, SW., Room CY-A257, Washington, DC 20554, (202) 418-0270. This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Customers may contact BCPI, Inc. at their Web site: <http://www.bcpweb.com> or by calling 1-800-378-3160.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format) send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY).

Federal Communications Commission.

**Catherine Seidel,**

*Acting Chief, Wireless Telecommunications Bureau.*

[FR Doc. 05-13272 Filed 7-5-05; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL MARITIME COMMISSION

[Docket No. 05-04]

### **Marco Mendoza and Cynthia Mendoza, DBA C&M Precision Instrument v. Georgio Gori USA, Inc., and Phillip Zelinka; Notice of Filing of Complaint and Assignment**

Notice is given that a complaint has been filed with the Federal Maritime Commission ("Commission") by Marco Mendoza and Cynthia Mendoza, dba C&M Precision Instrument ("Complainants") against Georgio Gori USA, Inc., and Phillip Zelinka ("Respondents"). Complainants contend that Respondents violated section 10 of the Shipping Act of 1984, 46 U.S.C. app. 1709. Complainants claim that Respondents' conduct amounts to the use of unjust means to obtain ocean transportation at less than the rates or charges that would otherwise be applicable. Complainants seek an order commanding Respondents to pay reparations in the amount of \$60,741.00 with interest and attorney's fees or such other sum as the Commission may deem proper and such other order or orders as the Commission determines to be proper.

This proceeding has been assigned to the Office of Administrative Law Judges. Hearing in this matter, if any is held, shall commence within the time limitations prescribed in 46 CFR 502.61, and only after consideration has been given by the parties and the presiding officer to the use of alternative forms of dispute resolution. The hearing shall include oral testimony and cross-

examination in the discretion of the presiding officer only upon proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record. Pursuant to the further terms of 46 CFR 502.61, the initial decision of the presiding officer in this proceeding shall be issued by June 28, 2006 and the final decision of the Commission shall be issued by October 26, 2006.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 05-13254 Filed 7-5-05; 8:45 am]

**BILLING CODE 6730-01-P**

## FEDERAL MARITIME COMMISSION

### **Ocean Transportation Intermediary License Applicants**

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission an application for license as a Non-Vessel—Operating Common Carrier and Ocean Freight Forwarder—Ocean Transportation Intermediary pursuant to section 19 of the Shipping Act of 1984 as amended (46 U.S.C. app. 1718 and 46 CFR 515).

Persons knowing of any reason why the following applicants should not receive a license are requested to contact the Office of Transportation Intermediaries, Federal Maritime Commission, Washington, DC 20573.

Non-Vessel—Operating Common Carrier  
Ocean Transportation Intermediary  
Applicants:

Anand J. Narain, 10122 Towhee Avenue, Adelphi, MD 20783, Sole Proprietor.

A.M.X. Logistics, Inc., 145-32 157th Street, Jamaica, NY 11434. Officer: Saleem Akhtar, President, (Qualifying Individual).

Bral Marine Service Inc., 7766 NW. 46 Street, Miami, FL 33166. Officers: Amalia Soraya Freire, General Manager, (Qualifying Individual), Alvaro Cruz, President.

Cargo Express Del Caribe, Inc., 1133 Morris Avenue, Bronx, NY 10456. Officer: Fernando Oviedo, President, (Qualifying Individual).

EZ Logistics, Inc., 2416 S. Sandpiper Pl., Ontario, CA 91761. Officers: Kitty X. Lantz, Secretary, (Qualifying Individual), Zhaogang Zhong, CFO.

Global Cargo Connection, 1815 W.