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Federal Communications Commission.

**William H. Davenport,**

*Chief, Investigations and Hearings Division, Enforcement Bureau.*

[FR Doc. E6-11636 Filed 7-25-06; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[FCC 06-91]

### Notice of Debarment and Order Denying Waiver Petition

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau (Bureau) debar NEC-Business Network Solutions, Inc.'s (NEC) from all activities associated with the schools and libraries universal service support mechanism, also known as the E-Rate program. NEC pled guilty to and was convicted of serious fraud-related felonies against the E-Rate program. We find NEC's conduct merits a debarment of at least three years, as contemplated by our debarment rule, but in light of several important factors, we will impose a debarment period of six months from the effective date of this Order.

**DATES:** Debarment commences on the date NEC-Business Network Solutions, Inc. receives the debarment letter or whichever date comes first, for a period of six months.

**FOR FURTHER INFORMATION CONTACT:** Diana Lee, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-A265, 445 12th Street, SW., Washington, DC 20554. Diana Lee may be contacted by phone at 202-418-1420 or e-mail at [diana.lee@fcc.gov](mailto:diana.lee@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Debarment and Order Denying Waiver Petition, released June 30, 2006. As an additional precaution to protect the E-Rate program, we put in place two monitoring measures to ensure NEC's compliance upon its re-entry into the E-Rate program. First, we order USAC to review with heightened scrutiny NEC's applications submitted during the first

two funding years after re-entry.<sup>1</sup> Second, we order the Administrator to conduct automatic annual audits regarding NEC's compliance with the Act and the Commission's rules governing the E-Rate program, for each of the first two funding periods upon NEC's re-entry. We find these additional precautionary measures are necessary to ensure that E-Rate funds are used only for their intended purpose and that the program is not subject to additional waste, fraud, or abuse. The full text of this Notice is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY-A-257, 445 12th Street, SW., Washington, DC 20554. The complete text may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCP), Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The complete item is also available on the Commission's Web site at <http://www.fcc.gov/eb>.

Federal Communications Commission.

**William H. Davenport,**

*Chief, Investigations and Hearings Division, Enforcement Bureau.*

[FR Doc. E6-11631 Filed 7-25-06; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[WC Docket No. 04-424; DA 06-1449]

### SBC and Global Crossing Petitions for Declaratory Ruling

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice, termination of proceeding.

**SUMMARY:** This document provides notice of the final termination of the petitions for declaratory ruling of SBC and Global Crossing. No oppositions to the prior notice of termination were received; therefore, interested parties are hereby notified that this proceeding has been terminated.

**DATES:** This proceeding was terminated effective June 30, 2006.

**FOR FURTHER INFORMATION CONTACT:** Lynne Hewitt Engledow, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1520.

<sup>1</sup> See *Fifth Report and Order*, 19 FCC Rcd at 15822-23, para. 44. We note that the Commission currently is considering what particular requirements, if any, that it should apply in conducting heightened review of E-Rate program participants. See *Universal Service Fund Oversight NPRM*, 20 FCC Rcd at 11345, para. 91.

**SUPPLEMENTARY INFORMATION:** On May 19, 2006, the Wireline Competition Bureau's Pricing Policy Division issued a Public Notice in the above-listed proceeding stating that the proceeding would be terminated effective 30 days after publication of the Public Notice in the **Federal Register**, unless the Bureau received oppositions to the termination before that date. The notice was published in the **Federal Register** on May 31, 2006. See 71 FR 30924, May 31, 2006. The Bureau did not receive any oppositions to the termination of this proceeding within 30 days of **Federal Register** publication of the notice; therefore, the above-listed proceeding was terminated as of *June 30, 2006*.

Federal Communications Commission.

**Thomas J. Navin,**

*Chief, Wireline Competition Bureau.*

[FR Doc. E6-11901 Filed 7-25-06; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[CC Docket Nos. 94-1, 96-262, DA 06-1446]

### Reconsideration of Price Cap Performance Review for Local Exchange Carriers

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice, termination of proceeding.

**SUMMARY:** This document is a notification of final termination of the petitions for reconsideration of a 1997 Commission order, which established a 6.5 percent productivity-based X-factor and eliminated the sharing requirements in the Commission's price cap rules. The petitions for reconsideration have been withdrawn by the petitioners. No oppositions to the prior notice of termination were received; therefore, interested parties are hereby notified that the proceeding has been terminated.

**DATES:** This proceeding was terminated effective June 30, 2006.

**FOR FURTHER INFORMATION CONTACT:** Jennifer McKee, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1530.

**SUPPLEMENTARY INFORMATION:** On May 19, 2006, the Wireline Competition Bureau's Pricing Policy Division issued a Public Notice in the above-listed proceeding stating that the proceeding would be terminated effective 30 days after publication of the Public Notice in the **Federal Register**, unless the Bureau received an opposition to the