

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 36

[CC Docket No. 80-286; FCC 96J-2]

#### Establishment of a Joint Board

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; recommended decision.

**SUMMARY:** On September 27, 1996, the Federal-State Joint Board in CC Docket No. 80-286 adopted a Recommended Decision regarding permanent rules for the separation of the expenses assigned to the other billing and collecting category of the Commission's rules (OB&C) between the state and interstate jurisdictions.<sup>1</sup> In a Notice of Proposed Rulemaking released May 15, 1995,<sup>2</sup> the Commission had requested that the Joint Board recommend permanent rules that would reflect reasonable principles of cost causation and would not be unnecessarily burdensome to implement and administer. Through its Recommended Decision, the Joint Board intended to assist the Commission in formulating permanent rules for the jurisdictional separation of OB&C expenses that satisfy the Commission's stated goals that the permanent rules reflect principles of cost causation, not be unnecessarily burdensome to implement and administer, be simple to audit, and be certain and predictable in their effect.<sup>3</sup>

**FOR FURTHER INFORMATION CONTACT:** Jon Reel, (202) 418-0872, Common Carrier Bureau, Accounting and Audits Division.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Federal-State Joint

Board recommendation to the Federal Communication Commission, Amendment of Part 36 of the Commission's Rules and Establishment of a Joint Board, *Recommended Decision*, FCC 96J-2, CC Docket No. 80-286, adopted and released September 27, 1996. This action was initiated by a Notice of Proposed Rulemaking released May 15, 1995 (60 FR 30059). The Commission has made the full text of the Recommended Decision available for inspection and copying during normal business hours in the Commission's Reference Center, Room 239, 1919 M Street, NW., Washington, DC 20554, and will publish it in the FCC Record. The full text of the Recommended Decision may also be purchased from the Commission's duplicating contractor, International Transcription Service, 2100 M Street, NW., Suite 140, Washington, DC 20037, telephone number (202) 857-3800.

**Summary of Recommended Action:** The Recommended Decision of the Federal-State Joint Board in CC Docket No. 80-286 concerns the allocation of OB&C expenses between the federal and state jurisdictions. OB&C expenses are the expenses incurred by incumbent local exchange carriers (ILECs) in preparing and rendering customer bills and in accounting for revenues generated by those bills. Under the recommended permanent rules, OB&C expenses would be allocated equally among local exchange, intrastate toll, and interstate toll service. This allocation would result in allocating two-thirds of OB&C expenses to the state jurisdiction, and one third of OB&C expenses to the interstate jurisdiction. ILECs that do not bill for interexchange carriers will allocate five percent of OB&C expenses to the interstate jurisdiction to cover the cost of billing the federal Subscriber Line Charge. The Joint Board found that, because OB&C expenses are largely joint and common expenses, an allocation procedure based on usage of individual services would not allocate expenses more accurately than a fixed allocation factor. The Joint Board therefore gave great weight to additional considerations such as convenience and predictability, and found that a fixed-factor method of allocation best satisfied those considerations.

2. Recommendation Clauses: For all the reasons discussed in this

Recommended Decision, this Federal State Joint Board recommends, pursuant to Section 410(c) of the Communications Act of 1934, as amended, 47 U.S.C. 410(c), that the Federal Communications Commission amend Part 36, Subpart D of the Commission's Rules, 47 CFR Part 36, Subpart D.

List of Subjects in 47 CFR Part 36

Communications common carriers, Jurisdictional separations procedures, Reporting and recordkeeping requirements, Telephone, Universal System of Accounts.

Federal Communications Commission.

William F. Caton,

*Acting Secretary.*

[FR Doc. 96-27684 Filed 10-28-96; 8:45 am]

BILLING CODE 6712-01-P

### 47 CFR Parts 36 and 69

[CC Docket No. 96-45; DA 96-1078]

#### Common Carrier Bureau Seeks Further Comment on Specific Questions Regarding the Universal Service Notice of Proposed Rulemaking

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking; extension of comment period.

**SUMMARY:** On March 14, 1996, (61 FR 10499) the Commission published in the Federal Register a notice of proposed rulemaking regarding the implementation of universal service support pursuant to section 254 in the 1996 Telecommunications Act. A public notice, which was released by the Common Carrier Bureau on July 3, 1996, sought further comment on 72 specific questions regarding the universal service notice of proposed rulemaking. This public notice extended the comment period until August 2, 1996. The purpose of the public notice was to supplement information received in response to the universal service NPRM. **DATES:** The July 3, 1996, public notice extended the comment period until August 2, 1996.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 1919 M St., N.W., Room 222, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Astrid Carlson, Universal Service

<sup>1</sup> Amendment of Part 36 of the Commission's Rules and Establishment of a Joint Board, *Recommended Decision*, FCC 96J-2, CC Docket No. 80-286 (rel. Sept. 27, 1996).

<sup>2</sup> Amendment of Part 36 of the Commission's Rules and Establishment of a Joint Board, *Notice of Proposed Rulemaking*, 10 FCC Rcd 7013 (1995) (*Notice*).

<sup>3</sup> *Notice*, 10 FCC Rcd at 7015.

Branch, Accounting and Audits Division, Common Carrier Bureau, at (202) 530-6023.

**SUPPLEMENTARY INFORMATION:** Although the Commission received hundreds of comments in response to the NPRM in this docket released March 8, 1996, the Common Carrier Bureau issued a public notice in order to supplement the record by asking for comment on 72 focused questions involving universal service support for high cost, rural and insular areas, support for schools, libraries and health care providers, support for low income individuals and administration of the support mechanism.

Federal Communications Commission.

Kathleen B. Levitz,

*Deputy Bureau Chief, Common Carrier Bureau.*

[FR Doc. 96-26429 Filed 10-28-96; 8:45 am]

BILLING CODE 6712-01-M

#### 47 CFR Parts 36 and 69

[CC Docket No. 96-45; DA 96-1094]

#### Common Carrier Bureau Seeks Further Comment on Cost Models Regarding the Universal Service Notice of Proposed Rulemaking

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking; extension of comment period.

**SUMMARY:** On March 14, 1996, (61 FR 10499) the Commission published in the Federal Register a notice of proposed rulemaking regarding the implementation of universal service support pursuant to section 254 in the 1996 Telecommunications Act. A public notice, which was released by the Common Carrier Bureau on July 10, 1996, sought comment on cost models discussed in the universal service notice of proposed rulemaking. This public notice extended the comment period until August 9, 1996. The purpose of this public notice was to supplement information regarding cost models received in response to the NPRM.

**DATES:** The July 10, 1996, public notice extended the comment period until August 9, 1996.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 1919 M St., NW. Room 222, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Astrid Carlson, Universal Service Branch, Accounting and Audits Division, Common Carrier Bureau, at (202) 530-6023.

**SUPPLEMENTARY INFORMATION:** Although the Commission received hundreds of

comments in response to the NPRM in this docket released March 8, 1996, the Common Carrier Bureau issued a Public Notice in order to supplement the record by asking for additional comments on the Benchmark Cost Model, the Benchmark Cost Model 2, the Hatfield model and the Cost Proxy Model.

Federal Communications Commission.

Kathleen B. Levitz,

*Deputy Bureau Chief, Common Carrier Bureau.*

[FR Doc. 96-26430 Filed 10-28-96; 8:45 am]

BILLING CODE 6712-01-M

#### 47 CFR Part 73

[MM Docket No. 96-214; RM-8886]

#### Radio Broadcasting Services; Dededo, Guam

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Rolando Manuntag proposing the allotment of Channel 286C at Dededo, Guam, as the community's first local aural transmission service. Channel 286C can be allotted to Dededo in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction at petitioner's requested site. The coordinates for Channel 286C at Dededo are North Latitude 13-29-01 and East Longitude 144-49-29.

**DATES:** Comments must be filed on or before December 9, 1996 and reply comments on or before December 24, 1996.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Wayne Coy, Jr., Esq., Cohn and Marks, 1333 New Hampshire Avenue, NW., Suite 600, Washington, DC 20036-1573 (Counsel for Petitioner).

**FOR FURTHER INFORMATION CONTACT:**

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 96-214, adopted October 11, 1996, and released October 18, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The

complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts. For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 96-27688 Filed 10-28-96; 8:45 am]

BILLING CODE 6712-01-P

#### 47 CFR Part 73

[MM Docket No. 96-212, RM-8884]

#### Radio Broadcasting Services; Portland and Seaside, Oregon

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Radio Systems of Miami, Inc., requesting the substitution of Channel 254C1 for Channel 253C at Portland, OR, and the modification of Station KUPL-FM's license to specify operation on the lower class channel. The substitution of channels could enable Station KUPL-FM to relocate its transmitter and eliminate its use of a translator station. To accommodate the substitution of channels at Portland, the petitioner also requests that Channel 235A or Channel 272A be substituted for Channel 255A at Seaside, OR, and the construction permit of Station KULU(FM) be modified to specify the alternate Class A channel. Channel 254C1 can be allotted to Portland in compliance with the Commission's minimum distance separation requirements with a site restriction of 9.1 kilometers (5.6 miles) west, at coordinates 45-30-58 NL; 122-43-59 WL, to accommodate petitioner's