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[FR Doc. 05-21406 Filed 10-25-05; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 2**

[ET Docket No. 00-258; FCC 05-172]

**Advanced Wireless Services****AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

**SUMMARY:** In this document, the Commission requires Broadband Radio Service (BRS) licensees in the 2150-2160/62 MHz band to provide information on the construction status and operational parameters of each incumbent BRS system that would be the subject of relocation.

**DATES:** Effective October 26, 2005.

**FOR FURTHER INFORMATION CONTACT:** Priya Shrinivasan, Office of Engineering & Technology, (202) 418-7005.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Order*, ET Docket No. 00-258, FCC 05-172, adopted September 23, 2005, released September 29, 2005. The full text of this document is available on the Commission's Internet site at <http://www.fcc.gov>. It is also available for inspection and copying during regular business hours in the FCC Reference Center (Room CY-A257), 445 12th Street, SW., Washington, DC 20554. The full text of this document also may be purchased from the Commission's duplication contractor, Best Copy and Printing Inc., Portals II, 445 12th St., SW., Room CY-B402, Washington, DC 20554; telephone (202) 488-5300; fax (202) 488-5563; e-mail [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM).

**Summary of the Order**

1. In order to assist the Commission in determining the scope of the new Advanced Wireless Services (AWS) entrants' obligation to relocate certain incumbent licensees in the 2150-2162 MHz band, the Commission will require Broadband Radio Service (BRS) licensees in the 2150-2160/62 MHz band to provide the information to the Commission within 60 days and 120 days of the effective date of this *Order* (the filing dates will correspond to information collection requirements for the Commission's Universal Licensing System). The Commission reallocated this spectrum for AWS by Report and Order, 68 FR 3455, January 24, 2003,

and the accompanying Eighth Report and Order in ET Docket No. 00-258, FCC 05-172. Currently, neither the Commission nor the public has reliable information on the construction status and/or operational parameters of each BRS system in the 2150-2160/62 MHz band that would be subject to relocation. Pursuant to Section 4(i) of the Communications Act, 47 U.S.C. 154(i), the Commission believes that reliable, public data on each incumbent system that would be subject to relocation is essential well in advance of the planned auction of the 2150-2155 MHz band next year. It notes that the information required would ultimately be necessary in the context of relocation negotiations. Because the Commission now licenses the BRS service on the basis of geographic licensing areas, BRS licensees will be required to submit information on the locations and operating characteristics of BRS systems (e.g., the location of base or fixed stations by coordinates, tower heights, power levels, etc.) in the 2150-2160/62 MHz band, on other system characteristics of BRS incumbents (e.g., subscriber numbers and types of equipment used), and on categories of services provided (e.g., one-way or two-way service, point-to-point or point-to-multipoint operations, data or analog video service). The Commission also will require BRS licensees to provide this information even if the spectrum is leased to third parties. Further, because the Commission proposes relocation on a link-by-link basis, BRS licensees will be required, as part of the information on system design in the band, to provide the number of links (including the connection between a base station and subscriber premises equipment) within the system for both point-to-point and point-to-multipoint systems. To the extent that a system uses both BRS channels 1 and 2 as part of the same service (e.g., as a link to a two-way data service), BRS licensees will be required to make special note of this when providing their system information. The Commission notes that this list is not inclusive. This information will be collected through the Commission's Universal Licensing System (ULS) and made available to the public. To further this process, the Commission has delegated authority to the Office of Engineering and Technology and the Wireless Telecommunications Bureau to issue public notices setting forth the specific data required of BRS licensees, when it is to be filed and the procedures for filing this information. Finally, the Commission finds that there is good cause to make the requirement for BRS

licensees to file information effective upon publication of the *Order* in the **Federal Register**. The Commission has provided BRS licensees with ample time to file the required information and the ability to use the ULS to submit the information easily. As noted, reliable data on each incumbent system that would be subject to relocation is essential well in advance of the planned auction of the 2150-2155 MHz band next year.

2. Pursuant to Section 4(i) of the Communications Act, as amended, 47 U.S.C. 154(i), this *Order* is adopted, October 26, 2005. The *Order* contains information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, that are not effective until approved by the Office of Management and Budget (OMB).

3. Pursuant to Section 5(c) of the Communications Act, as amended, 47 U.S.C. 155(c), the Office of Engineering and Technology and the Wireless Telecommunications Bureau *Are Granted Delegated Authority* to implement the requirement set forth in this *Order*.

Federal Communications Commission.

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

[FR Doc. 05-21408 Filed 10-25-05; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 64**

[CC Docket No. 98-170 and CG Docket No. 04-208; FCC 05-55]

**Truth-in-Billing and Billing Format; National Association of State Utility Consumer Advocates' Petition for Declaratory Ruling Regarding Truth-in-Billing****AGENCY:** Federal Communications Commission.**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved for three years the information collections contained in the *Truth-in-Billing and Billing Format; National Association of State Utility Consumer Advocates' Petition for Declaratory Ruling Regarding Truth-in-Billing, Second Report and Order, Declaratory Ruling, and Second Further Notice of Proposed Rulemaking (Second Report and Order)*. The information collections contained in the *Second Report and*

Order, were approved by OMB on September 15, 2005. The *Second Report and Order* states that the Commission will publish a document in the **Federal Register** announcing the effective date of this rule.

**DATES:** 47 CFR 64.2400(b) published at 70 FR 29979 (May 25, 2005) is effective October 26, 2005.

**FOR FURTHER INFORMATION CONTACT:** Richard Smith, Policy Division, Consumer & Governmental Affairs Bureau at (202) 418-2512.

**SUPPLEMENTARY INFORMATION:** This document announces that, on September 15, 2005, OMB approved for three years the information collections contained in 47 CFR 64.2400(b), published at 70 FR 29979 (May 25, 2005). The OMB Control Number is 3060-0854. The Commission publishes this notice of the effective date of the rule. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please write to Leslie F. Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554. Please include the OMB Control Number, 3060-0854, in your correspondence. The Commission will also accept your comments via the Internet if you send them to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov), or you may call (202) 418-0217.

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), (202) 418-0432 (TTY).

### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received approval from OMB on September 15, 2005, for the collections of information contained in 47 CFR 64.2400(b). The total annual reporting burden associated with this collection of information, including the time for gathering and maintaining the collections of information, is estimated to be: 5,309 respondents, a total annual hourly burden of 4,636,942 hours, and \$15,418,000 in total annual costs. Under 5 CFR 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB 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 that does not display a valid OMB Control Number.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, 44 U.S.C. 3507.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 05-21295 Filed 10-25-05; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 05-2657, MB Docket No. 03-156, RM-10721]

### Digital Television Broadcast Service; Laredo, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Eagle Creek Broadcasting of Laredo, LLC, substitutes DTV channel 31 for KVTV's assigned DTV channel 14. See 68 FR 42662 (July 18, 2003). DTV channel 31 can be allotted to Laredo, Texas, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 27-31-19 N. and 99-31-19 W. with a power of 200, HAAT of 262 meters and with a DTV service population of 140 thousand. Since the community of Laredo is located within 275 kilometers of the U.S.-Mexico border, concurrence from the Mexican government has been obtained for this allotment. With this action, this proceeding is terminated.

**DATES:** Effective November 25, 2005.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MB Docket No. 03-156, adopted October 4, 2005, and released October 11, 2005. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC. This document 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 301-816-2820, facsimile 301-816-0169, or via e-mail [joshir@erols.com](mailto:joshir@erols.com).

This document does not contain [new or modified] information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. In addition, therefore, it does not contain any new or modified "information collection burden for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4).

The Commission will send a copy of this Report & Order in a report to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

### List of Subjects in 47 CFR Part 73

Digital television broadcasting, Television.

■ Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

### PART 73—[AMENDED]

■ 1. The authority citation for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

#### § 73.622 [Amended]

■ 2. Section 73.622(b), the Table of Digital Television Allotments under Texas, is amended by removing DTV channel 14 and adding DTV channel 31 at Laredo.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 05-21296 Filed 10-25-05; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 05-2659; MB Docket No. 04-376; RM-11039]

### Radio Broadcasting Services; Haven and Hutchinson, KS

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Audio Division, at the request of Ad Astra per Aspera Broadcasting, Inc., reallocates Channel 246C2 from Hutchinson to Haven, Kansas, and modifies Station KSKU(FM)'s license accordingly. See 69 FR 60344, October 8, 2004. Channel 246C2 can be allotted to Haven in compliance with the Commission's minimum distance separation