Independent Telephone & Telecommunications Alliance is granted

to the extent provided herein and
denied to the extent provided herein.

116. It is further ordered that part 51

of the Commission’s rules, 47 CFR part

51, is amended, and such rule

amendments shall be effective 45 days

after the date of publication of the rule

amendments in the Federal Register.

117. It is further ordered that Part 54

of the Commission’s rules, 47 CFR part

54, is amended, and such rule

amendments shall be effective 30 days

after the date of publication of the rule

amendments in the Federal Register.

List of Subjects in 47 CFR Parts 51 and

54

Communications common carriers,

Reporting and recordkeeping

requirements, Telecommunications,

Telephone.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

Final Rule

For the reasons discussed in the

Second Order on Reconsideration, the

Federal Communications Commission

amends 47 CFR parts 51 and 54 as

follows:

PART 51—INTERCONNECTION

■ 1. The authority citation for part 51

continues to read as follows:

Authority: Sections 1–5, 7, 201–05, 207–09,

218, 220, 225–27, 251–54, 256, 271,

303(r), 332, 376 of the Telecommunication

Act of 1996, 48 Stat. 1070, as amended, 1077;

47 U.S.C. 151–55, 157, 201–05, 207–09, 218,

220, 225–27, 251–54, 256, 271, 303(r), 332,

1302, 47 U.S.C. 157 note, unless otherwise

noted.

■ 2. Revise § 51.913(a) to read as

follows:

§ 51.93 Transition for VoIP-PSTN traffic.

(a)(1) Terminating Access Reciprocal

Compensation subject to this subpart

exchanged between a local exchange

carrier and another telecommunications

carrier in Time Division Multiplexing

(TDM) format that originates and/or

terminates in IP format shall be subject

to a rate equal to the relevant interstate

terminating access charges specified by

this subpart.

(2) Until June 30, 2014, intrastate

originating Access Reciprocal

Compensation subject to this subpart

exchanged between a local exchange

carrier and another telecommunications

carrier in Time Division Multiplexing

(TDM) format that originates and/or

terminates in IP format shall be subject

to a rate equal to the relevant intrastate

originating access charges specified by

this subpart. Effective July 1, 2014,

originating Access Reciprocal

Compensation subject to this subpart

exchanged between a local exchange

carrier and another telecommunications

carrier in Time Division Multiplexing

(TDM) format that originates and/or

terminates in IP format shall be subject

to a rate equal to the relevant interstate

originating access charges specified by

this subpart.

(3) Telecommunications traffic

originates and/or terminates in IP format

if it originates from and/or terminates to

an end-user customer of a service that

requires Internet protocol-compatible

customer premises equipment.

PART 54—UNIVERSAL SERVICE

3. The authority citation for part 54

continues to read as follows:

Authority: 47 U.S.C. 151, 154(f), 201, 205,

214, 219, 220, 254, 303(r), 403, and 1302

unless otherwise noted.

4. Section 54.312(b)(3) is revised to

read as follows:

§ 54.312 Connect America Fund for Price

Cap Territories—Phase I.

(b) * * *

(3) A carrier may elect to accept or
decline incremental support. A holding

company may do so on a holding-

company basis on behalf of its operating

companies that are eligible
telecommunications carriers, whose

eligibility for incremental support, for

these purposes, shall be considered on

an aggregated basis. A carrier must

provide notice to the Commission,

relevant state commissions, and any

affected Tribal government, stating the

amount of incremental support it wishes to

accept and identifying the areas by

wire center and census block in which

the designated eligible

telecommunications carrier will deploy

broadband to meet its deployment

obligation, or stating that it declines

incremental support. Such notification

must be made within 90 days of being

notified of any incremental support for

which it would be eligible. Along with

its notification, a carrier accepting

incremental support must also submit a

certification that the locations to be

served to satisfy the deployment

obligation are not shown as served by

fixed broadband provided by any entity

other than the certifying entity or its

affiliate on the then-current version of

the National Broadband Map; that, to

the best of the carrier’s knowledge,

the locations are, in fact, unserved by

fixed broadband; that the carrier’s current

capital improvement plan did not

already include plans to complete

broadband deployment within the next

three years to the locations to be

counted to satisfy the deployment

obligation; and that incremental support

will not be used to satisfy any merger

commitment or similar regulatory

obligation.

* * * * *

DEPARTMENT OF DEFENSE

Defense Acquisition Regulations

System

48 CFR Part 252

Defense Federal Acquisition

Regulation Supplement; Technical

Amendments

AGENCY: Defense Acquisition

Regulations System, Department of

Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is making amendments

to the Defense Federal Acquisition

Regulation Supplement (DFARS) in

order to make editorial changes.

DATES: Effective Date: May 29, 2012.

FOR FURTHER INFORMATION CONTACT: Ms.

Ynette Shelkin, Defense Acquisition

Regulations System, OUSD(AT&L)DPAP(DARS), Room

3B855, 3060 Defense Pentagon,

Washington, DC 20301–3060; telephone

571–372–6089.

SUPPLEMENTARY INFORMATION: DFARS

Case 2012–D032 was published in the

Federal Register as an interim rule on

May 22, 2012 (77 FR 30359), requesting

public comments be submitted on or

before July 23, 2012. The interim rule

amends DFARS part 252 to implement

the United States-Colombia Trade

Promotion Agreement Implementation


note) by adding Colombia to the

definition of “Free Trade Agreement

country” in multiple locations in the

DFARS. This document makes editorial
changes to the interim rule. The date for receipt of comments in response to this interim rule is unchanged by this amendment.

List of Subjects in 48 CFR Part 252

Government procurement.

Ynette R. Shelkin,
Editor, Defense Acquisition Regulations System.

Therefore, 48 CFR part 252 is amended as follows:

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

1. The authority citation for 48 CFR part 252 continues to read as follows:


252.225–7017 [Amended]

2. Section 252.225–7017 is amended—

a. In paragraph (a), in the definition of “Designated country,” paragraph (ii), by removing “Australia, Bahrain, Canada, Chile, Columbia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Korea (Republic of), Mexico, Morocco, Nicaragua, Peru, or Singapore” and adding “Australia, Bahrain, Canada, Chile, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Korea (Republic of), Mexico, Morocco, Nicaragua, Peru, or Singapore” in its place.

b. In paragraph (a) in the definition of “Free Trade Agreement country” by removing “Australia, Bahrain, Canada, Chile, Columbia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Korea (Republic of), Mexico, Morocco, Nicaragua, Peru, or Singapore” and adding “Australia, Bahrain, Canada, Chile, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Korea (Republic of), Mexico, Morocco, Nicaragua, Peru, or Singapore” in its place.

* * *

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 217

[Docket No. 120307157–2434–02]

RIN 0648–BB74

Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Coastal Commercial Fireworks Displays at Monterey Bay National Marine Sanctuary, CA

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS, upon request of the Monterey Bay National Marine Sanctuary (MBNMS), hereby issues regulations pursuant to the Marine Mammal Protection Act (MMPA) to govern the unintentional taking of marine mammals, by harassment, incidental to authorizing professional fireworks displays within the MBNMS in California waters, for the period of July 4, 2012, through July 3, 2017. These regulations, which allow for the issuance of Letters of Authorization for the incidental take of marine mammals during the described activities and specified timeframes, prescribe the permissible methods of taking and other means of effecting the least practicable adverse impact on marine mammal species or stocks and their habitat, as well as requirements pertaining to the monitoring and reporting of such taking.


ADDRESSES: A copy of MBNMS’s application may be obtained by writing to Tammy C. Adams, Acting Chief, Permits and Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, or visiting the internet at: http://www.nmfs.noaa.gov/pr/permits/incidental.htm. Documents cited in this final rule may also be viewed, by appointment, during regular business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Ben Laws, Office of Protected Resources, NMFS, (301) 427–8401.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 et seg.) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unjustifiable adverse impact on the availability of the species or stock(s) for subsistence uses (where relevant), and if the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth. NMFS has defined ‘negligible impact’ in 50 CFR 216.103 as “* * * an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival.” Except with respect to certain activities not pertinent here, the MMPA defines ‘harassment’ as: “any act of pursuit, torment, or annoyance which (i) has the potential to injure a marine mammal or marine mammal stock in the