

associated with, but not a part of, the decisional record of the proceeding. Unless the Commission determines that the prohibited communication and any responses thereto should become a part of the decisional record, the prohibited off-the-record communication will not be considered by the Commission in reaching its decision. Parties to a proceeding may seek the opportunity to respond to any facts or contentions made in a prohibited off-the-record communication, and may request that the Commission place the prohibited communication and responses thereto in the decisional record. The Commission will grant such a request

only when it determines that fairness so requires. Any person identified below as having made a prohibited off-the-record communication shall serve the document on all parties listed on the official service list for the applicable proceeding in accordance with Rule 2010, 18 CFR 385.2010.

Exempt off-the-record communications are included in the decisional record of the proceeding, unless the communication was with a cooperating agency as described by 40 CFR 1501.6, made under 18 CFR 385.2201(e)(1)(v).

The following is a list of off-the-record communications recently

received by the Secretary of the Commission. The communications listed are grouped by docket numbers in ascending order. These filings are available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the eLibrary link. Enter the docket number, excluding the last three digits, in the docket number field to access the document. For assistance, please contact FERC, Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

Exempt:

Docket number	Date received	Presenter or requester
1. CP00-6-014 .....	1-30-07	Ji-Sun Yi.
2. CP06-12-000 .....	1-30-07	Miles M. Croom.
3. CP06-54-000 .....	1-31-07	Hon. David Denenberg.
4. CP06-365-000, <i>et al.</i> .....	1-11-07	Paul Friedman. <sup>1</sup>
5. Project No. 1971-079 .....	2-5-07	William F. Bacon.
6. Project No. 11858-000 .....	1-30-07	Dave Adams.

<sup>1</sup> Memo regarding 12/14/06 interagency meeting and summary.

**Magalie R. Salas,**  
Secretary.  
[FR Doc. E7-2385 Filed 2-12-07; 8:45 am]  
**BILLING CODE 6717-01-P**

## FEDERAL COMMUNICATIONS COMMISSION [FCC 06-126]

### Notice of Debarment

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau (Bureau) debars NextiraOne, LLC (NextiraOne) from all activities associated with the schools and libraries universal service support mechanism, also known as the E-Rate program. NextiraOne pled guilty to and was convicted of a wire fraud felony against the E-Rate program. We find NextiraOne'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 one year from the effective date of this Order.

**DATES:** Debarment commences on the effective date of this Order, August 24, 2006, for a period of one year.

**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, released January 22, 2007. As an additional precaution to protect the E-Rate program, we put in place two monitoring measures to ensure NextiraOne's compliance upon its re-entry into the E-Rate program, in the event that NextiraOne re-enter the E-Rate program within five years after executing the plea agreement. First, we order USAC to review with heightened scrutiny NextiraOne'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 NextiraOne's compliance with the Act and the Commission's rules governing the E-Rate program, for each of the first two funding periods upon NextiraOne'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.

**Hillary S. DeNigro,**

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

[FR Doc. E7-2423 Filed 2-12-07; 8:45 am]

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## FEDERAL DEPOSIT INSURANCE CORPORATION

### Notice of Agency Sunshine Act Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 10:30 a.m. on Thursday, February 15, 2007, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, pursuant to section 552b (c)(2), (c)(4), (c)(6), (c)(8), (9)(A)(ii), and (9)(B), Title 5, United States code, to consider matters relating to the corporation's supervisory and corporate activities.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street, NW., Washington, DC.

<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.