

**F. Unfunded Mandates**

Under section 202 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act"), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated costs to State, local, or tribal governments in the aggregate; or to the private sector, of \$100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action proposed does not include a Federal mandate that may result in estimated costs of \$100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

**List of Subjects in 40 CFR Part 52**

Environmental protection, Air pollution control, Hydrocarbons, Intergovernmental relations, Nitrogen dioxide, Ozone.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: September 17, 1999.

**John P. DeVillars,**

*Regional Administrator, Region I.*

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Parts 51 and 64**

[CC Docket No. 96-115; 96-98; 99-273; FCC 99-227]

**Carriers' Use of Customer Proprietary Network Information and Other Customer Information; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Provision of Directory Listing Information Under the Telecommunications Act of 1934**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document seeks comment on issues arising out of developments in, and the convergence of, directory publishing and directory assistance. The intended effect is to further Congress' goal of preventing unfair local exchange carrier (LEC) practices and encouraging the development of competition in directory assistance.

**DATES:** Comments are due on or before October 13, 1999. Reply comments are due on or before October 28, 1999. Written comments by the public on the proposed information collections are due on or before October 13, 1999. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed information collections on or before November 26, 1999.

**ADDRESSES:** 445 12th Street, S.W., Washington, D.C. 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Judy Boley, Federal Communications Commission, Room 1-C804, 445 12th Street, SW, Washington, DC 20554, or via the Internet to [jboley@fcc.gov](mailto:jboley@fcc.gov), and to Virginia Huth, OMB Desk Officer, 10236 NEOB, 725-17th Street, N.W., Washington, DC 20503 or via the Internet to [huth\\_v@al.eop.gov](mailto:huth_v@al.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Gregory Cooke, Senior Attorney, Common Carrier Bureau, Network Services Division, (202) 418-2351 or via the Internet at [gcooke@fcc.gov](mailto:gcooke@fcc.gov). Further information may also be obtained by calling the Common Carrier Bureau's TTY number: 202-418-0484. For additional information concerning the information collections contained in this Notice contact Judy Boley at (202) 418-0214, or via the Internet at [jboley@fcc.gov](mailto:jboley@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This summarizes the Commission's Notice adopted August 23, 1999, and released September 9, 1999. The Notice addresses issues arising out of developments in, and the convergence of directory publishing and directory assistance. The full text of this Notice is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. The complete text also may be obtained through the World Wide Web, at <http://www.fcc.gov/Bureaus/CommonCarrier/Orders/fcc99227.wp>, or may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th St., N.W., Washington, D.C. 20036.

**Synopsis**

In the Notice, the Commission addresses issues arising out of developments in, and the convergence of directory publishing and directory assistance. In particular, the Commission invites comment on issues relating to the development of Internet directories, including whether section 222(e) entitles directory publishers to obtain subscriber list information for use in those directories. The Commission also invites comment on whether and how it may extend nondiscriminatory access to listing information to directory assistance providers that are neither telephone exchange service providers or telephone toll service providers. Finally, the Commission invites comment on issues relating to the development of national directory assistance, including whether all LECs providing that service must provide nondiscriminatory access to nonlocal listings pursuant to section 251(b)(3).

**Paperwork Reduction Act**

The Notice contains either a proposed or modified information collection. As part of its continuing effort to reduce paperwork burdens, the Commission invites the general public and the Office of Management and Budget (OMB) to take this opportunity to comment on the information collections contained in this Notice, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. Public and agency comments are due on or before October 13, 1999; OMB comments are due November 26, 1999. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**OMB Approval Number:** 3060-0741

**Title:** Implementation of the Local Competition Provisions of the Telecommunications Act of 1996—CC Docket No. 96-98.

**Form No.:** N/A.

**Type of Review:** Revised collection.

Proposed information collections	No. of respondents (approx.)	Estimated time per respondent (hrs.)	Total annual burden (hrs.)
Subscriber List Information for Internet Directories .....	2000	<sup>1</sup> 8	16,000
Provision of access to nonlocal listings .....	20	<sup>1</sup> 36	720
Listing Information to non-telephone exchange or toll service directory assistance providers ..	250	<sup>1</sup> 36	9,000

<sup>1</sup> Hours per year.

*Total Annual Burden:* 25,720 hours  
*Respondents:* Businesses or other for-profit.

*Estimated costs per respondent:* \$0.

*Needs and Uses:* The new information collections proposed in this Notice will be used to ensure that affected telecommunications carriers fulfill their obligations under the Communications Act, as amended.

#### **Initial Regulatory Flexibility Analysis**

As required by the Regulatory Flexibility Act, see 5 U.S.C. 603, the

Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) of the possible impact on small entities of the proposals suggested in this document. The IRFA is set forth in the Appendix. Written public comments are requested with respect to the IRFA. These comments must be filed in accordance with the same filing deadlines for comments on the rest of the Notice, but they must have a separate and distinct heading, designating the comments as responses

to the IRFA. The Office of Public Affairs, Reference Operations Division, will send a copy of this NPRM, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with the Regulatory Flexibility Act.

Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

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