

system. If you send an e-mail comment directly to the Docket without going through <http://www.regulations.gov>, your e-mail address is automatically captured and included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

Dated: February 22, 2010.

**Richard B. Ossias,**

*Associate General Counsel.*

[FR Doc. 2010-4156 Filed 2-26-10; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Approved by the Office of Management and Budget

February 22, 2010.

**SUMMARY:** The Federal Communications Commission has received Office of Management and Budget (OMB) approval for the following public information collection(s) pursuant to 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 OMB control number, and no person is required to respond to a collection of information unless it displays a currently valid OMB control number. Comments concerning the accuracy of the burden estimate(s) and any suggestions for reducing the burden should be directed to the person listed in the "For Further Information Contact" section below.

**FOR FURTHER INFORMATION CONTACT:** Tim Stelzig on (202) 418-0942 or e-mail at Tim.Stelzig@fcc.gov.

#### SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-1131.

OMB Approval Date: 12/03/2009.

Expiration Date: 12/31/2012.

Title: Implementation of the NET 911 Improvement ACT of 2008: Location Information from Owners and Controllers of 911 and E911 Capabilities.

Form Number: N/A.

Estimated Annual Burden: 60 responses; 0.0833 hours (5 minutes) hours per response; 5 hours total per year.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this information collection is contained in the New and Emerging Technologies 911 Improvement Act of 2008 (NET 911 Act), Public Law 110-283, Stat. 2620 (2008) (to be codified at 47 CFR Section 615a-1), and section

222 of the Communications Act of 1934, as amended.

Nature and Extent of Confidentiality: To implement section 222 of the Communications Act of 1934, as amended, the Commission's rules impose a general duty on carriers to protect the privacy of customer proprietary network information and carrier proprietary information from unauthorized disclosure. See 47 CFR 64.2001 et seq. In the Order, the Commission additionally has clarified that the Commission's rules contemplate that incumbent LECs and other owners or controllers of 911 or E911 infrastructure will acquire information regarding interconnected VoIP providers and their customers for use in the provision of emergency services. We fully expect that these entities will use the information only for the provision of E911 services. To be clear, no entity may use customer information obtained as a result of the provision of 911 or E911 services for marketing purposes.

Needs and Uses: In a Report and Order, FCC 08-249, WC Docket No. 08-171, the FCC requires an owner or controller of a 911 or enhanced 911 (E911) capability to make that capability available to a requesting interconnected Voice over Internet Protocol (VoIP) provider in certain circumstances. This requirement involves the collection and disclosure to emergency services personnel of customers' location information. In a previous action, the Commission required interconnected VoIP providers to collect certain location information from their customers and disclose it to the entities that own or control an Automatic Location Information (ALI) database. That OMB-approved requirement is under OMB Control Number 3060-1085. All the relevant costs of the entities that own or control an ALI database were previously described in 3060-1085. The Commission has calculated the paperwork burdens of this present item in such a way as to prevent double counting for OMB's inventory.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary, Office of Managing Director.*

[FR Doc. 2010-4068 Filed 2-26-10; 8:45 am]

**BILLING CODE: 6712-01-S**

## FEDERAL COMMUNICATIONS COMMISSION

[RM No. 11592; DA 10-278]

### Wireless Telecommunications Bureau Seeks Comment on Petition for Rulemaking Regarding 700 MHz Band Mobile Equipment Design and Procurement Practices

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** The Wireless Telecommunications Bureau seeks comment on a petition for rulemaking asking the Commission to require that all mobile units be capable of operating over all frequencies in the 700 MHz Band.

**DATES:** Interested parties may file comments on or before March 31, 2010, and reply comments on or before April 30, 2010.

**ADDRESSES:** Comments may be filed using (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See Electronic Filing of Documents in Rulemaking Proceedings, 63 FR 24121 (1998).

- *Electronic Filers:* Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/> or the Federal eRulemaking Portal: <http://www.regulations.gov>.

- *Paper Filers:* Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Effective December 28, 2009, all hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. The filing hours are 8 a.m. to 7 p.m.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW., Washington, DC 20554.

• *People With Disabilities*: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (Voice), 202-418-0432 (TTY).

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. Documents in RM No. 11592, including a copy of the petition, are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 CFR 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required. See 47 CFR 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules, 47 CFR 1.1206(b).

**FOR FURTHER INFORMATION CONTACT:** Won Kim, Spectrum and Competition Policy Division, Wireless Telecommunications Bureau, at (202) 418-1368.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Public Notice in RM No. 11592 and DA 10-278, released on February 18, 2010. On September 29, 2009, an alliance comprised of four Lower 700 MHz Band A Block licensees (Petitioners) filed a petition for rulemaking, asking the Commission to "assure that consumers will have access to all paired 700 MHz spectrum that the Commission licenses, to act so that the entire 700 MHz band will develop in a competitive fashion, and to adopt rules that prohibit restrictive equipment arrangements that are contrary to the public interest."<sup>1</sup>

<sup>1</sup> 700 MHz Block A Good Faith Purchaser Alliance Petition for Rulemaking Regarding the Need for 700 MHz Mobile Equipment to be Capable of Operating on All Paired Commercial 700 MHz Frequency Blocks, filed Sept. 29, 2009 (Petition), at

Specifically, the Petitioners ask the Commission to require that all mobile units for the 700 MHz band be capable of operating over all frequencies in the band.<sup>2</sup> The Petitioners further request "an immediate freeze on the authorization of mobile equipment that is not capable of operation on all paired commercial 700 MHz frequencies."<sup>3</sup> The Wireless Telecommunications Bureau seeks comment on the Petition.<sup>4</sup> AT&T and Verizon Wireless have indicated that they are pursuing 700 MHz Long Term Evolution (LTE) mobile devices that operate over the 700 MHz spectrum blocks associated with some or all of their own respective 700 MHz band licenses but that do not include the Lower 700 MHz Band A Block (A Block).<sup>5</sup> The Petitioners assert that these "equipment design and procurement practices contravene the public interest," arguing that, if the equipment offered by these large carriers does not operate over A Block, mobile 700 MHz "equipment needed by [A Block] licensees in smaller volumes will likely be available only later in time and at considerably higher price points."<sup>6</sup> The Petitioners also argue that such practices "are unjustly discriminatory and anticompetitive" in violation of Sections 201(b) and 202(a) of the Communications Act (Act), and that they are in conflict with other provisions of the Act, including the universal service goals of Section 254(b)(3) and the license application review criteria of Section 307(b).<sup>7</sup>

The Wireless Telecommunications Bureau seeks comment on relevant technical, legal, economic, and policy issues involving the Petitioners' request that the Commission commence a rulemaking proceeding. The

1. The Alliance is a "joint venture" consisting of Cellular South Licenses, Inc.; Cavalier Wireless, LLC; Continuum 700, LLC; and King Street Wireless, L.P., each of which is currently the licensee of Lower 700 MHz Band A Block spectrum. *Id.*

<sup>2</sup> Petition at iii, 12.

<sup>3</sup> Petition at 1-2.

<sup>4</sup> The Bureau notes that several parties have already filed comments in various proceedings that discuss either the Petition or substantially similar issues. See, e.g., Cellular South Comments, WT Docket No. 09-66 (filed Sept. 30, 2009) at 8-15; Verizon Wireless Reply Comments, WT Docket No. 09-66 (filed Oct. 22, 2009), at 85-92; AT&T, Inc. Reply Comments, WT Docket No. 09-66 (filed Oct. 22, 2009) (AT&T Reply Comments), at 70-72; Verizon Wireless *Ex parte*, WT Docket No. 09-66; GN Docket No. 09-157 (filed Dec. 18, 2009) (Verizon *Ex parte*); Qualcomm *Ex parte*, WT Docket No. 09-66; GN Docket No. 09-157 (filed Jan. 25, 2010); Motorola Comments, RM-11592 (filed Feb. 12, 2010).

<sup>5</sup> See AT&T Reply Comments at 72; Verizon Wireless *Ex parte* at 7.

<sup>6</sup> Petition at 2, 4.

<sup>7</sup> Petition at 7-9.

Commission notes, for instance, that devices capable of operating in the A Block will be using spectrum adjacent to the full-power DTV broadcasting operations on Channel 51, and to the Lower 700 MHz Band E Block, which may be used for higher-powered mobile services under Commission rules.

Federal Communications Commission.

**Ruth Milkman,**

*Chief, Wireless Telecommunications Bureau.*

[FR Doc. 2010-4140 Filed 2-26-10; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL RESERVE SYSTEM

### Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB; Correction

This notice corrects a notice (FR Doc. 2010-3578) published on pages 8355 through 8362 of the issue for February 24, 2010.

Under the Federal Reserve System heading, the entry for Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB, is revised to read as follows:

**SUMMARY:** *Background.* Notice is hereby given of the final approval of proposed information collections by the Board of Governors of the Federal Reserve System (Board) under OMB delegated authority, as per 5 CFR 1320.16 (OMB Regulations on Controlling Paperwork Burdens on the Public). Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the Paperwork Reduction Act Submission, supporting statements and approved collection of information instruments are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

#### FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Michelle Shore—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202-452-3829)

OMB Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New