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§ 52.822 [Amended]

■ 3. Section 52.822 is amended by removing and reserving paragraph (b).

[FR Doc. 2011-27991 Filed 10-28-11; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION
47 CFR Parts 25 and 27

[WT Docket No. 07-293; IB Docket No. 95-91; GEN Docket No. 90-357; RM-8610; FCC 10-82]

Operation of Wireless Communications Services in the 2.3 GHz Band; Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of effective date.

SUMMARY: In this document, the Commission announces that certain rules adopted in the Operation of Wireless Communications Services in the 2.3 GHz Band, WT Docket No. 07-293; Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band (WCS and SDARS) proceeding, to the extent it contained information collection requirements that required approval by the Office of Management and Budget (OMB) was approved, September 26, 2011.

DATES: Sections 27.14(p)(7), 27.72(b), 27.72(c), 27.73(a), and 27.73(b) of the Commission's rules published at 75 FR 45058, August 2, 2010, are effective October 31, 2011.

Sections 25.202(h)(3), 25.214(d)(2), and 27.53(a)(10) will be enforced beginning October 31, 2011.

FOR FURTHER INFORMATION CONTACT: Linda Chang, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th St. SW., Washington, DC 20554 at (202) 418-1339.

SUPPLEMENTARY INFORMATION:

1. On May 20, 2010, the Commission published in the **Federal Register**, the summary of a Report and Order and Second Report and Order, which stated that upon OMB approval, it would publish in the **Federal Register** a document announcing the effective date. On September 26, 2011 the OMB approved, for a period of three years, the information collection requirements

contained in sections 25.202(h)(3), 25.214(d)(2), 27.14(p)(7), 27.53(a)(10), 27.72(b), 27.72(c), 27.73(a), and 27.73(b) of the Commission's rules.¹

2. On September 26, 2011, OMB approved the public information collection associated with these rule changes under OMB Control No. 3060-1159.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

[FR Doc. 2011-27454 Filed 10-28-11; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION
47 CFR Part 64

[CG Docket No. 10-51; FCC 11-155]

Structure and Practices of the Video Relay Service Program

AGENCY: Federal Communications Commission.

ACTION: Final rule; clarification.

SUMMARY: In this document, the Commission addresses three petitions for clarification or reconsideration of a previous order, and amends and clarifies the Commission's rules regarding Internet-based Telecommunications Relay Services (iTRS) applicants for certification.

DATES: Effective October 31, 2011, except for 47 CFR 64.606(a)(2)(ii)(A)(4) through (8) and (a)(2)(ii)(E) contains new or modified information collection requirements that require approval by the Office of Management and Budget (OMB). The Federal Communications Commission will publish a document in the **Federal Register** announcing the effective date.

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

FOR FURTHER INFORMATION CONTACT: Gregory Hlibok, Consumer and Governmental Affairs Bureau, Disability Rights Office at (202) 559-5158 (VP) or email at Gregory.Hlibok@fcc.gov. For additional information concerning the information collection requirements contained in this document, contact Cathy Williams at (202) 418-2918.

¹ The summary of the Report and Order and Second Report and Order, published August 2, 2010, did not list 47 CFR 25.202(h)(3), 47 CFR 25.214(d)(2), and 47 CFR 27.53(a)(10) among the rules requiring OMB approval. However, because 47 CFR 25.202(h)(3), 25.214(d)(2), and 27.53(a)(10) contain information collection requirements that can not be enforced without OMB approval, the Commission sought OMB clearance for these rules.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Structure and Practices of the Video Relay Service Program*, Memorandum and Opinion and Order (MO&O) and Order (*Order*), document FCC 11-155, adopted October 17, 2011, and released October 17, 2011 in CG Docket number 10-51.

The full text of document FCC 11-155 and copies of any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street SW., Room CY-A257, Washington, DC 20554. Document FCC 11-155 and copies of subsequently filed documents in this matter may also be purchased from the Commission's duplicating contractor, BCPI, Inc., Portals II, 445 12th Street SW., Room CY-B402, Washington, DC 20554. Customers may contact BCPI, Inc. via its Web site <http://www.bcpweb.com> or by calling (202) 488-5300. 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 or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY). Document FCC 11-155 can also be downloaded in Word or Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/dro/trs.html#orders>.

Synopsis

In the *MO&O* in document FCC 11-155, the Commission addresses three petitions:

A. Sprint Nextel Corporation, Expedited Petition for Clarification, CG Docket No. 10-51 (Filed September 6, 2011) (Sprint Petition)

1. Definition of Employees

Sprint requests that the Commission clarify that communications assistants (CAs) who are trained by the provider, who are stationed at the facilities of the provider and who are directly under the provider's supervision should be deemed to be employees of the provider, in satisfaction of the requirement that video relay service (VRS) providers employ their own CAs, regardless of whether or not they are hired directly by the provider. The Commission denies Sprint's requested clarification. The Commission has consistently distinguished "employees" from "subcontractors" and "contractors" in adopting rules and requirements governing the provision of VRS, and the Commission finds that Sprint's proposed clarification would render