

large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

In addition, we request that one copy of each pleading be sent to each of the following:

(1) Heidi Lankau, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street SW., Room 5-B511, Washington, DC 20554; email: [Heidi.Lankau@fcc.gov](mailto:Heidi.Lankau@fcc.gov);

(2) Charles Tyler, Telecommunications Access Policy Division, Wireline Competition Bureau, 445 12th Street SW., Room 5-A452, Washington, DC 20554; email: [Charles.Tyler@fcc.gov](mailto:Charles.Tyler@fcc.gov).

#### 11. Availability of Documents.

Comments, reply comments, and *ex parte* submissions will be publicly available online via ECFS. These documents will also be available for public inspection during regular business hours in the FCC Reference Information Center, which is located in Room CY-A257 at FCC Headquarters, 445 12th Street SW., Washington, DC 20554. The Reference Information Center is open to the public Monday through Thursday from 8:00 a.m. to 4:30 p.m. and Friday from 8:00 a.m. to 11:30 a.m.

12. The proceeding this Notice initiates shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. 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 rule 1.1206(b). In proceedings governed by rule 1.49(f) 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.

Federal Communications Commission.

**Kimberly A. Scardino,**

*Acting Division Chief, Telecommunications Access Policy Division, Wireline Competition Bureau.*

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**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 54

[WC Docket Nos. 10-90 and 05-337; DA 13-156]

### Wireline Competition Bureau Seeks Additional Comment In Connect America Cost Model Virtual Workshop

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Wireline Competition Bureau seeks public input on additional questions relating to modeling voice capability and Annual Charge Factors.

**DATES:** Comments are due on or before March 14, 2013 and reply comments are due on or before March 25, 2013. 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:** You may submit comments, identified by WC Docket Nos. 10-90 and 05-337, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Federal Communications Commission’s Web Site:* <http://fjallfoss.fcc.gov/ecfs2/>. Follow the instructions for submitting comments.

- *Virtual Workshop:* In addition to the usual methods for filing electronic

comments, the Commission is allowing comments, reply comments, and *ex parte* comments in this proceeding to be filed by posting comments at <http://www.fcc.gov/blog/wcb-cost-model-virtual-workshop-2012>.

- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: (202) 418-0530 or TTY: (202) 418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

#### **FOR FURTHER INFORMATION CONTACT:**

Katie King, Wireline Competition Bureau at (202) 418-7491 or TTY (202) 418-0484.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Wireline Competition Bureau’s Public Notice in WC Docket Nos. 10-90, 05-337; DA 13-156 released February 5, 2013, as well as information posted online in the Wireline Competition Bureau’s Virtual Workshop. The complete text of the Public Notice is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. These documents may also be purchased from the Commission’s duplicating contractor, Best Copy and Printing, Inc. (BCPI), 445 12th Street SW., Room CY-B402, Washington, DC 20554, telephone (800) 378-3160 or (202) 863-2893, facsimile (202) 863-2898, or via the Internet at <http://www.bcpweb.com>. In addition, the Virtual Workshop may be accessed via the Internet at <http://www.fcc.gov/blog/wcb-cost-model-virtual-workshop-2012>.

1. On Tuesday, October 9, 2012, the Wireline Competition Bureau (Bureau) announced the commencement of the Connect America Cost Model (CACM) virtual workshop to solicit input and facilitate discussion on topics related to the development and adoption of the forward-looking cost model for Connect America Phase II.

2. In addition, the Bureau has continued to develop CACM. The Bureau notes that while CACM shares common components with the CQBAT model, there are a number of differences between the CQBAT model and versions 1 and 2 of CACM. Specifically, version 1 of CACM uses updated input data, adds voice costs assuming carrier grade VoIP technology, enhances the Brownfield capability of the model, and includes fixed wireless broadband

providers using State Broadband Initiative data and a more accurate reflection of which areas are served by price cap carriers. Similarly, version 2 improves on version 1 by using updated residential, business, coverage, network topology, and study area data, as well as increasing reporting capabilities, modifying the hosting and processing environment, and expanding documentation and support files.

3. To date, parties have commented on 18 different topics in the virtual workshop, including whether any modifications to functionalities, capabilities, or data sets, not included in the versions of CACM released to date, should be addressed in or added to subsequent versions of the model.

4. The Bureau now seeks public input on additional questions relating to modeling voice capability and Annual Charge Factors (ACFs). The follow-up questions, which appear in the comment sections of the "Voice Capability" and "Determining the Annualized Cost of Capital Investments" topics, ask:

- Is it reasonable to model voice capability based on a per subscriber basis? Are there any alternative ways to model the cost?
- Are the specific inputs that CACM version two uses for the cost of voice capability reasonable? If proposing an alternative method, what specific sources and values should be used?
- Is the specific approach in CACM version two of calculating ACFs by taking into account the economic life of the assets using Gompertz-Makeham curves reasonable?
- Are the ACFs used in CACM version two reasonable?

5. Commenters should address these new questions focusing specifically on CACM version two. We encourage commenters to submit responses in the virtual workshop.

6. The Bureau may continue to add discussion topics or follow-up questions, which will be announced by Public Notice. Parties can participate in the virtual workshop by visiting the Connect America Fund Web page, <http://www.fcc.gov/encyclopedia/connecting-america>, and following the link to the virtual workshop.

7. The virtual workshop will take place over a period of weeks sufficient to allow public input on all material issues. Discussion of additional topics or follow-up questions may start and end at specific times that will be announced in advance. Comments from the virtual workshop will be included in the official public record of this proceeding. The Bureau will not rely on anonymous comments posted during

the workshop in reaching decisions regarding the model. Participants should be aware that identifying information from parties that post material in the virtual workshop will be publicly available for inspection upon request, even though such information may not be posted in the workshop forums.

## I. Procedural Matters

### A. Initial Regulatory Flexibility Act Analysis

8. As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Bureau prepared an Initial Regulatory Flexibility Analysis (IRFA), included as part of the *Model Design PN*, 77 FR 38804, June 29, 2012, of the possible significant economic impact on a substantial number of small entities by the policies and rules proposed in these Public Notices and the information posted online in the Virtual Workshops. We have reviewed the IRFA and have determined that it does not need to be supplemented.

### B. Paperwork Reduction Act

9. This document does not contain proposed information collection(s) subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, therefore, it does not contain any new or modified information collection burden for small business concerns with fewer than 25 employees, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

### C. Filing Requirements

10. *Comments and Replies.* Pursuant to sections 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415 and 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121, May 1, 1998.

■ *Electronic Filers:* Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

■ *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. 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 Street SW., Room TW–A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and 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.

11. *Virtual Workshop.* In addition to the usual methods for filing electronic comments, the Commission is allowing comments in this proceeding to be filed by posting comments at <http://www.fcc.gov/blog/wcb-cost-model-virtual-workshop-2012>. Persons wishing to examine the record in this proceeding are encouraged to examine the record on ECFS and the Virtual Workshop. Although Virtual Workshop commenters may choose to provide identifying information or may comment anonymously, anonymous comments will not be part of the record in this proceeding and accordingly will not be relied on by the Commission in reaching its conclusions in this rulemaking. The Commission will not rely on anonymous postings in reaching conclusions in this matter because of the difficulty in verifying the accuracy of information in anonymous postings. Should posters provide identifying information, they should be aware that although such information will not be posted on the blog, it will be publicly available for inspection upon request.

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

13. *Availability of Documents.* Comments, reply comments, and *ex parte* submissions will be publicly available online via ECFS. These documents will also be available for public inspection during regular business hours in the FCC Reference Information Center, which is located in

Room CY-A257 at FCC Headquarters, 445 12th Street SW., Washington, DC 20554. The Reference Information Center is open to the public Monday through Thursday from 8:00 a.m. to 4:30 p.m. and Friday from 8:00 a.m. to 11:30 a.m.

Federal Communications Commission.

**Kimberly A. Scardino,**

*Acting Division Chief, Telecommunications Access Policy Division, Wireline Competition Bureau.*

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**BILLING CODE 6712-01-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Parts 600 and 635

[Docket No. 120627194-3097-01]

RIN 0648-BC31

#### Highly Migratory Species; 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan; Amendment 8

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** This proposed rule to implement Amendment 8 to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP) addresses North Atlantic swordfish commercial fishery management measures. In recent years, the North Atlantic swordfish stock has experienced significant growth due to ongoing domestic and international conservation measures designed to reduce mortality, protect juvenile swordfish, monitor international trade, reduce bycatch, and improve data collection. The most recent stock assessment, conducted in 2009, indicates that the North Atlantic swordfish population is fully rebuilt ("not overfished") and overfishing is no longer occurring. Despite ongoing efforts to revitalize the U.S. North Atlantic swordfish fishery, domestic catches have remained below the U.S. North Atlantic swordfish quota allocated by the International Commission for the Conservation of Atlantic Tunas (ICCAT). Fishing gears such as rod and reel, handline, harpoon, bandit gear, and green-stick are highly selective when compared to other gears, have low bycatch interaction rates with protected

species and marine mammals, and may have low post-release mortality rates on non-target species and undersized swordfish. However, the current swordfish Handgear permit is a limited access permit, and is often difficult or expensive to obtain. Based upon the rebuilt status of North Atlantic swordfish, renewed interest in commercial handgears that are lower in bycatch and bycatch mortality, and the availability of swordfish quota, through Amendment 8 to the 2006 Consolidated HMS FMP NMFS proposes to provide additional commercial fishing opportunities for persons using swordfish handgears.

**DATES:** Written comments will be accepted until April 23, 2013.

**ADDRESSES:** You may submit comments on this proposed rule to implement Amendment 8 to the 2006 Consolidated Atlantic HMS FMP, identified by NOAA-NMFS-2013-0026, by any of the following methods:

- *Electronic Submission:* Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0026](http://www.regulations.gov/#!docketDetail;D=NOAA-NMFS-2013-0026), click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- *Mail:* Submit written comments to Highly Migratory Species Management Division, NMFS Office of Sustainable Fisheries, 1315 East-West Highway, Silver Spring, MD 20910. Please mark on the outside of the envelope "Comments on Amendment 8 to the HMS FMP."

- *Fax:* 301-713-1917; Attn: Michael Clark or Jennifer Cudney

*Instructions:* Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and generally will be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. Do not submit confidential business information, or otherwise sensitive or protected information. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

NMFS will hold five public hearings on this proposed rule with two being

conducted on March 11, 2013, and the others on March 14, 2013, March 28, 2013, and April 10, 2013. The public hearings will be held in St. Petersburg, FL; Silver Spring, MD; Gloucester, MA; Fort Lauderdale, FL; and via a public conference call and webinar. NMFS will also hold a conference call and webinar on this proposed rule to consult with the HMS Advisory Panel (HMS AP) on April 18, 2013. These public hearings may be combined with public hearings for other relevant highly migratory species management actions. For specific locations, dates and times see the **SUPPLEMENTARY INFORMATION** section of this document.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this proposed rule may be submitted to Michael Clark, Highly Migratory Species Management Division, NMFS Office of Sustainable Fisheries, 1315 East-West Highway, Silver Spring, MD 20910, and by email to [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) or fax to (202) 395-7285

**FOR FURTHER INFORMATION CONTACT:** Rick Pearson at 727-824-5399; Michael Clark or Jennifer Cudney at 301-427-8503; or Steve Durkee at 202-670-6637.

**SUPPLEMENTARY INFORMATION:** Atlantic tunas and swordfish are managed under the dual authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Atlantic Tunas Convention Act (ATCA). Under the Magnuson-Stevens Act, NMFS must, consistent with the National Standards, prevent overfishing while achieving, on a continuing basis, the optimum yield (OY) from each fishery and rebuild overfished fisheries. Under ATCA, the Secretary of Commerce (Secretary) shall promulgate regulations as may be necessary and appropriate to carry out recommendations by ICCAT. The authority to issue regulations under the Magnuson-Stevens Act and ATCA has been delegated from the Secretary to the Assistant Administrator for Fisheries, NOAA (AA). On May 28, 1999, NMFS published in the **Federal Register** (64 FR 29090) final regulations, effective July 1, 1999, implementing the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks (1999 FMP). On October 2, 2006, NMFS published in the **Federal Register** (71 FR 58058) final regulations, effective November 1, 2006, implementing the 2006 Consolidated Highly Migratory Species (HMS) FMP, which details the management measures for Atlantic HMS fisheries, including the North Atlantic swordfish handgear fishery.