

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 on or before March 1, 2010. 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), 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 Leslie F. Smith, Federal Communications Commission, at [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov). To submit your comments by e-mail, send them to [PRA@fcc.gov](mailto:PRA@fcc.gov). Include in the e-mail the OMB Control Number of the collection or, if there is no OMB control number, the Title shown in the **SUPPLEMENTARY INFORMATION** section below. If you are unable to submit your comments by e-mail, contact the person listed below to make alternate arrangements.

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection(s) or to obtain a copy of the collection, send an e-mail to [PRA@fcc.gov](mailto:PRA@fcc.gov) and include the collection's OMB control number as shown in the **SUPPLEMENTARY INFORMATION** section below, or call Leslie F. Smith at (202) 418-0217.

**SUPPLEMENTARY INFORMATION:**

*OMB Control No.:* 3060-0411.

*Title:* Procedures for Formal Complaints Filed Against Common Carriers.

*Form Number:* FCC 485.

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

*Respondents:* Businesses or other for-profit, Not-for-profit institutions, Federal Government, and State, Local or Tribal Government.

*Number of Respondents:* 26; 26 responses.

*Estimated Time per Response:* 0.5-12 hours.

*Frequency of Response:*

Recordkeeping, On occasion reporting requirements; and Third party disclosure.

*Obligation to Respond:* Required to obtain or retain benefits.

*Total Annual Burden:* 1,001 hours.

*Total Annual Cost:* \$1,409,600.

*Privacy Act Impact Assessment:* No impacts.

*Nature and Extent of Confidentiality:* 47 CFR 1.731 provides for confidential treatment of materials disclosed or exchanged during the course of formal complaint proceedings when those materials have been identified by the disclosing party as proprietary or confidential. In the rare case in which a producing party believes that Section 1.731 will not provide adequate protection for its asserted confidential material, it may request either that the opposing party consent to greater protection, or that the staff supervising the proceeding order greater protection.

*Needs and Uses:* Sections 206-209 of the Communications Act of 1934, as amended (the "Act"), provide the statutory framework for the Commission's rules for resolving formal complaints against common carriers. Section 208(a) authorizes complaints by any person "complaining of anything done or omitted to be done by any common carrier" subject to the provisions of the Act. Section 208(a) states that if a carrier does not satisfy a complaint or there appears to be any reasonable ground for investigating the complaint, the Commission shall "investigate the matters complained of in such manner and by such means as it shall deem proper." Certain categories of complaints are subject to a statutory deadline for resolution. *See, e.g.,* 47 U.S.C. 208(b)(1) (imposing a five-month deadline for complaints challenging the "lawfulness of a charge, classification, regulation, or practice"); 47 U.S.C. 271(d)(6) (imposing a 90-day deadline for complaints alleging that a Bell operating company (BOC) has ceased to meet conditions imposed in connection with approval to provide in-region interLATA services).

Formal complaint proceedings before the Commission are similar to civil litigation in federal district court. In fact, under section 207 of the Act, a party claiming to be damaged by a common carrier, may file its complaint with the Commission or in any district court of the United States, "but such person shall not have the right to pursue both such remedies" (47 U.S.C. 207). The Commission has promulgated rules (the "Formal Complaint Rules") to govern its formal complaint proceedings that are similar in many respects to the Federal Rules of Civil Procedure. *See* 47 CFR 1.720-1.736. These rules require the submission of information from the parties necessary to create a record on which the Commission can decide complex legal and factual issues. As described in Section 1.720 of the Commission's rules, formal complaint

proceedings are resolved on a written record consisting of a complaint, answer or response, and joint statement of stipulated facts, disputed facts and key legal issues, along with all associated affidavits, exhibits and other attachments.

This collection of information includes the process for submitting a formal complaint. The Commission uses this information to determine the sufficiency of complaints and to resolve the merits of disputes between the parties. Orders issued by the Commission in formal complaint proceedings are based upon evidence and argument produced by the parties in accordance with the Formal Complaint Rules. If the information were not collected, the Commission would not be able to resolve common carrier-related complaint proceedings, as required by Section 208 of the Act.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

December 23, 2009.

**SUMMARY:** As part of its continuing effort to reduce paperwork burden and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s). 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; (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; and (e) ways to further reduce the information burden for small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently 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 (PRA) that does not display a valid Control Number.

**DATES:** Written Paperwork Reduction Act (PRA) comments should be submitted on or before March 1, 2010. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the FCC contact listed below as soon as possible.

**ADDRESSES:** Submit your PRA comments to Nicholas A. Fraser, Office of Management and Budget, 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 Leslie F. Smith, Federal Communications Commission, via the Internet at [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov). To submit your PRA comments by e-mail send them to: [PRA@fcc.gov](mailto:PRA@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information, contact Leslie F. Smith at (202) 418-0217.

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0917.

*Title:* CORES Registration Form.

*Form Number:* FCC Form 160.

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

*Respondents:* Individuals or households; Businesses or other for-profit entities; Not-for-profit institutions; and State, Local, or Tribal Governments.

*Number of Respondents:* 150,000; 150,000 responses.

*Estimated Time per Response:* 10 minutes (0.167 hours).

*Frequency of Response:* One time reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits.

*Total Annual Burden:* 25,050 hours.

*Total Annual Costs:* None.

*Privacy Impact Assessment:* Yes.

*Nature and Extent of Confidentiality:*

The FCC has a system of records, FCC/ OMD-9, "Commission Registration System (CORES)," to cover the collection, purpose(s), storage, safeguards, and disposal of the personally identifiable information (PII) that individual respondents may submit on FCC Form 160. The FCC will also redact PII submitted on this form before it makes FCC Form 160 available for public inspection.

*Needs and Uses:* Respondents use FCC Form 160 to register in the FCC's Commission Registration System (CORES). Respondents may also register in CORES on-line at <http://www.fcc.gov/frnreg>. When registering, the respondent

receives a unique FCC Registration Number (FRN), which is required for anyone doing business with the Commission. FCC Form 160 is used to collect information that pertains to the entity's name, address, contact representative, telephone number, e-mail address, and fax number. The Commission uses this information to collect or report on any delinquent debt arising from the respondent's business dealings with the FCC, including both "feeable" and "nonfeeable" services; and to ensure that registrants (respondents) receive any refunds due. Use of the CORES System is also a means of ensuring that the Commission operates in compliance with the Debt Collection Improvement Act of 1996.

The Commission has increased the number of respondents and number of responses by approximately 50,000 each to account for those who will now be filing FCC Form 323, "Ownership Report for Commercial Broadcast Stations."

*OMB Control Number:* 3060-0918.

*Title:* CORES Update/Change Form.

*Form Number:* FCC Form 161.

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

*Respondents:* Individuals or households; Businesses or other for-profit entities; Not-for-profit institutions; and State, Local, or Tribal Governments.

*Number of Respondents:* 57,600; 57,600 responses.

*Estimated Time per Response:* 10 minutes (0.167 hours).

*Frequency of Response:* One time reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits.

*Total Annual Burden:* 9,792 hours.

*Total Annual Costs:* None.

*Privacy Impact Assessment:* Yes.

*Nature and Extent of Confidentiality:*

The FCC has a system of records, FCC/ OMD-9, "Commission Registration System (CORES)," to cover the collection, purpose(s), storage, safeguards, and disposal of the personally identifiable information (PII) that individual respondents may submit on FCC Form 160. The FCC will also redact PII submitted on this form before it makes FCC Form 160 available for public inspection.

*Needs and Uses:* After respondents have registered in the FCC's Commission Registration System (CORES) and have been issued a FCC Registration Number (FRN), they may use FCC Form 161 to update and/or change their contact information, including name, address, telephone number, e-mail address, fax number, contact representative, contact

representative's address, telephone number, e-mail address, and/or fax number. Respondents may also update their registration information in CORES on-line at <http://www.fcc.gov/frnreg>. The Commission uses this information to collect or report on any delinquent debt arising from the respondent's business dealings with the FCC, including both "feeable" and "nonfeeable" services; and to ensure that registrants (respondents) receive any refunds due. Use of the CORES System is also a means of ensuring that the Commission operates in compliance with the Debt Collection Improvement Act of 1996.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Privacy Act System of Records

**AGENCY:** Federal Communications Commission (FCC or Commission).

**ACTION:** Notice; one new Privacy Act system of records.

**SUMMARY:** Pursuant to subsection (e)(4) of the Privacy Act of 1974, as amended (5 U.S.C. 552a), the FCC proposes to add a new system of records, FCC/OMD-27, "Broadband Unavailability Survey and Broadband Quality Test." The FCC's Office of Managing Director (OMD) will use the information contained in FCC/ OMD-27 to cover the personally identifiable information (PII) in the Commission's new "Public Registry of Broadband Availability Consumer Information" survey and "Broadband Quality Test." This survey will determine the access of U.S. residents to broadband—cable and DSL, fiber and other broadband services. The test will provide individuals with a mechanism to measure the quality of their internet broadband connection. Individual street addresses will not be made public but aggregated data from the database may be made public. These data may be used to inform the National Broadband Plan, the National Broadband Map and other proceedings related to the provisioning of broadband services.

**DATES:** In accordance with subsections (e)(4) and (e)(11) of the Privacy Act, any interested person may submit written comments concerning the alteration of this system of records on or before January 29, 2010. The Office of Management and Budget (OMB), which has oversight responsibility under the