

Docket ID No. OW-2002-0055. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by electronic mail (e-mail) to [ow-docket@epa.gov](mailto:ow-docket@epa.gov), Attention Docket ID No. OW-2002-0055. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the Docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in section I.B.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By Mail.* Send the original and three copies of your comments to: Water Docket, Environmental Protection Agency, Mailcode: 4101T, 1200 Pennsylvania Ave., NW., Washington, DC, 20460, Attention Docket ID No. OW-2002-0055.

3. *By Hand Delivery or Courier.* Deliver your comments to: Public Reading Room, Room B102, EPA West Building, 1301 Constitution Avenue, NW., Washington, DC 20004, Attention Docket ID No. OW-2002-0055. Such deliveries are only accepted during the Docket's normal hours of operation as identified in section I.A.1.

#### *C. What Action Is Being Taken?*

The comment period for the construction general permits is being extended for 10 days until February 13, 2003, in response to requests from the National Association of Homebuilders, the National Mining Association, and the Associated General Contractors of America. After the close of the public comment period, EPA will issue a final permit decision. This decision will not be made until after public comments have been considered and appropriate changes made to the permit.

Dated: February 3, 2003.

**G. Tracy Mehan, III,**

*Assistant Administrator for Water.*

[FR Doc. 03-3240 Filed 2-6-03; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission for Extension Under Delegated Authority 5 CFR 1320 Authority, Comments Requested

January 27, 2003.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13. An agency may not conduct or sponsor a collection of information unless it displays a current valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number.

Comments are requested concerning (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 estimate; (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.

**DATES:** Written comments should be submitted on or before April 8, 2003. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554, or via the Internet to [lesmith@fcc.gov](mailto:lesmith@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s) contact Les Smith at (202) 418-0217 or via the Internet at [lesmith@fcc.gov](mailto:lesmith@fcc.gov).

#### **SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0737.

*Title:* Disclosure Requirements for Information Services Provided Under a Presubscription or Comparable Arrangement.

*Form Number:* N/A.

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

*Respondents:* Business and other for-profit entities.

*Number of Respondents:* 1,000.

*Estimated Time per Response:* 5 hours.

*Frequency of Response:* On occasion reporting requirements; Third party disclosure.

*Total Annual Burden:* 5,000 hours.

*Total Annual Costs:* None.

*Needs and Uses:* 47 CFR section

64.1501(b) imposes disclosure requirements on information providers that offer "presubscribed" information services. The requirements are intended to ensure that consumers receive information regarding the terms and conditions associated with these services before they enter into a contract to subscribe to them.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 03-3000 Filed 2-6-03; 8:45 am]

BILLING CODE 6712-10-P

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-03-49-B (Auction No. 49); DA 03-100]

### Revised Inventory and Auction Start Date for Auction of Lower 700 MHz Band Licenses; Comment Sought on Reserve Prices or Minimum Opening Bids and Other Auction Procedures

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** This document revises the Auction No. 49 inventory to include five additional licenses, and seeks comment on procedural issues related to the auction of these additional licenses. This document also revises the starting date for Auction No. 49 to provide additional time for bidder preparation and planning.

**DATES:** Comments are due on or before February 12, 2003, and reply comments are due on or before February 19, 2003. Auction No. 49 is scheduled to begin May 28, 2003.

**ADDRESSES:** All comments and reply comments must be filed electronically to the following address: [auction49@fcc.gov](mailto:auction49@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For legal questions: Howard Davenport at (202) 418-0660. For general auctions questions: Lyle Ishida at (202) 418-0660 or Linda Sanderson at (717) 338-2888. For service rule questions: Amal

Abdallah, Evan Baranoff, Joanne Epps or Melvin Spann at (202) 418-0620.

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Auction No. 49 Revised License Inventory Public Notice* released on January 29, 2003. The complete text of the *Auction No. 49 Revised License Inventory Public Notice*, including attachments, is available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The *Auction No. 49 Revised License Inventory Public Notice* may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via email to [qualexint@aol.com](mailto:qualexint@aol.com).

### I. Background

1. In the *Auction No. 49 Comment Public Notice*, 67 FR 72946 (December 09, 2002), the Wireless Telecommunications Bureau ("Bureau")

announced the auction of 251 licenses in the Lower 700 MHz band C block (710-716/740-746 MHz) scheduled to commence on April 16, 2003 ("Auction No. 49"). The Bureau also sought comment on procedures for the auction of those licenses. In response to the *Auction No. 49 Comment Public Notice*, several commenters requested that the Bureau include the Lower 700 MHz band D block (716-722 MHz) licenses in Auction No. 49. By the *Auction No. 49 Revised License Inventory Public Notice*, the Bureau revises the auction inventory to include the five licenses in the Lower 700 MHz band D block (716-722 MHz band) that remained unsold in Auction No. 44. These five additional licenses, as well as the other licenses to be offered in Auction No. 49, are identified in Attachment A of the *Auction No. 49 Revised License Inventory Public Notice*. The *Auction No. 49 Revised License Inventory Public Notice* seeks comment on procedural issues related to the auction of the D block licenses. Also by the *Auction No. 49 Revised License*

*Inventory Public Notice*, the Bureau revises the starting date for Auction No. 49 to May 28, 2003, in order to provide additional time for bidder preparation and planning.

2. The Bureau has before it a Request for Waiver of Auction Procedures and Section 1.2109 of the Commission's Rules filed on October 2, 2002, by Banks Broadcasting, Inc. ("Banks") and a Petition to Promptly Resolve Waiver Request or Remove Four Licenses from Auction No. 49 Pending Resolution of Outstanding Waiver Request, filed by Banks on December 17, 2002. In these filings, Banks seeks to have the Bureau offer it four of the licenses listed in Attachment A of the *Auction No. 49 Revised License Inventory Public Notice*, based on high bids Banks formerly held on these licenses in Auction No. 44. The Bureau will respond to Banks's request in a separate Order.

The following table contains the block/frequency cross-reference for the 710-716/740-746 MHz and 716-722 MHz Bands:

| Block   | Frequencies            | Bandwidth (MHz) | Pairing        | Geographic area type | Number of licenses |
|---------|------------------------|-----------------|----------------|----------------------|--------------------|
| C ..... | 710-716, 740-746 ..... | 12 .....        | 2 × 6 .....    | MSA/RSA .....        | 251                |
| D ..... | 716-722 .....          | 6 .....         | unpaired ..... | 700 MHz EAG .....    | 5                  |

**Note:** For Auction No. 49, licenses are not available in every market for the frequency blocks listed in the above table. See Attachment A of the *Auction No. 49 Revised License Inventory Public Notice* to determine which licenses will be offered.

### II. Reserve Price or Minimum Opening Bid

3. For the five additional D block licenses offered in Auction No. 49, the Bureau proposes to use the same formula for calculating minimum opening bids as proposed in the *Auction No. 49 Comment Public Notice*. Specifically, for Auction No. 49, the Bureau has proposed the following license-by-license formula for calculating minimum opening bids:

$\$0.01 * \text{MHz} * \text{License Area Population}$   
with a minimum of \$1,000 per license.

A complete list of all licenses to be offered in Auction No. 49 and the proposed minimum opening bid for each is set forth in Attachment A of the *Auction No. 49 Revised License Inventory Public Notice*. Comment is sought on this proposal. Alternatively, comment is sought on whether, consistent with the Balanced Budget Act of 1997, the public interest would be

served by having no minimum opening bid or reserve price.

### III. Upfront Payments and Initial Maximum Eligibility for Each Bidder

4. For the five additional D block licenses offered in Auction No. 49, the Bureau proposes to use the same formula for determining upfront payments as previously proposed in the *Auction No. 49 Comment Public Notice*. Specifically, for Auction No. 49, the Commission has proposed the following license-by-license formula for calculating upfront payments:

$\$0.005 * \text{MHz} * \text{License Area Population}$   
with a minimum of \$1,000 per license.

The specific upfront payment and bidding units for each license are set forth in Attachment A of the *Auction No. 49 Revised License Inventory Public Notice*. The Bureau seeks comment on this proposal.

5. For the additional licenses offered in Auction No. 49, the Bureau further proposes that the amount of the upfront payment submitted by a bidder will determine the number of bidding units on which a bidder may place bids. This limit is a bidder's "maximum initial eligibility." Each license is assigned a specific number of bidding units equal

to the upfront payment listed in Attachment A of the *Auction No. 49 Revised License Inventory Public Notice*, on a bidding unit per dollar basis. This number does not change as prices rise during the auction. Rather, a bidder may place bids on any combination of licenses as long as the total number of bidding units associated with those licenses does not exceed its maximum initial eligibility and the license was selected on the FCC Form 175. Eligibility cannot be increased during the auction. Thus, in calculating its upfront payment amount, an applicant must determine the maximum number of bidding units it may wish to bid on (or hold high bids on) in any single round, and submit an upfront payment covering that number of bidding units. The Bureau seeks comment on this proposal.

### IV. Other Auction Procedural Issues

6. In the *Auction No. 49 Comment Public Notice*, the Bureau also set forth and sought comment on the following proposals relating to auction structure and bidding procedures: (i) Simultaneous multiple round auction design; (ii) activity rules; (iii) activity rule waivers and reducing eligibility; (iv) information relating to auction

delay, suspension or cancellation; (v) round structure; (vi) minimum acceptable bids and bid increments; (vii) high bids and tied bids; (viii) information regarding bid withdrawal and bid removal; and (ix) auction stopping rule. For the additional licenses in Auction No. 49, the Bureau proposes to use the same auction structure and bidding procedures proposed in the *Auction No. 49 Comment Public Notice*. The Bureau seeks comment on these proposals as they relate to the five additional licenses in the Lower 700 MHz band D block included in Attachment A of the *Auction No. 49 Revised License Inventory Public Notice*.

## V. Conclusion

7. Comments are due on or before February 12, 2003, and reply comments are due on or before February 19, 2003. The Bureau requires that all comments and reply comments be filed electronically. Comments and reply comments must be sent by electronic mail to the following address: [auction49@fcc.gov](mailto:auction49@fcc.gov). The electronic mail containing the comments or reply comments must include a subject or caption referring to Auction No. 49 Comments. The Bureau requests that parties format any attachments to electronic mail as Adobe® Acrobat® (pdf) or Microsoft® Word documents. Copies of comments and reply comments will be available for public inspection during regular business hours in the FCC Public Reference Room, Room CY-A257, 445 12th Street, SW., Washington, DC 20554.

*In addition, the Bureau requests that commenters fax a courtesy copy of their comments and reply comments to the attention of Kathryn Garland at (717) 338-2850.*

8. This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in § 1.1206(b) of the Commission's rules.

Federal Communications Commission.

**Margaret Wiener,**

*Chief, Auctions and Industry Analysis Division, WTB.*

[FR Doc. 03-3071 Filed 2-6-03; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

**[WC Docket No. 02-202, FCC 02-337]**

### Interstate Access Tariffs—Protections Against Risk of Uncollectibles

**AGENCY:** Federal Communications Commission.

**ACTION:** Policy statement.

**SUMMARY:** This document makes recommendations to incumbent local exchange carriers (LECs) seeking to revise the deposit provisions of their interstate access tariffs to increase protection from the risk of uncollectibles. The document recommends that incumbent LECs consider whether the following possible tariff provisions might address the risk of uncollectibles, making additional deposits unnecessary: Revise interstate access tariffs to define the "proven history of late payment" trigger for requiring a deposit to include a failure to pay the undisputed amount of a monthly bill in any two of the most recent twelve months, provided that both the past due period and the amount of the delinquent payment are more than *de minimis*; reduce the notice period for refusal or discontinuance of service from 30 days to some shorter period for customers that receive bills quickly enough to allow review and dispute; accelerate billing cycles from 30 days to some shorter period to reduce exposure to pre-bankruptcy petition debt and other possible nonpayment; and bill in advance for usage-based services currently billed in arrears, based on average usage over a sample period, perhaps phasing in the first advance bill over a period of several months. The policy statement does not rule on the lawfulness of various tariffs proposed by incumbent local exchange carriers to increase protections against the risk of uncollectibles and being investigated by the Wireline Competition Bureau of the Federal Communications Commission.

**FOR FURTHER INFORMATION CONTACT:** Julie Saulnier, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Policy Statement in WC Docket No. 02-202 released on December 23, 2002. The full

text of this document is available on the Commission's website Electronic Comment Filing System and for public inspection during regular business hours in the FCC Reference Center, Room CY-A257, 445 Twelfth Street, SW., Washington, DC 20554.

*Background:* On July 24, 2002, Verizon filed a Petition for Emergency Declaratory and Other Relief in response to the WorldCom bankruptcy. The Wireline Competition Bureau of the Federal Communications Commission sought comment on Verizon's petition. Public Notice, WC Docket No. 02-202, DA 02-1859 (rel. July 31, 2002). The petition asks the Commission, among other things, to permit carriers expeditiously to revise their tariffs to require deposits, advance payments, and shorter notice periods where necessary to provide adequate assurance of payment by their customers. The petition also asks the Commission to take certain actions in bankruptcy proceedings and regarding customer transfers that are not addressed in this item. Concurrently with its petition, Verizon filed revisions to its interstate access tariffs to broaden its powers to seek deposits and advance payments, and to shorten the notice period before refusing new orders, stopping existing orders, and discontinuing service to customers at risk of nonpayment. Similar tariff revisions have been filed by other incumbent LECs. While current tariffs allow incumbent LECs to seek deposits from customers with a history of late payment or no established credit, the revised tariffs would allow incumbent LECs to seek deposits from such customers, as well as any customer that suffers from impaired credit worthiness, defined in a variety of ways. After balancing the interest of incumbent LECs in protecting themselves from uncollectibles against the potential burden on their customers of additional deposits in a period of tight credit, the document recommends that incumbent LECs consider whether possible tariff provisions such as advance or accelerated billing, or shortened notice periods tied to timely arrival of accurate interstate access bills, might address the risk of nonpayment, making additional deposits unnecessary.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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**BILLING CODE 6712-01-P**