

enforceable right to maintain any particular home run wire dedicated to a particular unit on the premises against the MDU owner's wishes.

We use the term "MDU owner" to include whatever entity owns or controls the common areas of an apartment building, condominium or cooperative. For building-by-building disposition of home run wiring, the MDU owner gives the incumbent service provider a minimum of 90 days' written notice that its access to the entire building will be terminated. The incumbent then has 30 days to elect what it will do with the home run wiring. Where parties negotiate a price for the wiring and are unable to agree on a price, the incumbent service provider must elect among abandonment, removal of the wiring, or arbitration for a price determination. Also, regarding cable home wiring, when the MDU owner notifies the incumbent service provider that its access to the building will be terminated, the incumbent provider must, within 30 days of the initial notice and in accordance with our home wiring rules:

(1) Offer to sell to the MDU owner any home wiring within the individual dwelling units which the incumbent provider owns and intends to remove, and

(2) Provide the MDU owner with the total per-foot replacement cost of such home wiring.

The MDU owner must then notify the incumbent provider as to whether the MDU owner or an alternative provider intends to purchase the home wiring not later than 30 days before the incumbent's access to the building will be terminated. For unit-by-unit disposition of home run wiring, an MDU owner must provide at least 60 days' written notice to the incumbent MVPD that it intends to permit multiple MVPDs to compete for the right to use the individual home run wires dedicated to each unit. The incumbent service provider then has 30 days to provide the MDU owner with a written election as to whether, for all of the incumbent's home run wires dedicated to individual subscribers who may later choose the alternative provider's service, it will remove the wiring, abandon the wiring, or sell the wiring to the MDU owner.

In other words, the incumbent service provider will be required to make a single election for how it will handle the disposition of individual home run wires whenever a subscriber wishes to switch service providers; that election will then be implemented each time an

individual subscriber switches service providers.

Where parties negotiate a price for the wiring and are unable to agree on a price, the incumbent service provider must elect among abandonment, removal of the wiring, or arbitration for a price determination. The MDU owner also must provide reasonable advance notice to the incumbent provider that it will purchase, or that it will allow an alternative provider to purchase, the cable home wiring when a terminating individual subscriber declines. If the alternative provider is permitted to purchase the wiring, it will be required to make a similar election during the initial 30-day notice period for each subscriber who switches back from the alternative provider to the incumbent MVPD.

While the American Housing Survey estimates that there were some 7,600,000 MDUs with 24,600,000 resident occupants in the United States in 2000, we estimate that there will be only 12,500 notices and 12,500 elections being made on an annual basis. In many buildings, the MDU owner will be unable to initiate the notice and election processes because the incumbent MVPD service provider continues to have a legally enforceable right to remain on the premises. In other buildings, the MDU owner may simply have no interest in acquiring a new MVPD service provider.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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## FEDERAL COMMUNICATIONS COMMISSION

### Sunshine Act Meeting; FCC Announces Details for Public Hearing on Media Ownership in Harrisburg, PA

February 16, 2007.

*Washington, DC*—The Federal Communications Commission today announced further details of its previously announced Harrisburg field hearing regarding media ownership (see press release dated February 8, 2007.)

The hearing date, time, and location are as follows:

**DATE:** Friday, February 23, 2007.

**TIME:** 9 a.m.–2:30 p.m.

**PRELIMINARY SCHEDULE (SUBJECT TO CHANGE):** 9 a.m.–9:30 a.m.: Welcome/Opening Remarks  
9:30 a.m.–11 a.m.: Panel Discussion  
11 a.m.–12:30 p.m.: Public Comment  
12:30 p.m.–1 p.m.: Break

1 p.m.–2:30 p.m.: Public Comment

**LOCATION:** Whitaker Center for Science and the Arts, Sunoco Performance Theater, 222 Market Street, Harrisburg, Pennsylvania 17101.

Link to Whitaker Center: <http://www.whitakercenter.org>.

The purpose of the hearing is to fully involve the public in the process of the 2006 Quadrennial Broadcast Media Ownership Review that the Commission is currently conducting. The hearing is open to the public, and seating will be available on a first-come, first-served basis. This hearing is the third in a series of media ownership hearings the Commission intends to hold across the country.

There will be one panel of presenters followed by public comment. The hearing format will enable members of the public to participate via "open microphone."

Open captioning and sign language interpreters will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need including as much detail as you can. Also include a way we can contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may not be possible to fill. Send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau: For reasonable accommodations: 202-418-0530 (voice), 202-418-0432 (TTY).

Further details including names of the panelists will be released prior to the hearing.

For additional information about the hearing, please visit the FCC's Web site at <http://www.fcc.gov/ownership>. Press inquiries should be directed to Clyde Ensslin, at 202-418-0506, or David Fiske, at 202-418-0513.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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## FEDERAL MARITIME COMMISSION

### Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments on agreements to the Secretary, Federal Maritime Commission, Washington, DC 20573, within ten days of the date this notice appears in the **Federal Register**.