

17. *Remaining Checklist Items.* An applicant for section 271 authority must demonstrate that it complies with checklist item 3 (poles, ducts, and conduits), item 8 (white pages), item 9 (numbering administration), item 12 (local dialing parity), and item 13 (reciprocal compensation). Based on the evidence in this record, the Commission concludes that Qwest complies with the requirements of all of the checklist items: 3, 8, 9, 12, and 13.

#### Other Statutory Requirements

18. *Section 272 Compliance.* Commission standards for compliance with Section 272 are set forth in the *Accounting Safeguards Order* (61 FR 41208, August 7, 1996) and the *Non-Accounting Safeguards Order* (61 FR 39397, July 29, 1996). Together, these safeguards discourage and facilitate the detection of improper cost allocation and cross-subsidization between the BOC and its section 272 affiliate and ensure that BOCs do not discriminate in favor of these section 272 affiliates. Based on the record, the Commission concludes that Qwest and QLDC, its section 272 affiliate, have demonstrated compliance with the requirements of section 272.

19. *Public Interest Analysis.* The Commission concludes that approval of this application is consistent with the public interest. From the Commission's extensive review of the competitive checklist, which embodies the critical elements of market entry under the Act, it finds that barriers to competitive entry in the application states' local exchange markets have been removed, and that these local exchange markets are open to competition. It further finds that the record confirms the Commission's view that BOC entry into the long distance market will benefit consumers and competition if the relevant local exchange market is open to competition consistent with the competitive checklist. Notwithstanding its concern about discrimination in interconnection agreements and potential violations of the Act as a result, the Commission finds that Qwest's previous failure to file certain interconnection agreements with the application states does not warrant a denial of this application. The Commission concludes that concerns about any potential ongoing checklist violation (or discrimination) are met by Qwest's submission of agreements to the commissions of the application states pursuant to section 252 and by each state acting on Qwest's submission of those agreements. Based on the limited circumstances established in the record, the Commission does not find that the allegations concerning Qwest's

compliance with section 271 relate to openness of the local telecommunications markets to competition. Instead, it defers any enforcement action pending the Enforcement Bureau's investigation of the matter.

20. *Section 271(d) (6) Enforcement Authority.* Working with the state commissions, the Commission intends to closely monitor Qwest's post-approval compliance to ensure that Qwest continues to meet the conditions required for section 271 approval. It stands ready to exercise its various statutory enforcement powers quickly and decisively in appropriate circumstances to ensure that the local market remains open in each of the states.

Federal Communications Commission.

**William F. Caton,**

*Deputy Secretary.*

[FR Doc. 02-33043 Filed 12-31-02; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL DEPOSIT INSURANCE CORPORATION

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

**AGENCY:** Federal Deposit Insurance Corporation.

**ACTION:** Notice and request for comment.

**SUMMARY:** The FDIC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995. An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid OMB control number. The FDIC is soliciting comment concerning its information collection titled, "Privacy of Consumer Financial Information (12 CFR 332)."

**DATES:** You should submit written comments by March 3, 2003.

**ADDRESSES:** You should direct comments and requests for further information to Steven F. Hanfit, (202) 898-3907, Legal Division (Consumer and Compliance Unit), Room MB-3064, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, DC 20429. All comments should refer to the OMB control number 3064-0136. Comments may be hand-delivered to the guard station at the rear of the 17th

Street Building (located on F Street), on business days between 7 a.m. to 5 p.m.

A copy of the comments should also be sent to the OMB Desk Officer for the FDIC: Joseph F. Lackey, Jr., Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503, or by e-mail to [jlackeyj@omb.eop.gov](mailto:jlackeyj@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** The FDIC is proposing to extend OMB approval of the following information collection:

*Title:* Privacy of Consumer Financial Information (12 CFR 332).

*OMB Control Number:* 3064-0136.

*Description:* This submission covers a collection for an existing regulation.

The Gramm-Leach-Bliley Act (Pub. L. 106-102) requires the information collection, and mandates that the federal banking agencies issue regulations as necessary to implement notice requirements and restrictions on a financial institution's ability to disclose nonpublic personal information about consumers to nonaffiliated third parties.

The information collection requirements in part 332 are as follows:

Section 332.4(a) requires a bank to provide an initial notice to consumers that accurately reflects its privacy policies and practices.

Section 332.5(a) requires a bank to provide a notice annually to customers during the continuation of the customer relationship that accurately reflects the bank's privacy policies and practices.

Section 332.7(a)(1) requires a bank to provide a clear and conspicuous notice to each of its consumers that accurately explains the right to opt out. The notice must state that the bank discloses or reserves the right to disclose nonpublic personal information to certain categories of nonaffiliated third parties; that the consumer has the right to opt out of that disclosure; and a reasonable means by which the consumer may exercise the opt out right. Section 332.10(c) states that a bank may allow a consumer to select certain nonpublic personal information or certain nonaffiliated third parties with respect to which the consumer wishes to opt out (partial opt-out).

Section 332.8(a) requires a bank to provide consumers with a revised notice of the bank's policies and procedures and a new opt out notice, if the bank wishes to disclose information in a way that is inconsistent with the notices previously given to a consumer.

Part 332 also contains affirmative actions that consumers must take to exercise their rights. In order for consumers to prevent banks from

sharing their information with nonaffiliated parties, they must opt out (§§ 332.7(a)(2)(ii), 332.10(a)(2) and 332.10(c)).

Consumers also have the right at any time during their continued relationship with the bank to change or update their opt out status with the bank (§§ 332.7(f) and (g)).

These information collection requirements ensure bank compliance with applicable Federal law.

The most recently published (65 FR 8783) estimation of the number of the paperwork burden associated with this collection follows:

*Estimated Number of Respondents:* 5,764.

*Estimated Total Annual Responses:* 5,764.

*Estimated Time Per Response:* 43 hours (disclosure burden, includes initial notice).

*Estimated Burden Hours Per Response:* 2 Hours (reporting burden)

*Frequency of Response:* Annually.

*Estimated Total Annual Burden:* 259,380 hours.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;

(b) The accuracy of the agency's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

Dated at Washington, DC this 24th day of December, 2002.

Federal Deposit Insurance Corporation.

**Robert E. Feldman,**

*Executive Secretary.*

[FR Doc. 02-33044 Filed 12-31-02; 8:45 am]

BILLING CODE 6714-01-M

## FEDERAL RESERVE SYSTEM

### Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than January 16, 2003.

**A. Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. *Russell W. Davis*, David M. Davis, both of Mount Vernon, Illinois, James K. Davis, Salem, Illinois, the David M. Davis Family Trust, James K. Davis Family Trust, and Lynne M. Mills Family Trust, all of Mount Vernon, Illinois; to retain 76.74 percent of Dix Bancshares, Inc., and thereby indirectly retain voting shares of First State Bank of Dix, both of Dix, Illinois.

In connection with this notice, David M. Davis, Mount Vernon, Illinois; to acquire direct and indirect control of 53.90 percent of Dix Bancshares, Inc., and for James K. Davis, Salem, Illinois, to acquire direct and indirect control of 44.10 percent of Dix Bancshares, Inc.

Board of Governors of the Federal Reserve System, December 26, 2002.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. 02-33045 Filed 12-31-02; 8:45 am]

BILLING CODE 6210-01-S

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or

the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than January 27, 2003.

**A. Federal Reserve Bank of Atlanta** (Sue Costello, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30309-4470:

1. *Buford Banking Group, Inc.*, Buford, Georgia; to become a bank holding company by acquiring 100 percent of the voting shares of Lanier Community Bank (in organization), Buford, Georgia.

2. *F.N.B. Corporation*, Naples, Florida; to acquire up to 20 percent of the voting shares of Sun Bancorp, Inc., and thereby indirectly acquire Sun Bank, both of Selinsgrove, Pennsylvania.

**B. Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. *Century Bancshares, Inc.*, Gainesville, Missouri; to acquire 24.8 percent of Ozarks Heritage Financial Group, Inc., Gainesville, Missouri, and thereby indirectly acquire Bank of Plato, Plato, Missouri.

2. *Ozarks Heritage Financial Group, Inc.*, Gainesville, Missouri; to become a bank holding company by acquiring 100 percent of Community First Financial Corporation, Plato, Missouri, and thereby indirectly acquire Community First Financial Corporation and its subsidiary, Bank of Plato, both of Plato, Missouri.