

37. Accordingly, *it is ordered* that, pursuant to the authority contained in sections 1, 4(i), 4(j), 225, 251(e), and 255 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 225, 251(e), and 255, and § 1.3 of the Commission's rules, 47 CFR 1.3, this Report and Order *is adopted*, and that part 64 of the Commission's rules, 47 CFR part 64, *is amended* as set forth in Appendix A. The Report and Order shall become effective October 27, 2011 except for §§ 64.611(e)(2), 64.611(e)(3), 64.611(g)(1)(v), 64.611(g)(1)(vi), and 64.613(a)(3), which require approval by OMB under the PRA and which shall become effective after the Commission publishes a notice in the **Federal Register** announcing such approval and the relevant effective date(s).

38. *It is further ordered* that, pursuant to sections 1, 4(i), 4(j) and 251(e) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j) and 251(e), and §§ 1.3 and 52.111 of the Commission's rules, 47 CFR 1.3 and 52.111, a waiver of the Commission's first-come, first-served rule, 47 CFR 52.111, *is granted* for a period of one year after the effective date of this Order, to allow iTRS users to transfer their existing toll free numbers to new toll free subscribership.

39. *It is further ordered* that the Commission's requirement that toll free numbers and ten-digit geographic numbers not be directed to the same URI in the iTRS Directory *is waived*, effective upon release of this Report and Order, until February 6, 2012.

40. *It is further ordered* that, pursuant to sections 1, 2, 4(i), 4(j), 225, 251, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 154(j), 225, 251, 303(r), the Petition for Expedited Reconsideration filed by GSDVRS LLC on September 10, 2009, in CG Docket No. 03–123, CC Docket No. 98–67, and WC Docket No. 05–196 *is dismissed as moot*.

41. *It is further ordered* that, pursuant to sections 1, 2, 4(i), 4(j), 225, 251, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 154(j), 225, 251, 303(r), the Petition for Emergency Stay filed by the TDI Coalition in CG Docket No. 03–123, WC Docket No. 05–196 on October 27, 2009 and the Request for Return to the Status Quo Ante filed by the TDI Coalition in CG Docket No. 03–123 and WC Docket No. 05–196 on November 12, 2009 *are dismissed as moot*.

42. *It is further ordered* that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this Report and Order, including the Final Regulatory Flexibility Analysis, to

the Chief Counsel for Advocacy of the Small Business Administration.

**List of Subjects in 47 CFR Part 64**

Telecommunications.

Federal Communications Commission

**Marlene H. Dortch,**

*Secretary.*

**Final Rules**

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 64 as follows:

**PART 64—MISCELLANEOUS RULES RELATING TO COMMON CARRIERS**

■ 1. The authority citation for part 64 continues to read as follows:

**Authority:** 47 U.S.C. 154, 254(k), 227; secs. 403(b)(2)(B)(c), Pub. L. 104–104, 100 Stat. 56. Interpret or apply 47 U.S.C. 201, 218, 222, 225, 226, 228, and 254(k) unless otherwise noted.

- 2. Section 64.611 is amended by:
  - a. Redesignating paragraphs (e) and (f) as paragraphs (f) and (g);
  - b. Adding a new paragraph (e);
  - c. Removing “and” from the end of newly designated paragraph (g)(1)(iii);
  - d. Removing the period from the end of newly designated paragraph (g)(1)(iv) and adding “;” in its place; and
  - e. Adding paragraphs (g)(1)(v) and (g)(1)(vi) to read as follows:

**§ 64.611 Internet-based TRS registration.**

\* \* \* \* \*

(e) *Toll free numbers.* A VRS or IP Relay provider:

(1) May not assign or issue a toll free number to any VRS or IP Relay user.

(2) That has already assigned or provided a toll free number to a VRS or IP Relay user must, at the VRS or IP Relay user's request, facilitate the transfer of the toll free number to a toll free subscription with a toll free service provider that is under the direct control of the user.

(3) Must within one year after the effective date of this Order remove from the Internet-based TRS Numbering Directory any toll free number that has not been transferred to a subscription with a toll free service provider and for which the user is the subscriber of record.

\* \* \* \* \*

(g) \* \* \*

(1) \* \* \*

(v) The process by which a VRS or IP Relay user may acquire a toll free number, or transfer control of a toll free number from a VRS or IP Relay provider to the user; and

(vi) The process by which persons holding a toll free number request that

the toll free number be linked to their ten-digit telephone number in the TRS Numbering Directory.

\* \* \* \* \*

■ 3. Section 64.613(a) is amended by revising paragraphs (a)(1) and (a)(2), redesignating paragraph (a)(3) as paragraph (a)(4) and adding a new paragraph (a)(3) to read as follows:

**§ 64.613 Numbering directory for Internet-based TRS users.**

(a) \* \* \*

(1) The TRS Numbering Directory shall contain records mapping the geographically appropriate NANP telephone number of each Registered Internet-based TRS User to a unique Uniform Resource Identifier (URI).

(2) For each record associated with a VRS user's geographically appropriate NANP telephone number, the URI shall contain the IP address of the user's device. For each record associated with an IP Relay user's geographically appropriate NANP telephone number, the URI shall contain the user's user name and domain name that can be subsequently resolved to reach the user.

(3) Within one year after the effective date of this Order, Internet-based TRS providers must ensure that a user's toll free number that is associated with a geographically appropriate NANP number will be associated with the same URI as that geographically appropriate NANP telephone number.

\* \* \* \* \*

[FR Doc. 2011–23824 Filed 9–26–11; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 64**

[CG Docket No. 10–51; FCC 11–118 and DA 11–1590]

**Structure and Practices of the Video Relay Service Program**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; petition for reconsideration.

**SUMMARY:** In this document, the Commission gives notice of two Petitions for Reconsideration (Petitions) filed in the Commission's rulemaking proceeding concerning Structure and Practices of the Video Relay Service Program, Second Report and Order and Order in CG Docket No. 10–51 (Second Report and Order), and sets an expedited schedule for filing oppositions and replies. In light of impending deadlines for initial and

recertification Video Relay Service (VRS) applications, and to avoid waste, fraud, and abuse in the VRS program, the Commission finds that good cause exists in this instance to alter the comment periods specified in the Commission's rules.

**DATES:** Oppositions to the Petitions are due on or before October 7, 2011.

Replies to oppositions are due on or before October 12, 2011.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Gregory Hlibok, (202) 559-5158 (VP), or e-mail, [Gregory.Hlibok@fcc.gov](mailto:Gregory.Hlibok@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of document DA 11-1590, released September 22, 2011. The full text of document DA 11-1590 and copies of any subsequently filed documents in this matter will be available for public inspection and copying during normal business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington DC 20554. Document DA 11-1590 and copies of subsequently filed documents in this matter may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), at Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Customers may contact BCPI at its Web site, <http://www.bcpweb.com>, by calling (800) 378-3160 or (202) 863-2893, by facsimile at (202) 863-2898, or via e-mail at <http://www.bcpweb.com>.

*Oppositions and Replies.* Pursuant to § 1.429 of the Commission's rules, interested parties may file oppositions and replies to an opposition on or before the dates indicated on the first page of this document. Such pleadings may be filed using: (1) The Commission's Electronic Comment Filing System (ECFS); or (2) by filing paper copies. All filings should reference the docket number of this proceeding, CG Docket No. 10-51. The oppositions and replies filed in response to document DA 11-1590 will be available via the ECFS at: <http://fjallfoss.fcc.gov/ecfs2/>; you may search by docket number (CG Docket No. 10-51).

• Oppositions and replies may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>. Filers should follow the instructions provided on the Web site for submitting comments. In completing the transmittal screen, ECFS filers should include their full name, U.S. Postal Service mailing address, and CG Docket No. 10-51.

• Parties who choose to file by paper must file an original and one copy 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.

• 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. The filing hours are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes or boxes must be disposed of before entering the building.

• 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.

#### Ex Parte Proceeding

This proceeding shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's ex parte rules. *See* 47 CFR 1.1200 *et seq.* Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must: (1) List all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made; and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with § 1.1206(b)

of the Commission's rules. In proceedings governed by § 1.49(f) of the rules or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

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 and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

#### Congressional Review Act

The Commission will not send a copy of document DA 11-1590 pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A), because it does not have an impact on any rules of particular applicability.

#### Synopsis

1. Notice is hereby given that the parties listed have petitioned the Commission for reconsideration and clarification of the *Second Report and Order* in CG Docket No. 10-51, FCC 11-118, published at 76 FR 47469, August 5, 2011. In the *Second Report and Order*, the Commission required that, as part of their initial iTRS certification applications and in annual updates, VRS providers describe the technology and equipment used to support their call center functions (including but not limited to automatic call distribution, routing, call setup, mapping, call features, billing for compensation from the Interstate TRS Fund (TRS Fund), and registration), and for each core call center function, state whether it is owned or leased, and from whom if leased or licensed, and provide proofs of purchase, license agreements, or leases; and (2) a list of all sponsorship or marketing arrangements and associated agreements relating to iTRS.

2. The *Second Report and Order* also adopted a requirement that, in order to receive certification from the Commission, which is necessary to be eligible to receive compensation from the TRS Fund, all iTRS providers must operate their own calling facilities and employ their own communication assistants. In addition, the *Second Report and Order* adopted a requirement that any VRS provider that

is leasing an automatic call distribution (ACD) platform from an eligible provider or from a third-party non-provider must have a written lease for such ACD platform and must include a copy of such written lease with its application for certification, and that a VRS provider leasing an ACD platform from an eligible provider must locate the ACD platform on its own premises and must use its own employees to manage the ACD platform.

3. Providers currently eligible for compensation from the TRS Fund via a means other than Commission certification must apply for certification within 30 days after the rules adopted in the *Second Report and Order* become effective, and providers with Commission certifications expiring November 4, 2011 must apply for recertification after the rules become effective but at least 30 days prior to their expiration provided that the rules are effective by that date, or risk having to shut down their operations and being denied compensation from the TRS Fund. In light of these impending deadlines for initial and recertification applications, and to avoid waste, fraud, and abuse in the VRS program, the Commission finds that good cause exists in this instance to alter the comment periods specified in § 1.429 of the Commission's rules. See 47 CFR 1.3 (providing for suspension, amendment, or waiver of Commission rules, in whole or in part, for good cause shown, and on the Commission's own motion).

Listed below are the parties filing petitions for reconsideration and clarification of the *Second Report and Order* and *Order* in CG Docket No. 10–51:

Sorenson Communications, Inc. (September 6, 2011).

AT&T Services, Inc. (September 6, 2011).

Federal Communications Commission.

**Joel Gurin,**

Chief, Consumer and Governmental Affairs Bureau.

[FR Doc. 2011–24860 Filed 9–26–11; 8:45 am]

**BILLING CODE P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 74 and 101

[WT Docket No. 10–153; FCC 11–120]

#### Facilitating the Use of Microwave for Wireless Backhaul and Other Uses and Providing Additional Flexibility To Broadcast Auxiliary Service and Operational Fixed Microwave Licensees

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Commission continues its efforts to increase flexibility in the use of microwave services licensed under our rules. This additional flexibility will enable FS licensees to reduce operational costs, increase reliability, and facilitate the use of wireless backhaul in rural areas. The steps we take will remove regulatory barriers that limit the use of spectrum for wireless backhaul and other point-to-point and point-to-multipoint communications. We also make additional spectrum available for wireless backhaul—as much as 650 megahertz—especially in rural areas, where wireless backhaul is the only practical middle mile solution. By enabling more flexible and cost-effective microwave services, the Commission can help accelerate deployment of fourth-generation (4G) mobile broadband infrastructure across America.

**DATES:** Effective October 27, 2011, except for 47 CFR 74.605, which contains new or modified information collection requirements that have not been approved by the Office of Management and Budget (OMB). The Commission will publish a document in the *Federal Register* announcing the effective date of that section.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. A copy of any comments on the Paperwork Reduction Act information collection requirements contained herein should be submitted to Judith B. Herman, Federal Communications Commission, Room 1–B441, 445 12th Street, SW., Washington, DC 20554 or via the Internet at [JudithB.Herman@fcc.gov](mailto:JudithB.Herman@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** John Schauble, Wireless Telecommunications Bureau, Broadband Division, at 202–418–0797 or by e-mail to [John.Schauble@fcc.gov](mailto:John.Schauble@fcc.gov). For additional information concerning Paperwork Reduction Act information collection

requirements contained in this document, contact Judith B. Herman at (202) 418–0214, or via the Internet at [PRA@fcc.gov](mailto:PRA@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Backhaul Report and Order and Memorandum Opinion and Order (Backhaul R&O, Backhaul MO&O), FCC 11–120, adopted and released on August 9, 2011. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Information Center, Room CY–A257, 445 12th Street, SW., Washington, DC 20554. The complete text of the *Backhaul Report and Order* and *Memorandum Opinion and Order* and related Commission documents may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554, (202) 488–5300 or (800) 387–3160, contact BCPI at its Web site: <http://www.bcpweb.com>. When ordering documents from BCPI, please provide the appropriate FCC document number, for example, FCC 11–120. The complete text of the *Backhaul Report and Order* and *Memorandum Opinion and Order* is also available on the Commission's Web site at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-11-120A1.doc](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-11-120A1.doc). Alternative formats (computer diskette, large print, audio cassette, and Braille) are available by contacting Brian Millin at (202) 418–7426, TTY (202) 418–7365, or via e-mail to [bmillin@fcc.gov](mailto:bmillin@fcc.gov).

### I. Introduction

1. Broadband is indispensable to our digital economy, and wireless technology is an increasingly important source of broadband connectivity. A leading example of the role of wireless technology in connecting the nation to broadband is the impact and potential of point-to-point microwave systems. An essential component of many broadband networks—particularly in mobile wireless networks—microwave backhaul facilities are often used to transmit data between cell sites, or between cell sites and network backbones. Service providers' use of microwave links as a cost-effective alternative to traditional copper circuits and fiber optic links has been increasing. In certain rural and remote locations, microwave is the only practical high-capacity backhaul solution available.

2. A robust broadband ecosystem therefore relies, at least in part, on access to adequate and cost-efficient