

about this rule or any policy or action of the Coast Guard.

### C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

### D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132. Federalism, if it has a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. If you believe this rule has implications for federalism or Indian tribes, please contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section above.

### E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

### F. Environment

We have analyzed this rule under Department of Homeland Security Management Directive 023–01 and Commandant Instruction M16475.1D, which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human

environment. This rule involves a safety zone lasting only during inbound transit and cargo operations of the M/V SWAN. It is categorically excluded from further review under paragraph 34(g) of Figure 2–1 of the Commandant Instruction. A Record of Environmental Consideration supporting this determination is available in the docket where indicated under **ADDRESSES**.

### G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

## PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegations No. 0170.1.

■ 2. Add § 165.T07–0977 to read as follows:

### § 165.T07–0977 Safety Zone; Crane Transit and Unloading from M/V SWAN, Savannah River, Savannah, GA.

(a) *Regulated area.* The following areas are established as safety zones:

(1) All waters of the Savannah River within one nautical mile ahead and astern of the M/V SWAN as it transits from the Savannah River entrance to Garden City Terminal.

(2) All waters within a 500-yard radius around the M/V SWAN while conducting cargo operations at Garden City Terminal.

(b) *Definition.* As used in this section, “designated representative” means Coast Guard Patrol Commanders, including Coast Guard coxswains, petty officers, and other officers operating Coast Guard vessels or aircraft, and federal, state, and local officers designated by or assisting the Captain of the Port (COTP) Savannah in the enforcement of the regulated areas.

(c) *Regulations.* (1) All persons and vessels are prohibited from entering,

transiting through, anchoring in, or remaining within the regulated area of the safety zone unless authorized by the COTP Savannah or a designated representative.

(2) Persons or vessels desiring to enter, transit through, anchor in, or remain within the safety zone may contact COTP Savannah by telephone at (912) 652–4353, or a designated representative via VHF radio on channel 16, to request authorization. If authorization to enter, transit through, anchor in, or remain within the regulated area is granted by the COTP Savannah or a designated representative, all persons and vessels receiving such authorization must comply with the instructions of the COTP Savannah or a designated representative.

(3) The Coast Guard will provide notice of the regulated areas by Local Notice to Mariners, Broadcast Notice to Mariners, Marine Safety Security Bulletins, and on-scene designated representatives.

(d) *Enforcement period.* This rule will be enforced from November 21, 2017 through December 2, 2017.

Dated: November 17, 2017.

**Norm C. Witt,**

*Commander, U.S. Coast Guard, Captain of the Port Savannah.*

[FR Doc. 2017–25751 Filed 11–28–17; 8:45 am]

**BILLING CODE 9110–04–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 1 and 69

[WC Docket Nos. 16–143, 05–25, GN Docket No. 13–5 and RM–10593; FCC 17–43]

### Sunset Order; Access Charge Reform; Business Data Services

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, an information collection associated with the Commission’s *Business Data Services Report and Order*, FCC 17–43, which reformed the business data services/special access regulations for incumbent and competitive LECs. The Commission’s reforms included replacing the application-based pricing flexibility rules with a new framework for determining the circumstances under which business data services will

be subject to ex ante pricing regulation. The Commission amended its rules to specify that its pricing flexibility rules no longer apply to business data services. The Commission also limited the circumstances under which price cap LECs must file their business data services contracts as contract-based tariffs. This document is consistent with the *Order*, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of this rule.

**DATES:** The amendments to §§ 1.776 and 69.701 of the Commission's rules, published at June 2, 2017, 82 FR 25660, are effective November 29, 2017.

**FOR FURTHER INFORMATION CONTACT:** William Kehoe, Pricing Policy Division, Wireline Competition Bureau, at (202) 418-7122, or email: [william.kehoe@fcc.gov](mailto:william.kehoe@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This document announces that, on November 7, 2017, OMB approved, for a period of three years, the changes in information collection requirements relating to §§ 1.774, 1.776 and 69.701 of the Commission's rules, as contained in the Commission's *Business Data Services Report and Order*, FCC 17-43, published at 82 FR 25660, June 2, 2017. The OMB Control Number is 3060-0760. The Commission publishes this document as an announcement of the effective date of §§ 1.776 and 69.701 of the Commission's rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, Room 1-A620, 445 12th Street SW., Washington, DC 20554. Please include the OMB Control Number, 3060-0760, in your correspondence. The Commission will also accept your comments via email at [PRA@fcc.gov](mailto:PRA@fcc.gov). 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 and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

#### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on November 7, 2017, for the information collection requirements contained in the modifications to §§ 1.774, 1.776, and 69.701 of the Commission's rules. Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of

information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number. The OMB Control Number is 3060-0760.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104-13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

*OMB Control Number:* 3060-0760.

*OMB Approval Date:* November 7, 2017.

*OMB Expiration Date:* November 30, 2020.

*Title:* 272 Sunset Order, WC Docket No. 06-120; Access Charge Reform, CC Docket No. 96-262, First Report and Order; Second Order on Reconsideration and Memorandum Opinion and Order; and Fifth Report and Order; Business Data Services Report and Order, WC Docket No. 16-143 et al.

*Form Number:* N/A.

*Respondents:* Business or other for-profit.

*Number of Respondents and Responses:* 13 respondents; 66 responses.

*Estimated Time per Response:* 3-80 hours.

*Frequency of Response:* One-time reporting requirement; on-occasion reporting requirement; third-party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 1, 4(i) through (j), 201 through 205, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i) through (j), 201 through 205, and 303(r).

*Total Annual Burden:* 1,256 hours.

*Total Annual Cost:* \$61,050.

*Privacy Act Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:* The information requested is not of a confidential nature. However, respondents may request materials or information submitted to the Commission be withheld from public inspection under 47 CFR 0.459 of the Commission's rules.

*Needs and Uses:* On April 28, 2017, the Commission released the *Business Data Services Order*, WC Docket No. 16-143 et al., FCC 17-43, reforming the business data services/special access regulations for incumbent and competitive LECs. The Commission's

reforms included replacing the application-based pricing flexibility rules with a new framework under which: (a) Packet-based services, time division multiplexing (TDM) services with bandwidth greater than 45 mbps, and TDM transport services are not subject to ex ante pricing regulation; (b) a new standard is applied to determine the extent to which the Commission regulates price cap LECs' TDM end user channel terminations with bandwidth less than 45 mbps and certain other low bandwidth business data services. Under this standard, a price cap LEC is not subject to ex ante pricing regulation in the provision of these services in counties deemed competitive under the Commission's competitive market test or for which the price cap LEC previously obtained Phase II pricing flexibility; (c) the price cap LEC is subject to ex ante pricing regulation in other counties where it is the incumbent LEC, but in these counties the price cap LEC has downward pricing flexibility (*i.e.*, the equivalent of Phase I pricing flexibility under the prior rules); and (d) the Commission will update the competitive market test results every three years using data already collected in FCC Form 477.

Among other rules changes, the *Business Data Services Order* repealed § 1.774, which set forth requirements for pricing flexibility applications, and added § 1.776, which limits the circumstances under which price cap LECs must file their business data services contracts as contract-based tariffs. The Commission also amended § 69.701 of its rules to specify that its pricing flexibility rules no longer apply to business data services.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 161020985-7181-02]

RIN 0648-XF702

#### Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and