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**Ex Parte Rules:** This proceeding 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 presenters 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 § 1.1206(b) of the Commission’s rules. In proceedings governed by § 1.49(f) of the rules 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.

#### Synopsis

In the *Order* (85 FR 22804 (April 23, 2020)), the Commission adopted rules to make 280 megahertz of mid-band spectrum available for flexible use, plus a 20 megahertz guard band throughout the contiguous United States by transitioning existing services out of the lower portion and into the upper 200 megahertz of the C-band. The *Order* established that new 3.7 GHz Service

licensees will reimburse the reasonable relocation costs of eligible Fixed Satellite Service (FSS) space station operators, incumbent FSS earth station operators, and incumbent Fixed Service licensees (collectively, incumbents) to transition out of the band. To provide incumbents and new 3.7 GHz Service licensees with a range of reasonable transition costs, the *Order* directed the Bureau to establish a cost category schedule of the types of expenses that incumbents may incur. The *Order* provided for the creation of a Relocation Payment Clearinghouse to oversee the cost-related aspects of the transition, including by collecting relocation payments from overlay licensees and disbursing those payments to incumbents. In determining the reasonableness of costs for which incumbents seek reimbursement, the *Order* directed that the Relocation Payment Clearinghouse shall presume as reasonable all submissions that fall within the estimated range of costs in the final cost category schedule.

The Cost Catalog (included as an attachment to the *Public Notice*) contains categories and estimates of expenses that incumbents may incur as they clear FSS operations from the 3.7–4.0 GHz portion of the band and Fixed Service operations from the entire C-band to make the lower 280 megahertz available for flexible use. The Commission engaged a third-party contractor, RKF Engineering Solutions, LLC (RKF), to assist in identifying costs that incumbents might incur and to assist with the development of a cost category schedule. To compile the information needed for the preliminary Cost Catalog, RKF considered the *Order*’s initial relocation cost estimates, derived from comments and filings in the record, and conducted confidential interviews with a broad range of stakeholders, including satellite operators, earth station operators, Fixed Service licensees, and vendors. With this input from RKF, and in accordance with the Commission’s directions, the Bureau has developed this Cost Catalog.

The Bureau seeks comment on the Cost Catalog, including whether the preliminary categories and estimated expenses for each are reasonable. Although the Cost Catalog represents an initial summary of estimated expenses that eligible incumbents may incur, the Bureau encourages commenters to identify any additional expense categories that they believe should be eligible for reimbursement and prices that should be associated with those categories. Does the Cost Catalog cover every situation? If not, what are additional situations that the Bureau

should consider? For both the initial summary set out in the Cost Catalog and for any additions to the Cost Catalog that commenters may suggest, the Bureau is interested in obtaining information on specific prices, as well as more general information on the costs that incumbents expect to incur.

The Cost Catalog also contains preliminary categories of the various classes of earth stations that may choose to receive a lump sum payment in place of their actual reasonable relocation costs. The *Order* established that incumbent earth station operators may either accept (1) reimbursement for their actual reasonable relocation costs by maintaining satellite reception; or (2) a lump sum reimbursement “based on the average, estimated costs of relocating all of their incumbent earth stations” to the upper 200 megahertz of the C-band. The Bureau seeks comment on the preliminary categories provided in the Cost Catalog and whether they cover the relevant classes of earth stations. If not, what are additional relevant classes of earth stations that the Bureau should consider including? The Bureau also seeks comment on the appropriate lump sum amounts for each category, which will be based on the average estimated costs of relocation for that class of earth station. What are the specific costs and prices that should be included in the lump sum amount for each class of earth station? The Bureau will determine the final lump sum amounts according to the final estimated earth station transition costs in the final Cost Catalog. Consistent with the *Order*, the Bureau will publish the final lump sum amounts and provide instructions for making such an election, after considering the record compiled on the foregoing issues.

**Amy Brett,**

*Associate Chief, Competition and Infrastructure Policy Division, Wireless Telecommunications Bureau.*

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## FEDERAL TRADE COMMISSION

### Agency Information Collection Activities; Proposed Collection; Comment Request; Extension

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice.

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**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (PRA), the Federal Trade Commission (FTC or Commission) is seeking public comment on its proposal to extend for an additional three years the Office of

Management and Budget (OMB) clearance for information collection requirements in its Fuel Rating Rule (the Rule). The current clearance expires on July 31, 2020.

**DATES:** Comments must be received on or before July 6, 2020.

**ADDRESSES:** Interested parties may file a comment online or on paper by following the instructions in the Request for Comments part of the **SUPPLEMENTARY INFORMATION** section below. Write "Fuel Rating Rule; PRA Comment: FTC File No. P072108" on your comment, and file your comment online at <https://www.regulations.gov> by following the instructions on the web-based form. If you prefer to file your comment on paper, mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC-5610 (Annex J), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610 (Annex J), Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Hampton Newsome, Attorney, Division of Enforcement, Federal Trade Commission, Room CC-9528, 600 Pennsylvania Avenue NW, Washington, DC 20580, (202) 326-2889.

**SUPPLEMENTARY INFORMATION:**

*Title:* Fuel Rating Rule (the Rule), 16 CFR part 306.

*OMB Control Number:* 3084-0068.

*Type of Review:* Extension of a currently approved collection.

*Likely Respondents:*

(a) *Recordkeeping:* Refiners, Producers, Importers, Distributors, and Retailers of the Covered Fuel Types.

(b) *Disclosure:* Retailers of the Covered Fuel Types.

*Estimated Annual Burden Hours:* 32,907 (derived from 13,417 recordkeeping hours added to 19,490 disclosure hours).

*Estimated Annual Labor Costs:* \$389,646.

*Estimated Annual Capital or Other Non-labor Costs:* \$77,960.

*Abstract:*

The Fuel Rating Rule, 16 CFR part 306 (OMB Control Number: 3084-0068), establishes standard procedures for determining, certifying, and disclosing the octane rating of automotive gasoline and the automotive fuel rating of alternative liquid automotive fuels, as required by the Petroleum Marketing Practices Act. 15 U.S.C. 2822(a)-(c). The Rule also requires refiners, producers, importers, distributors, and retailers to retain records showing how the ratings

were determined, including delivery tickets or letters of certification.

Under the PRA, 44 U.S.C. 3501-3521, the FTC is requesting that OMB renew the clearance for the PRA burden associated with the Rule.

*Burden statement:*

*Estimated annual burden hours:* 32,907 (derived from 13,417 recordkeeping hours added to 19,490 disclosure hours).

*Recordkeeping:* Based on industry sources, staff estimates that approximately 161,000 fuel industry members<sup>1</sup> each incur an average annual burden of approximately five minutes to ensure retention of relevant business records<sup>2</sup> for the period required by the Rule, resulting in a total of 13,417 hours.

*Disclosure:* Staff estimates that affected industry members incur an average burden of approximately one hour to produce, distribute, and post octane rating labels. Because the labels are durable, only about one of every eight industry member retailers (19,490 of 155,920 industry member retailers) incur this burden each year, resulting in a total annual burden of 19,490 hours.

*Estimated annual labor costs:* \$389,646.

Labor costs are derived by applying appropriate hourly cost figures to the burden hours described above. Here, the average hourly wages of refiners, producers, distributors, and importers is \$34.94.<sup>3</sup> The average hourly wages of retailers is \$11.54.<sup>4</sup> The recordkeeping component, 13,417 hours, consists of approximately 423 hours for producers,

distributors, and importers; and 12,994 hours for retailers. Thus, the total annual labor cost for recordkeeping is \$164,731 ((423 hours × \$34.94) + (12,994 hours × \$11.54/hour)). The disclosure component, which concerns retailers, is approximately 19,490 hours. Thus, total annual labor cost for disclosure is \$224,915 (19,490 hours × \$11.54/hour).

*Estimated annual non-labor costs:* \$77,960.

Staff believes that the Rule does not impose any capital costs for producers, importers, or distributors of fuels. Retailers, however, incur the cost of procuring and replacing fuel dispenser labels to comply with the Rule. Staff conservatively estimates that the price per automotive fuel label is two dollars and that the average automotive fuel retailer has six dispensers; thus, \$12 labeling cost at inception per retailer.<sup>5</sup> Staff has previously estimated a dispenser useful life range of 6 to 10 years and, based on that, assumed a useful life of 8 years for labels, the mean of that range. Given that, replacement labeling will not be necessary for well beyond the relevant period at issue, *i.e.*, the immediate 3-year PRA clearance sought. However, conservatively annualizing the \$12 labeling cost at inception per retailer over that shorter period rather than average useful life, annualized labeling cost per retailer will be \$4. Cumulative labeling cost would thus be \$77,960 (155,920 retailers × 1/8<sup>6</sup> × \$4 each, annualized).

**Request for Comments**

Pursuant to Section 3506(c)(2)(A) of the PRA, the FTC invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of maintaining records and providing disclosures to consumers. All comments must be received on or before July 6, 2020.

You can file a comment online or on paper. For the FTC to consider your comment, we must receive it on or before July 6, 2020. Write "Fuel Rating

<sup>1</sup> Staff derived the number of fuel industry members by adding the number of refiners, producers, importers, distributors, and retailers of these types of fuel. Staff consulted government agencies and industry sources in estimating a population of approximately 161,000 fuel industry members, including 155,920 retailers of automotive fuel. Some of the government websites reviewed to update these numbers include: [http://www.eia.gov/dnav/pet/pet\\_pnp\\_cap1\\_dcu\\_nus\\_a.htm](http://www.eia.gov/dnav/pet/pet_pnp_cap1_dcu_nus_a.htm) (Gasoline Producers); <http://www.eia.gov/biofuels/biodiesel/production/> (Biodiesel Producers); <http://www.afdc.energy.gov/fuels/> (Alternative Fuel Stations); [http://www.nacsonline.com/YourBusiness/FuelsReports/2015/Documents/2015-NACS-Fuels-Report\\_full.pdf](http://www.nacsonline.com/YourBusiness/FuelsReports/2015/Documents/2015-NACS-Fuels-Report_full.pdf) (Petroleum Stations).

<sup>2</sup> Under the Fuel Rating Rule, refiners, producers, importers, distributors, and retailers of automotive fuel must retain, for one year, records of any delivery tickets, letters of certification, or tests upon which they based the automotive fuel ratings that they certify or post. See the Fuel Rating Rule's recordkeeping requirements, 16 CFR 306.7; 306.9; and 306.11.

<sup>3</sup> See <http://www.bls.gov/iag/tgs/iag211.htm#earnings> (Bureau of Labor Statistics, May 2019 Occupational Employment Statistics, Hourly mean wages for petroleum pump system operators, refinery operators, and gaugers).

<sup>4</sup> See <http://www.bls.gov/iag/tgs/iag447.htm> (Bureau of Labor Statistics, May 2019 Occupational Employment Statistics, Hourly mean wages for service station attendants).

<sup>5</sup> See 75 FR 12,470, 12,477 (Mar. 16, 2010) (proposed rulemaking) (estimating the price range per pump to be one to two dollars).

<sup>6</sup> On average, each label needs to be replaced once every 8 years. Annualizing this cost equates to 1/8 or 0.125.

Rule; PRA Comment: FTC File No. P072108” on your comment. Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it through the <https://www.regulations.gov> website by following the instructions on the web-based form provided. Your comment—including your name and your state—will be placed on the public record of this proceeding, including the <https://www.regulations.gov> website.

If you file your comment on paper, write “Fuel Rating Rule; PRA Comment: FTC File No. P072108” on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC-5610 (Annex J), Washington, DC 20580, or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610 (Annex J), Washington, DC 20024. If possible, submit your paper comment to the Commission by courier or overnight service.

Because your comment will be placed on the public record, you are solely responsible for making sure that your comment does not include any sensitive or confidential information. In particular, your comment should not include any sensitive personal information, such as your or anyone else’s Social Security number; date of birth; driver’s license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any “trade secret or any commercial or financial information which . . . is privileged or confidential”—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must be filed in paper form, must be clearly labeled “Confidential,” and must comply with FTC Rule 4.9(c).

In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted publicly at [www.regulations.gov](https://www.regulations.gov), we cannot redact or remove your comment unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before July 6, 2020. You can find more information, including routine uses permitted by the Privacy Act, in the Commission’s privacy policy, at <https://www.ftc.gov/site-information/privacy-policy>.

**Josephine Liu,**

*Assistant General Counsel for Legal Counsel.*  
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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Agency for Healthcare Research and Quality

#### National Advisory Council for Healthcare Research and Quality: Request for Nominations for Members

**AGENCY:** Agency for Healthcare Research and Quality (AHRQ), HHS.

**ACTION:** Notice of request for nominations for members.

**SUMMARY:** The National Advisory Council for Healthcare Research and Quality (the Council) is to advise the Secretary of HHS (Secretary) and the Director of the Agency for Healthcare Research and Quality (AHRQ) with respect to activities proposed or undertaken to carry out AHRQ’s statutory mission. AHRQ produces evidence to make health care safer, higher quality, more accessible, equitable, and affordable, and to work within the U.S. Department of Health and Human Services and with other partners to make sure that the evidence is understood and used. Seven current

members’ terms will expire in November 2020.

**DATES:** Nominations should be received on or before 60 days after date of publication of this notice.

**ADDRESSES:** Nominations should be sent to Jaime Zimmerman, AHRQ, 5600 Fishers Lane, 06E37A, Rockville, Maryland 20857. Nominations may also be emailed to [NationalAdvisoryCouncil@ahrq.hhs.gov](mailto:NationalAdvisoryCouncil@ahrq.hhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Jaime Zimmerman, AHRQ, at (301) 427-1456.

**SUPPLEMENTARY INFORMATION:** 42 U.S.C. 299c provides that the Secretary shall appoint to the Council twenty-one appropriately qualified individuals. At least seventeen members shall be representatives of the public and at least one member shall be a specialist in the rural aspects of one or more of the professions or fields listed below. In addition, the Secretary designates, as *ex officio* members, representatives from other Federal agencies, principally agencies that conduct or support health care research, as well as Federal officials the Secretary may consider appropriate. 42 U.S.C. 299c(c)(3).

Seven current members’ terms will expire in November 2020. To fill these positions, we are seeking individuals who: (1) Are distinguished in the conduct of research, demonstration projects, and evaluations with respect to health care; (2) are distinguished in the fields of health care quality research or health care improvement; (3) are distinguished in the practice of medicine; (4) are distinguished in other health professions; (5) represent the private health care sector (including health plans, providers, and purchasers) or are distinguished as administrators of health care delivery systems; (6) are distinguished in the fields of health care economics, information systems, law, ethics, business, or public policy; and (7) represent the interests of patients and consumers of health care. 42 U.S.C. 299c(c)(2). Individuals are particularly sought with experience and success in these activities. AHRQ will accept nominations to serve on the Council in a representative capacity.

The Council meets in the Washington, DC, metropolitan area, generally in Rockville, Maryland, approximately three times a year to provide broad guidance to the Secretary and AHRQ’s Director on the direction of and programs undertaken by AHRQ.

Seven individuals will be selected by the Secretary to serve on the Council beginning with the meeting in the spring of 2021. Members generally serve 3-year terms. Appointments are