

commenting on this action should do so at this time. Please note that if EPA receives adverse comment on part of this rule and if that part can be severed from the remainder of the rule, EPA may adopt as final those parts of the rule that are not the subject of an adverse comment. For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Lead, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Dated: September 21, 2015.

Mark Hague,

Acting Regional Administrator, Region 7.

[FR Doc. 2015-25038 Filed 10-1-15; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 54

[GN Docket No. 12-354; Report No. 3029]

Petitions for Reconsideration of Action in Rulemaking Proceeding

AGENCY: Federal Communications Commission.

ACTION: Petition for reconsideration.

SUMMARY: Petitions for Reconsideration (Petitions) have been filed in the Commission's Rulemaking proceeding by Bruce Oberlies, on behalf of Wireless Innovation Forum; Jon M. Peha on behalf of Jon M. Peha; Chuck Powers, on behalf of Motorola Solutions, Inc.; Brian M. Josef, on behalf of CTIA-THE WIRELESS ASSOCIATION; John T. Scott, III, on behalf of Verizon; Tom Stroup, on behalf of Satellite Industry Association; Rick Kaplan, on behalf of NATIONAL ASSOCIATION OF BROADCASTERS; and Brian Hendricks, on behalf of Nokia Networks (D/B/A Nokia Solutions and Network US LLC).

DATES: Oppositions to the Petitions must be filed on or before October 19, 2015. Replies to an opposition must be filed on or before October 13, 2015.

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

FOR FURTHER INFORMATION CONTACT: Paul Powell, Wireless Telecommunications Bureau, (202) 418-1613, email: paul.powell@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of Commission's document, Report No. 3029, released September 22, 2015. The full text of the Petitions is available for viewing and copying in Room CY-B402, 445 12th Street SW., Washington, DC or may be accessed online via the Commission's Electronic Comment Filing System at <http://apps.fcc.gov/ecfs/>. The Commission will not send a copy of this *Notice* pursuant to the Congressional Review Act, 5 U.S.C. 801(a)(1)(A) because this notice does not have an impact on any rules of particular applicability.

Subject: Commercial Operations in the 3550-3650 MHz Band, published at 80 FR 36163, June 23, 2015, in GN Docket 12-354, and published pursuant to 47 CFR 1.429(e). *See also* § 1.4(b)(1) of the Commission's rules.

Number of Petitions Filed: 8.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 2015-25001 Filed 10-1-15; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 69

[WC Docket No. 05-25, RM-10593; DA 15-1037]

Wireline Competition Bureau Further Extends Comment Deadlines in Special Access Proceeding

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of comment and reply deadlines.

SUMMARY: In this document, the Federal Communications Commission's (Commission's) Wireline Competition Bureau (Bureau) further extends the deadlines for interested parties to submit comments and reply comments in response to Section IV.B of the Further Notice of Proposed Rulemaking (*Special Access FNPRM*), in the special access proceeding.

DATES: The comment period for the proposed rule published January 11, 2013 (78 FR 2600), has been further extended. Comments are due on or before November 20, 2015; reply comments are due on or before December 11, 2015.

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

FOR FURTHER INFORMATION CONTACT: Christopher Koves, Pricing Policy Division, Wireline Competition Bureau,

202-418-8209 or Christopher.Koves@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's document, WC Docket No. 05-25, RM-10593, DA 15-1037, released September 17, 2015. This document does not contain information collection(s) subject to the Paperwork Act of 1995 (PRA), Public Law 104-13. In addition, therefore, it does not contain any new or modified "information collection burden[s] for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002. The full text of this document may be downloaded at the following Internet address: https://apps.fcc.gov/edocs_public/attachmatch/DA-15-1037A1.docx. The complete text may be purchased from Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554. To request alternative formats for persons with disabilities (*e.g.*, accessible format documents, sign language, interpreters, CARTS, etc.), send an email to fcc504@fcc.gov or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-0432 (TTY).

Background

On September 17, 2015, the Bureau released a public notice extending the deadlines for filing comments and reply comments in response to Section IV.B of the *Special Access FNPRM*, 78 FR 2600, January 11, 2013, in the Commission's special access rulemaking proceeding until November 20, 2015 and December 11, 2015, respectively. Previous comment period extensions have been published in the **Federal Register**. The latest comment period extension was published in the **Federal Register** on July 14, 2015 (80 FR 40956), to extend the comment and reply comment deadlines to September 25, 2015 and October 16, 2015, respectively. On December 11, 2012, the Commission adopted an order requiring providers and purchasers of special access service and certain entities providing "best efforts" service to submit data and information for a comprehensive evaluation of the special access market. In Section IV.B of the *Special Access FNPRM* accompanying that order, the Commission sought comment on possible changes to its rules for the special access services provided by incumbent local exchange carriers in price cap areas. The Commission set the comment deadlines on this portion of the *Special Access FNPRM* several months after its release, in order to give

interested parties an opportunity to review the information collected before filing comments. The Bureau subsequently extended the comment deadlines since the data was not yet available. For similar reasons, the Bureau hereby further extends the comment and reply deadlines. The Bureau is initiating the process of allowing access to the data collected to authorized parties pursuant to the protective order in this proceeding via the NORC Data Enclave[®]. Interested parties will not, however, have adequate time to access and review the information collected prior to the current September 25 and October 16, 2015 comment and reply comment deadlines. To provide sufficient time for interested parties to access and review the information collected, the Bureau hereby extends the deadline for filing comments to November 20, 2015, and reply comments to December 11, 2015.

Federal Communications Commission.

Pamela Arluk,

Chief, Pricing Policy Division, Wireline Competition Bureau.

[FR Doc. 2015-25048 Filed 10-1-15; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 76

[MB Docket No. 15-216; FCC 15-109]

Implementation of Section 103 of the STELA Reauthorization Act of 2014, Totality of the Circumstances Test

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Commission seeks comment on potential updates to the “totality of the circumstances test” for evaluating whether broadcast stations and multichannel video programming distributors (“MVPDs”) are negotiating for retransmission consent in good faith. The document seeks comment generally on the totality of the circumstances test, including whether and how the Commission should update that test. The document also seeks comment on whether there are specific practices that the Commission should identify as evidencing bad faith under the totality of the circumstances test.

DATES: Comments are due on or before December 1, 2015; reply comments are due on or before December 31, 2015.

ADDRESSES: You may submit comments, identified by MB Docket No. 15-216, 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.

- *Mail:* 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.

- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: 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: For additional information on this proceeding, contact Diana Sokolow or Raelynn Remy of the Policy Division, Media Bureau at (202) 418-2120 or Diana.Sokolow@fcc.gov; Raelynn.Remy@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking, FCC 15-109, adopted and released on September 2, 2015. The full text is available for public inspection and copying during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street SW., Room CY-A257, Washington, DC 20554. This document will also be available via ECFS at <http://fjallfoss.fcc.gov/ecfs/>. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat. The complete text may be purchased from the Commission's copy contractor, 445 12th Street SW., Room CY-B402, Washington, DC 20554. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format), by sending an email to fcc504@fcc.gov or calling the Commission's Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This document contains no proposed information collection requirements.

Synopsis

I. Introduction

1. By this Notice of Proposed Rulemaking (*NPRM*), as directed by Section 103(c) of the STELA Reauthorization Act of 2014 (“*STELAR*”),¹ we review the totality of the circumstances test for evaluating whether broadcast stations and multichannel video programming distributors (“*MVPDs*”) are negotiating for retransmission consent in good faith. The Communications Act of 1934, as amended (the “*Act*”), prohibits cable systems and other MVPDs from retransmitting a broadcast station's signal without the station's express consent.² This consent is known as “retransmission consent.” The Act and the Commission's implementing rules require broadcasters and MVPDs to negotiate for retransmission consent in good faith.³ The Commission has adopted a two-part framework for evaluating good faith in this context. First, the Commission has established a list of objective good faith negotiation standards, the violation of which is considered a per se breach of the good faith negotiation obligation.⁴ Second, even if the specific per se standards are met, the Commission may consider whether, based on the totality of the circumstances, a party has failed to negotiate retransmission consent in good faith.⁵ In accordance with Section 103(c) of *STELAR*, which contemplates that the Commission will conduct a “robust examination” of practices used by parties in retransmission consent negotiations,⁶ we adopt this *NPRM* and seek comment on potential updates to the totality of the circumstances test.

II. Background

2. Congress created the retransmission consent regime in 1992 “to establish a marketplace for the disposition of the rights to retransmit broadcast signals,” but not “to dictate the outcome of the ensuing marketplace negotiations.”⁷ Later, Congress adopted good faith

¹ Congress directed the Commission to “commence a rulemaking to review its totality of the circumstances test for good faith negotiations” by September 4, 2015. See Public Law 113-200, 103(c), 128 Stat. 2059 (2014).

² 47 U.S.C. 325(b)(1)(A).

³ *Id.* 325(b)(3)(C)(ii), (iii); 47 CFR 76.65.

⁴ See 47 CFR 76.65(b)(1).

⁵ See *id.* 76.65(b)(2).

⁶ See Report from the Senate Committee on Commerce, Science, and Transportation accompanying S. 2799, 113th Cong., S. Rep. No. 113-322 at 13 (2014) (“Senate Commerce Committee Report”).

⁷ S. Rep. No. 92, 102nd Cong., 1st Sess. (1991), reprinted in 1992 U.S.C.C.A.N. 1133, 1169.