

operators, direct broadcast satellite (DBS) carriers, open video system operators, and private cable operators.

(3) DTV.Gov Partner Consumer Education Reporting. DTV.gov Transition Partners must report their consumer education efforts, as a condition of continuing Partner status. They must begin filing these quarterly reports no later than April 10, 2008.

(4) 700 MHz Wireless Service Licensee/Permittees Consumer Education Reporting (47 CFR 27.20). Winners of the 700 MHz spectrum auction must report their consumer education efforts to the Commission on a quarterly basis. These parties must file the first by the tenth day of the first calendar quarter following the initial grant of the license authorization that the entity holds.

Also, we note that pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4), we seek specific comment on how the Commission might "further reduce the information collection burden for small business concerns with fewer than 25 employees."

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E8-13740 Filed 6-18-08; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority, Comments Requested

June 12, 2008.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3520. An agency may not conduct or sponsor a collection of information unless it displays a currently valid 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 (PRA) that does not display a valid control number. Comments are requested concerning (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility;

(b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Persons wishing to comment on this information collection should submit comments August 18, 2008. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Nicholas A. Fraser, Office of Management and Budget (OMB), (202) 395-5887, or via fax at 202-395-5167, or via the Internet at [Nicholas\\_A.\\_Fraser@omb.eop.gov](mailto:Nicholas_A._Fraser@omb.eop.gov) and to [Judith-B.Herman@fcc.gov](mailto:Judith-B.Herman@fcc.gov), Federal Communications Commission (FCC). To submit your comments by e-mail send them to: [PRA@fcc.gov](mailto:PRA@fcc.gov).

To view a copy of this information collection request (ICR) submitted to OMB: (1) Go to the Web page <http://www.reginfo.gov/public/do/PRAMain>, (2) look for the section of the Web page called "Currently Under Review", (3) click the downward-pointing arrow in the "Select Agency" box below the "Currently Under Review" heading, (4) select "Federal Communications Commission" from the list of agencies presented in the "Select Agency" box, (5) click the "Submit" button to the right of the "Select Agency" box and (6) when the list of FCC ICRs currently under review appears, look for the title of this ICR (or its OMB Control Number, if there is one) and then click on the ICR Reference Number to view detailed information about this ICR.

**FOR FURTHER INFORMATION CONTACT:** For additional information, send an email to Judith B. Herman at 202-418-0214.

**SUPPLEMENTARY INFORMATION:**

*OMB Control No.:* 3060-1118.

*Title:* DTV Retailer Site Visit Program.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit.

*Number of Respondents:* 1,450 respondents; 1,450 responses.

*Estimated Time Per Response:* .25 hours.

*Frequency of Response:* 25 interviews a week for 52 weeks (on occasion reporting requirement).

*Obligation To Respond:* Voluntary.

*Total Annual Burden:* 325 hours.

*Annual Cost Burden:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Nature and Extent of Confidentiality:* There is no need for confidentiality.

*Needs and Uses:* This collection will be submitted as an extension (no change in reporting requirements) after this 60 day comment period to Office of Management and Budget (OMB) in order to obtain the full three year clearance.

The Commission requested and obtained emergency approval for this information collection on June 11, 2008 from the Office of Management and Budget. The emergency OMB approval ends in six months, therefore, the Commission is now seeking the full three year clearance from them.

On February 19, 2008, the Commission adopted a Report and Order in MB Docket No. 07-148, FCC 08-56, concerning the DTV Consumer Education Initiative. The Report and Order noted that many retailers have agreed to participate in the National Telecommunications and Information Agency (NTIA) digital-to-analog converter box coupon program. Those retailers claim to have undertaken significant employee training initiatives regarding the converter box program and the digital television transition. Among other things, the Report and Order offered the Commission's assistance to the NTIA to assess those training efforts. In this regard, the Commission's Enforcement Bureau field agents will regularly visit participating retailer stores across the country. They will conduct on-the-spot interviews with retail managers to ascertain whether retailers who participate in the converter box coupon program are fulfilling their commitment to engage in extensive employee training and consumer outreach education. The interview will consist of a series of questions to assess employee training and consumer education efforts and whether the retailers' objectives are being met at stores. The interview is not part of an official FCC investigation and no penalty would result from the interview. The information collected will be forwarded to FCC Headquarters to be consolidated into an aggregated report that will then be forwarded to NTIA for its review and appropriate action. This collection of information is needed to ensure that the American public is adequately prepared for the digital television transition.

While the Commission will be the collection point for the information with regard to the retailers, the information collected will be passed on to NTIA for review and appropriate action. As retailers provide direct contact with customers and provide customers with

information regarding the capabilities of the equipment they are purchasing, they will play a central role in educating the public on the DTV transition.

The government has a substantial interest in ensuring that the public is fully informed about the DTV transition and the steps necessary to continue receiving over-the-air broadcast signals after the transition. The interviews are another step in ensuring that the American public is adequately prepared for the digital television transition.

Federal Communications Commission.

**Marlene H. Dortch,**

Secretary.

[FR Doc. E8-13896 Filed 6-18-08; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

[DA 08-1176]

### Notice of Debarment; Schools and Libraries Universal Service Support Mechanism

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Enforcement Bureau debar Mr. Thomas J. Kennedy III from the schools and libraries universal service support mechanism (or "E-Rate Program") for a period of three years based on your conviction of mail fraud in connection with your participation in the program. The Bureau takes this action in order to protect the E-Rate Program from waste, fraud and abuse.

**DATES:** Debarment commences on the date Mr. Thomas J. Kennedy III receives the debarment letter or June 19, 2008, whichever date come first, for a period of three years.

**FOR FURTHER INFORMATION CONTACT:** Diana Lee, Federal Communications Commission, Enforcement Bureau, Investigations and Hearings Division, Room 4-C330, 445 12th Street, SW., Washington, DC 20554. Diana Lee may be contacted by phone at (202) 418-0843 or by e-mail at [diana.lee@fcc.gov](mailto:diana.lee@fcc.gov). If Ms. Lee is unavailable, you may contact Ms. Vickie Robinson, Assistant Chief, Investigations and Hearings Division, by telephone at (202) 418-1420 and by e-mail at [vickie.robinson@fcc.gov](mailto:vickie.robinson@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Bureau debarred Mr. Thomas J. Kennedy III from the schools and libraries universal service support mechanism for a period of three years pursuant to 47 CFR 54.8 and 47 CFR

0.111(a). Attached is the debarment letter, DA 08-1176, which was mailed to Mr. Thomas J. Kennedy III and released on May 16, 2008. The complete text of the notice of debarment is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portal II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. In addition, the complete text is available on the FCC's Web site at <http://www.fcc.gov>. The text may also be purchased from the Commission's duplicating inspection and copying during regular business hours at the contractor, Best Copy and Printing, Inc., Portal II, 445 12th Street, SW., Room CY-B420, Washington, DC 20554, telephone (202) 488-5300 or (800) 378-3160, facsimile (202) 488-5563, or via e-mail <http://www.bcpweb.com>.

Federal Communications Commission.

**Hillary S. DeNigro,**

Chief, Investigations and Hearings Division, Enforcement Bureau.

The debarment letter follows:

May 16, 2008.

DA 08-1176.

Via Certified Mail; Return Receipt Requested and Facsimile (203-977-7301).

Mr. Thomas J. Kennedy III, c/o Stanley A. Twardy, Jr., Day Pitney LLP, One Canterbury Green, Stamford, CT 06901-2047.

#### Re: Notice of Debarment, File No. EB-08-IH-0285

Dear Mr. Kennedy: Pursuant to section 54.8 of the rules of the Federal Communications Commission (the "Commission"), by this Notice of Debarment you are debarred from the schools and libraries universal service support mechanism (or "E-Rate program") for a period of three years.<sup>1</sup>

On February 6, 2008, the Enforcement Bureau (the "Bureau") sent you a Notice of Suspension and Initiation of Debarment Proceedings (the "Notice of Suspension").<sup>2</sup> That Notice of Suspension was published in the **Federal Register** on March 10, 2008.<sup>3</sup> The Notice of Suspension suspended you from the schools and libraries universal service support mechanism and described the basis for initiation of debarment proceedings against you, the applicable debarment procedures, and the effect of debarment.<sup>4</sup>

Pursuant to the Commission's rules, any opposition to your suspension or its scope or to your proposed debarment or its scope had

to be filed with the Commission no later than thirty (30) calendar days from the earlier date of your receipt of the Notice of Suspension or publication of the Notice of Suspension in the **Federal Register**.<sup>5</sup> The Commission did not receive any such opposition.

As discussed in the Notice of Suspension, you pled guilty to and were convicted of mail fraud, in violation of 18 U.S.C. 1341, for your participation in the E-Rate program.<sup>6</sup> You admitted to participating in a scheme to defraud the E-Rate program by, among other things, taking actions with other co-schemers to ensure that costs for services on E-rate projects would be billed at inflated rates, which in turn led to inflated invoices being submitted to the Universal Service Administrative Company for reimbursement from the E-Rate program.<sup>7</sup> Such conduct constitutes the basis for your debarment, and your conviction falls within the categories of causes for debarment under section 54.8(c) of the Commission's rules.<sup>8</sup> For the foregoing reasons, you are hereby debarred for a period of three years from the debarment date, *i.e.*, the earlier date of your receipt of this Notice of Debarment or its publication date in the **Federal Register**.<sup>9</sup> Debarment excludes you, for the debarment period, from activities "associated with or related to the schools and libraries support mechanism," including "the receipt of funds or discounted services through the schools and libraries support mechanism, or consulting with, assisting, or advising applicants or service providers regarding the schools and libraries support mechanism."<sup>10</sup>

Sincerely,

Hillary S. DeNigro,

Chief, Investigations and Hearings Division, Enforcement Bureau.

cc: Kristy Carroll, Esq., Universal Service Administrative Company (via e-mail).

Anthony E. Kaplan, Esq., Supervisory Assistant United States Attorney.

Calvin B. Kurimai, Esq., Assistant United States Attorney.

February 6, 2008.

DA 08-300.

Via Certified Mail; Return Receipt Requested and Facsimile (203-977-7301).

Mr. Thomas J. Kennedy III, c/o Stanley A. Twardy, Jr., Day Pitney LLP, One Canterbury Green, Stamford, CT 06901-2047, E-mail: [satwardy@daypitney.com](mailto:satwardy@daypitney.com).

<sup>5</sup> See 47 CFR 54.8 (e)(3) and (4). That date occurred no later than April 9, 2008. See *supra* note 3.

<sup>6</sup> See Notice of Suspension, 23 FCC Rcd at 1670.

<sup>7</sup> See *id.* In addition to Richard E. Brown, the Bureau debarred Keith J. Madeiros, both former SBC account managers participating in the scheme, from the E-Rate program. See Letter from Hillary S. DeNigro to Keith J. Madeiros, Notice of Debarment, DA 08-1177 (Enf. Bur., Investigations & Hearings Div., rel. May 16, 2008).

<sup>8</sup> *Id.* at 1670; 47 CFR 54.8(c).

<sup>9</sup> See Notice of Suspension, 23 FCC Rcd at 1672.

<sup>10</sup> See 47 C.F.R. 54.8(a)(1), 54.8(a)(5), 54.8(d); Notice of Suspension, 23 FCC Rcd at 1672.

<sup>1</sup> See 47 CFR 0.111(a), 54.8.

<sup>2</sup> Letter from Hillary S. DeNigro, Chief, Investigations and Hearings Division, Enforcement Bureau, Federal Communications Commission, to Mr. Thomas J. Kennedy III, Notice of Suspension and Initiation of Debarment Proceedings, 23 FCC Rcd 1669 (Inv. & Hearings Div., Enf. Bur. 2008) (Attachment 1).

<sup>3</sup> 73 FR 12733 (March 10, 2008).

<sup>4</sup> See Notice of Suspension, 23 FCC Rcd at 1670-72.