

V. Deletion Action

The EPA, with concurrence of the state of Utah through the Utah Department of Environmental Quality (UDEQ), has determined that all appropriate response actions under CERCLA, other than operation, maintenance, monitoring and five-year reviews have been completed. Therefore, EPA is deleting the Site from the NPL.

Because EPA considers this action to be noncontroversial and routine, EPA is taking it without prior publication. This action will be effective 45 days from the date of this publication in the **Federal Register** unless EPA receives adverse comments within 30 days from this publication in the **Federal Register**. If adverse comments are received within the 30-day public comment period, EPA will publish a timely withdrawal of this direct final Notice of Deletion before the effective date of the deletion, and it will not take effect. EPA will prepare a response to comments and continue with the deletion process on the basis of the Notice of Intent to Delete and the comments already received. There will be no additional opportunity to comment.

List of Subjects in 40 CFR Part 300

Environmental protection, Air pollution control, Chemicals, Hazardous waste, Hazardous substances, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Superfund, Water pollution control, Water supply.

Dated: August 3, 2011.

James B. Martin,

Regional Administrator, Region 8.

For the reasons set out in this document, 40 CFR part 300 is amended as follows:

PART 300—[AMENDED]

- 1. The authority citation for part 300 continues to read as follows:

Authority: 33 U.S.C. 1321(c)(2); 42 U.S.C. 9601–9657; E.O. 12777, 56 FR 54757, 3 CFR, 1991 Comp., p. 351; E.O. 12580, 52 FR 2923; 3 CFR, 1987 Comp., p. 193.

- 2. Table 1 of Appendix B to part 300 is amended by removing the entry for “International Smelting and Refining”, “Tooele”, “UT”.

[FR Doc. 2011–20291 Filed 8–9–11; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA–2011–0002; Internal Agency Docket No. FEMA–8191]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date.

DATES: *Effective Dates:* The effective date of each community’s scheduled suspension is the third date (“Susp.”) listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646–2953.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the NFIP, 42 U.S.C. 4001 *et seq.*; unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance

with program regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, FEMA has identified the Special Flood Hazard Areas (SFHAs) in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year, on FEMA’s initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022,

prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

■ 1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

§ 64.6 [Amended]

■ 2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Region III				
Virginia: Hampton, City of, Independent City.	515527	March 27, 1970, Emerg; January 15, 1971, Reg; August 16, 2011, Susp.	Aug. 16, 2011.	Aug. 16, 2011.
Region IV				
Alabama: Heflin, City of, Cleburne County.	010043	May 28, 1975, Emerg; July 5, 1982, Reg; August 16, 2011, Susp.	.....do*	do.
Mississippi:				
Mize, Town of, Smith County	280160	July 26, 1976, Emerg; January 1, 1986, Reg; August 16, 2011, Susp.	.....do	do.
Smith County, Unincorporated Areas	280306	June 8, 1990, Emerg; July 1, 1991, Reg; August 16, 2011, Susp.	.....do	do.
Taylorville, Town of, Smith County	280161	July 28, 1975, Emerg; June 17, 1986, Reg; August 16, 2011, Susp.	.....do	do.
Region V				
Illinois:				
Ashkum, Village of, Iroquois County	170287	June 16, 1975, Emerg; April 20, 1979, Reg; August 16, 2011, Susp.	.....do	do.
Cissna Park, Village of, Iroquois County.	170289	June 13, 1975, Emerg; September 29, 1986, Reg; August 16, 2011, Susp.	.....do	do.
Crescent City, Village of, Iroquois County.	170291	December 26, 1974, Emerg; September 1, 1987, Reg; August 16, 2011, Susp.	.....do	do.
Gilman, City of, Iroquois County	170293	July 28, 1975, Emerg; September 1, 1987, Reg; August 16, 2011, Susp.	.....do	do.
Iroquois, Village of, Iroquois County	170793	April 11, 1975, Emerg; September 4, 1985, Reg; August 16, 2011, Susp.	.....do	do.
Iroquois County, Unincorporated Areas.	170731	December 17, 1973, Emerg; September 30, 1988, Reg; August 16, 2011, Susp.	.....do	do.
Milford, Village of, Iroquois County ...	170294	April 10, 1975, Emerg; September 29, 1986, Reg; August 16, 2011, Susp.	.....do	do.
Thawville, Village of, Iroquois County	170913	January 2, 1976, Emerg; August 1, 1986, Reg; August 16, 2011, Susp.	.....do	do.
Watseka, City of, Iroquois County	170297	December 10, 1974, Emerg; June 15, 1979, Reg; August 16, 2011, Susp.	.....do	do.
Woodland, Village of, Iroquois County.	170819	June 25, 1975, Emerg; September 30, 1988, Reg; August 16, 2011, Susp.	.....do	do.
Michigan:				
Alaiedon, Township of, Ingham County.	260670	April 9, 1976, Emerg; September 28, 1979, Reg; August 16, 2011, Susp.	.....do	do.
Aurelius, Township of, Ingham County.	261321	January 4, 2011, Emerg; N/A, Reg; August 16, 2011, Susp.	.....do	do.
Delhi, Charter Township of, Ingham County.	260088	September 15, 1975, Emerg; July 16, 1981, Reg; August 16, 2011, Susp.	.....do	do.
Lansing, Charter Township of, Ingham County.	260632	August 25, 1975, Emerg; February 4, 1981, Reg; August 16, 2011, Susp.	.....do	do.
Lansing, City of, Ingham County	260090	March 9, 1973, Emerg; March 2, 1981, Reg; August 16, 2011, Susp.	.....do	do.
Leroy, Township of, Ingham County	260906	April 19, 1993, Emerg; N/A, Reg; August 16, 2011, Susp.	.....do	do.
Leslie, City of, Ingham County	260091	July 25, 1975, Emerg; August 10, 1979, Reg; August 16, 2011, Susp.	.....do	do.

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Locke, Township of, Ingham County	260671	April 14, 1976, Emerg; August 10, 1979, Reg; August 16, 2011, Susp.	.....do	do.
Mason, City of, Ingham County	260092	April 24, 1975, Emerg; October 15, 1982, Reg; August 16, 2011, Susp.	.....do	do.
Meridian, Charter Township of, Ingham County.	260093	December 30, 1971, Emerg; February 2, 1977, Reg; August 16, 2011, Susp.	.....do	do.
Stockbridge, Township of, Ingham County.	261326	August 30, 2010, Emerg; N/A, Reg; August 16, 2011, Susp.	.....do	do.
Stockbridge, Village of, Ingham County.	260573	January 19, 1977, Emerg; September 4, 1986, Reg; August 16, 2011, Susp.	.....do	do.
Webberville, Village of, Ingham County.	260416	June 24, 1976, Emerg; August 10, 1979, Reg; August 16, 2011, Susp.	.....do	do.
White Oak, Township of, Ingham County.	260417	April 28, 1988, Emerg; July 16, 1990, Reg; August 16, 2011, Susp.	.....do	do.
Williamston, City of, Ingham County	260094	July 24, 1975, Emerg; April 1, 1982, Reg; August 16, 2011, Susp.	.....do	do.
Williamstown, Township of, Ingham County.	260095	January 27, 1977, Emerg; April 15, 1982, Reg; August 16, 2011, Susp.	.....do	do.
Minnesota:				
Benton County, Unincorporated Areas.	270019	August 13, 1974, Emerg; January 2, 1981, Reg; August 16, 2011, Susp.	.....do	do.
Foley, City of, Benton County	270020	May 2, 1974, Emerg; September 18, 1985, Reg; August 16, 2011, Susp.	.....do	do.
Royalton, City of, Benton County	270303	April 5, 1974, Emerg; March 28, 1980, Reg; August 16, 2011, Susp.	.....do	do.
Sartell, City of, Benton County	270460	July 5, 1974, Emerg; February 15, 1980, Reg; August 16, 2011, Susp.	.....do	do.
Sauk Rapids, City of, Benton County	270023	June 18, 1973, Emerg; October 14, 1977, Reg; August 16, 2011, Susp.	.....do	do.
St. Cloud, City of, Benton County	270456	March 31, 1972, Emerg; April 1, 1977, Reg; August 16, 2011, Susp.	.....do	do.
Ohio:				
Berkey, Village of, Lucas County	390901	N/A, Emerg; March 8, 2005, Reg; August 16, 2011, Susp.	.....do	do.
Byesville, Village of, Guernsey County.	390199	June 17, 1975, Emerg; February 17, 1989, Reg; August 16, 2011, Susp.	.....do	do.
Cumberland, Village of, Guernsey County.	390824	October 26, 1988, Emerg; February 17, 1989, Reg; August 16, 2011, Susp.	.....do	do.
Harbor View, Village of, Lucas County.	390702	October 8, 1976, Emerg; May 25, 1978, Reg; August 16, 2011, Susp.	.....do	do.
Holland, Village of, Lucas County	390659	March 13, 1975, Emerg; September 22, 1978, Reg; August 16, 2011, Susp.	.....do	do.
Lore City, Village of, Guernsey County.	390202	March 25, 1976, Emerg; February 17, 1989, Reg; August 16, 2011, Susp.	.....do	do.
Lucas County, Unincorporated Areas	390359	March 9, 1977, Emerg; March 16, 1983, Reg; August 16, 2011, Susp.	.....do	do.
Maumee, City of, Lucas County	390360	July 25, 1975, Emerg; March 28, 1980, Reg; August 16, 2011, Susp.	.....do	do.
Oregon, City of, Lucas County	390361	March 16, 1973, Emerg; March 15, 1978, Reg; August 16, 2011, Susp.	.....do	do.
Ottawa Hills, Village of, Lucas County.	390362	October 24, 1975, Emerg; June 4, 1980, Reg; August 16, 2011, Susp.	.....do	do.
Pleasant City, Village of, Guernsey County.	390203	April 7, 1976, Emerg; January 5, 1979, Reg; August 16, 2011, Susp.	.....do	do.
Quaker City, Village of, Guernsey County.	390853	August 28, 1980, Emerg; February 17, 1989, Reg; August 16, 2011, Susp.	.....do	do.
Sencecaville, Village of, Guernsey County.	390858	September 15, 1989, Emerg; September 15, 1989, Reg; August 16, 2011, Susp.	.....do	do.
Swanton, Village of, Lucas County ...	390632	N/A, Emerg; April 9, 1996, Reg; August 16, 2011, Susp.	.....do	do.
Sylvania, City of, Lucas County	390364	February 18, 1972, Emerg; July 5, 1977, Reg; August 16, 2011, Susp.	.....do	do.
Toledo, City of, Lucas County	395373	December 18, 1970, Emerg; June 4, 1980, Reg; August 16, 2011, Susp.	.....do	do.
Waterville, Village of, Lucas County	390637	April 9, 1975, Emerg; January 2, 1981, Reg; August 16, 2011, Susp.	.....do	do.
Whitehouse, Village of, Lucas County.	390639	August 27, 1975, Emerg; May 19, 1981, Reg; August 16, 2011, Susp.	.....do	do.
Wisconsin:				

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Lincoln County, Unincorporated Areas.	550585	March 8, 1976, Emerg; February 19, 1986, Reg; August 16, 2011, Susp.	.....do	do.
Merrill, City of, Lincoln County	555565	April 9, 1971, Emerg; July 20, 1973, Reg; August 16, 2011, Susp.	.....do	do.
Tomahawk, City of, Lincoln County ..	550235	November 29, 1974, Emerg; September 4, 1985, Reg; August 16, 2011, Susp.	.....do	do.
Region VI				
Texas:				
Brenham, City of, Washington County.	480648	December 31, 1974, Emerg; August 17, 1981, Reg; August 16, 2011, Susp.	.....do	do.
Huntsville, City of, Walker County	480639	January 20, 1975, Emerg; February 4, 1981, Reg; August 16, 2011, Susp.	.....do	do.
Montague County, Unincorporated Areas.	480939	August 30, 1982, Emerg; January 17, 1991, Reg; August 16, 2011, Susp.	.....do	do.
Nocona, City of, Montague County ...	480482	July 22, 1975, Emerg; November 21, 1978, Reg; August 16, 2011, Susp.	.....do	do.
Paris, City of, Lamar County	480427	February 25, 1972, Emerg; December 15, 1983, Reg; August 16, 2011, Susp.	.....do	do.
Reno, City of, Lamar County	481254	January 9, 1980, Emerg; September 28, 1982, Reg; August 16, 2011, Susp.	.....do	do.
Riverside, City of, Walker County	481044	June 28, 2000, Emerg; November 1, 2007, Reg; August 16, 2011, Susp.	.....do	do.
Walker County, Unincorporated Areas.	481042	August 18, 1978, Emerg; May 1, 1987, Reg; August 16, 2011, Susp.	.....do	do.
Washington County, Unincorporated Areas.	481188	January 16, 2001, Emerg; December 1, 2007, Reg; August 16, 2011, Susp.	.....do	do.
Region VII				
Iowa:				
Elgin, City of, Fayette County	190125	June 18, 1975, Emerg; August 4, 1987, Reg; August 16, 2011, Susp.	.....do	do.
Fayette County, Unincorporated Areas.	190866	November 27, 1990, Emerg; July 1, 1991, Reg; August 16, 2011, Susp.	.....do	do.
Fayette, City of, Fayette County	190376	April 27, 1978, Emerg; September 1, 1987, Reg; August 16, 2011, Susp.	.....do	do.
Maynard, City of, Fayette County	190377	September 29, 1976, Emerg; August 1, 1986, Reg; August 16, 2011, Susp.	.....do	do.
Oelwein, City of, Fayette County	190126	October 14, 1975, Emerg; July 4, 1988, Reg; August 16, 2011, Susp.	.....do	do.
Waucoma, City of, Fayette County ...	190381	July 15, 1983, Emerg; September 29, 1986, Reg; August 16, 2011, Susp.	.....do	do.
What Cheer, City of, Keokuk County	190179	January 28, 1976, Emerg; August 1, 1987, Reg; August 16, 2011, Susp.	.....do	do.
Nebraska:				
Butler County, Unincorporated Areas	310025	October 29, 1998, Emerg; N/A, Reg; August 16, 2011, Susp.	.....do	do.
Bruno, Village of, Butler County	310027	June 4, 1975, Emerg; January 1, 1987, Reg; August 16, 2011, Susp.	.....do	do.
Linwood, Village of, Butler County	310028	May 25, 1976, Emerg; January 1, 1987, Reg; August 16, 2011, Susp.	.....do	do.
Surprise, Village of, Butler County	310408	July 22, 2009, Emerg; N/A, Reg; August 16, 2011, Susp.	.....do	do.
Ulysses, Village of, Butler County	310029	May 6, 1975, Emerg; October 31, 1983, Reg; August 16, 2011, Susp.	.....do	do.

*.....do = Ditto.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Dated: July 29, 2011

Sandra K. Knight,

Deputy Federal Insurance and Mitigation Administrator, Mitigation.

[FR Doc. 2011-20279 Filed 8-9-11; 8:45 am]

BILLING CODE 9110-12-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[MD Docket No. 11-76; FCC 11-114]

Assessment and Collection of Regulatory Fees for Fiscal Year 2011

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission revises its Schedule of Regulatory Fees to recover an amount of \$335,794,000 that Congress has required the Commission to collect for fiscal year 2011. The Communications Act of 1934, as amended, provides for the annual assessment and collection of regulatory fees for annual “Mandatory Adjustments” and “Permitted Amendments” to the Schedule of Regulatory Fees.

DATES: Effective September 9, 2011.

FOR FURTHER INFORMATION CONTACT: Roland Helvajian, Office of Managing Director at (202) 418-0444.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Report and Order (R&O), FCC 11-114, MD Docket No. 11-76, adopted on July 21, 2011 and released on July 22, 2011.

I. Procedural Matters

A. Final Paperwork Reduction Act

1. This *Report and Order* 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).

B. Congressional Review Act Analysis

2. The Commission will send a copy of this *Report and Order* to Congress and the Government Accountability Office pursuant to the Congressional Review Act.¹

¹ See 5 U.S.C. 801(a)(1)(A). The Congressional Review Act is contained in Title II, 251, of the CWA; see Pub. L. No. 104-121, Title II, 251, 110 Stat. 868.

C. Final Regulatory Flexibility Analysis

3. As required by the Regulatory Flexibility Act of 1980 (“RFA”),² the Commission has prepared a Final Regulatory Flexibility Analysis (“FRFA”) relating to this Report and Order. The FRFA is set forth in the section entitled Final Regulatory Flexibility Analysis.

II. Report and Order

Introduction

4. In this *Report and Order*, we conclude the Assessment and Collection of Regulatory Fees for Fiscal Year (“FY”) 2011 proceeding to collect \$335,794,000 in regulatory fees for Fiscal Year (“FY”) 2011, pursuant to section 9 of the Communications Act of 1934, as amended (the “Act”). Section 9 regulatory fees are mandated by Congress and are collected to recover the regulatory costs associated with the Commission’s enforcement, policy and rulemaking, user information, and international activities.³ The annual regulatory fee amount to be collected is established each year in the Commission’s Annual Appropriations Act which is adopted by Congress and signed by the President and which funds the Commission.⁴ In this annual regulatory fee proceeding, we retain many of the established methods, policies, and procedures for collecting section 9 regulatory fees adopted by the Commission in prior years. Consistent with our established practice, we intend to collect these regulatory fees during a September 2011 filing window in order to collect the required amount by the end of our fiscal year. Finally, we will initiate a further rulemaking that will update the record on regulatory fee rebalancing, as well as expand this inquiry to include new issues and services, by the end of this calendar year.

² See 5 U.S.C. 603. The RFA, see 5 U.S.C. 601-612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (“SBREFA”), Pub. L. No. 104-121, Title II, 110 Stat. 847 (1996). The SBREFA was enacted as Title II of the Contract With America Advancement Act of 1996 (“CWA”).

³ 47 U.S.C. 159(a).

⁴ See The Full-Year Continuing Appropriations Act, 2011, Public Law 112-10, for the appropriations act language specifying that the applicable level of funding for fiscal year 2011 continues to be the amount provided by the Consolidated Appropriations Act, 2010, Public Law 111-117, for agencies previously funded by that Act. The level set by Congress in the Consolidated Appropriations Act, 2010 for the Commission was \$335,794,000 of offsetting collections to be assessed and collected by the Commission pursuant to Section 9 of the Communications Act.

III. Discussion

5. On May 3, 2011, we released a *Notice of Proposed Rulemaking* (“FY 2011 NPRM”) seeking comment on regulatory fee issues for FY 2011.⁵ The section 9 regulatory fee proceeding is an annual rulemaking process for the Commission to collect the required fee amount each year. In the *FY 2011 NPRM*, we proposed to retain the section 9 regulatory fee methodology used in prior fiscal years, except as discussed below. We received six comments and one reply comment.⁶ We address the issues raised in our *FY 2011 NPRM* and these comments below.

TABLE—LIST OF COMMENTERS

Commenter	Abbreviated name
American Association of Paging Carriers.	“AAPC”
Raymond Awe	“Raymond Awe”
CTIA—The Wireless Association.	“CTIA”
PCIA—The Wireless Infrastructure Association.	“PCIA”
The United States Telecom Association.	“USTelecom”
Verizon Wireless	“Verizon”

TABLE—LIST OF REPLY COMMENTERS

Commenter	Abbreviated name
AT&T Inc	“AT&T”

A. FY 2011 Regulatory Fee Assessment Methodology

6. In our FY 2011 regulatory fee assessment, we will use the same section 9 regulatory fee assessment methodology adopted in FY 2010 and in prior years. Each fiscal year, the Commission proportionally allocates the total amount that must be collected via section 9 regulatory fees. The results of our FY 2011 regulatory fee assessment methodology (including a comparison to the prior year’s results) are contained in the table below (Table—Calculation of FY 2011 Revenue Requirements and Pro-Rata Fees). To collect the \$335,794,000 required by Congress, we allocated this amount across the various fee categories. Consistent with past practice, we then divided the various fee categories by their respective number of estimated payment units to

⁵ See Assessment and Collection of Regulatory Fees for Fiscal Year 2011, *Notice of Proposed Rulemaking*, 76 FR 30605 (May 26, 2011) (“FY 2011 NPRM”).

⁶ See table of commenters and reply commenters.