

Commission's statutory authority for this information collection under Sections 1, 4(i), 4(j), 11, 201–205, 214, 219–220, 303(r), 309, and 403 of the Communications Act as amended, 47 U.S.C. 151, 154(i), 154(j), 161, 201–205, 214, 219–220, 303(r), 309, and 403, the Cable Landing License Act of 1921, 47 U.S.C. 34–39, and 3 U.S.C. 301.

*Total Annual Burden:* 1,085 hours.

*Annual Cost Burden:* \$2,400.

*Privacy Act Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:*

In general, there is no need for confidentiality with this collection of information. The Commission, however, will allow filing entities to seek confidential treatment of their data.

*Needs and Uses:* The uses to which the Commission puts the information from the annual circuit capacity report, and the Registration Form are as follows:

**(a) Annual Circuit Capacity Reports [Section 43.82(a)]**

The circuit capacity reports are comprised of two parts. First, licensees of a submarine cable extending between the United States and a foreign point as of December 31 of the reporting period report the available capacity and planned capacity of the cable—the cable operators report. Second, each cable landing licensee and common carrier that holds capacity on the U.S. end of a submarine cable extending between the United States and a foreign point as of December 31 of the reporting period (“capacity holders”) reports its available capacity on the U.S. end of every submarine cable between the United States and any foreign point on which it holds capacity as of that date—the capacity holders report. A holding of capacity is an interest in the U.S. end of an international submarine cable through cable ownership, an indefeasible right of use (IRU), or an inter-carrier lease (ICL).

The Commission uses the circuit capacity data for such purposes as analyzing international transport markets in merger reviews. More importantly, these data are essential for our national security and public safety responsibilities in regulating communications, an important linchpin of the Commission's statutory authority. Submarine cables are critical infrastructure and the circuit capacity data are important for the Commission's contributions to the national security and defense of the United States. The Commission uses the data, for example, to have a complete understanding of the ownership and use of submarine cable capacity and to assist in the protection,

restoration, and resiliency of the infrastructure during national security or public safety emergencies, such as hurricanes. The Department of Homeland Security (DHS) filed comments stating that it also finds this information to be critical to its national and homeland security functions, and states that this information, when combined with other data sources, is used to protect and preserve national security and for its emergency response purposes.

There are no alternative reliable third party commercial sources for the reported data. Although some sources collect general capacity information from cable owners, neither the FCC nor DHS has found any alternative sources for capacity holder data. Commercial source data may include capacity information, but the data are not verified by company officials and do not include capacity holder data. Although the Commission obtains the ownership and location of individual cables through the licensing process, distribution of a cable's capacity among providers is not required to be reported under our current submarine cable licensing rules and is provided only annually through the Circuit Capacity Reports. Further, the Commission's licensing rules do not require an applicant to include the entities that have acquired capacity on the cable through an IRU or ICL.

**(b) Registration Form [Section 43.82(b)]**

The Registration Form provides basic information about the filing and about the entity itself—such as address, phone number, email address, and the international Section 214 authorizations and cable landing licenses held by the filer. This information will assist in keeping track of who holds international circuit capacity and how to contact them. The Registration Form also includes a certification by the filing entity to certify the accuracy and completeness of its report. The Registration Form provides the means by which the filing entity may request confidential treatment of the data filed in the report.

**(c) Filing Manual [Section 43.82(c)]**

The Filing Manual sets forth instructions on how to file the reports.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 9**

[WC Docket No. 08–171, FCC 08–249]

**Implementation of the NET 911 Improvement Act of 2008: Location Information From Owners and Controllers of 911 and E911 Capabilities**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** In this document, the Commission announces that the Office of Management and Budget (OMB) has approved, for a period of three years, an information collection requirement associated with the Implementation of the NET 911 Improvement Act of 2008: Location Information from Owners and Controllers of 911 and E911 Capabilities Report and Order (*NET 911 Improvement Act of 2008 Report and Order*), FCC 08–249. This document is consistent with the *NET 911 Improvement Act of 2008 Report and Order*, which stated that the Commission would publish a document in the **Federal Register** announcing the effective date of the rule.

**DATES:** 47 CFR 9.7(a), published at 74 FR 31860, July 6, 2009, is effective April 25, 2018.

**FOR FURTHER INFORMATION CONTACT:** Brenda Boykin, Policy and Licensing Division, Public Safety and Homeland Security Bureau at (202) 418–2062 or [brenda.boykin@fcc.gov](mailto:brenda.boykin@fcc.gov). For additional information concerning the Paperwork Reduction Act information collection requirements, contact Nicole Ongele at (202) 418–2991 or [nicole.ongele@fcc.gov](mailto:nicole.ongele@fcc.gov).

**SUPPLEMENTARY INFORMATION:** A summary of the *NET 911 Improvement Act of 2008 Report and Order* was published in the **Federal Register** on July 6, 2009, 74 FR 31860. The summary stated that with the exception of Section 9.7(a), which required OMB approval, the rules adopted in the Report and Order would become effective on October 5, 2009. With regard to Section 9.7(a), the Commission stated that it will publish a document in the **Federal Register** announcing the effective date of the rule. The information collection requirement in Section 9.7(a) was approved by OMB under OMB Control No. 3060–1131. Most recently, OMB renewed its approval of the information collection on June 17, 2016. With publication of the instant document in

the **Federal Register**, the rule at 47 CFR 9.7(a) is now effective. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, Room 1–A620, 445 12th Street SW, Washington, DC 20554. Please include the OMB Control No. 3060–1131 in your correspondence. The Commission will also accept your comments via email at [PRA@fcc.gov](mailto:PRA@fcc.gov). To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format) send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau (202) 418–0530 (voice), (202) 418–0432 (TTY).

### Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received final OMB approval on December 3, 2009, for the information collection requirement contained in the Commission's rule at 47 CFR 9.7(a).

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB 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 that does not display a current, valid OMB Control Number. The OMB Control Number is 3060–1131.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

*OMB Control Number:* 3060–1131.  
*OMB Approval Date:* December 3, 2009.

*OMB Expiration Date:* December 31, 2012.

*Title:* Implementation of the NET 911 Improvement ACT of 2008: Location Information from Owners and Controllers of 911 and E911 Capabilities.

*Form Number:* N/A.

*Respondents:* Business or other for-profit.

*Number of Respondents and Responses:* 60 respondents; 60 responses.

*Estimated Time per Response:* 0.0833 hours (5 minutes).

*Frequency of Response:* On occasion reporting requirements and third party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in the New and Emerging Technologies 911 Improvement Act of 2008 (NET 911 Act), Public Law 110–283, Stat. 2620 (2008) (to be codified at 47 CFR Section 615a–1), and section 222 of the Communications Act of 1934, as amended.

*Total Annual Burden:* 5 hours.

*Total Annual Cost:* No Cost.

*Nature and Extent of Confidentiality:* To implement section 222 of the Communications Act of 1934, as amended, the Commission's rules impose a general duty on carriers to protect the privacy of customer proprietary network information and carrier proprietary information from unauthorized disclosure. See 47 CFR 64.2001 *et seq.* In the Order, the Commission additionally has clarified that the Commission's rules contemplate that incumbent LECs and other owners or controllers of 911 or E911 infrastructure will acquire information regarding interconnected VoIP providers and their customers for use in the provision of emergency services. The Commission fully expects that these entities will use the information only for the provision of E911 services. No entity may use customer information obtained as a result of the provision of 911 or E911 services for marketing purposes.

*Privacy Act:* No impact(s).

*Needs and Uses:* On October 21, 2008, the Commission released a Report and Order, FCC 08–249, WC Docket No. 08–171, that implements certain provisions of the NET 911 Act, New and Emerging Technologies 911 Improvement Act of 2008, Public Law 110–283, 122 Stat. 2620 (2008). The Report and Order requires an owner or controller of a capability that can be used for 911 or E911 service to make that capability available to a requesting interconnected Voice over internet Protocol (VoIP) provider under certain circumstances. In particular, an owner or controller of such capability must make it available to a requesting interconnected VoIP provider if that owner or controller either offers that capability to any commercial mobile radio service (CMRS) provider or if that capability is necessary to enable the interconnected VoIP provider to provide 911 or E911 service in compliance with the Commission's rules. 47 CFR 9.7(a). This requirement, in turn, involves the collection and disclosure to emergency services personnel of customers' location information.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 54

[WC Docket No. 10–90, WT Docket No. 10–208; FCC 18–19]

### Connect America Fund; Universal Service Reform—Mobility Fund

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; petition for reconsideration.

**SUMMARY:** In this document, the Federal Communications Commission (Commission) resolves the remaining petitions for reconsideration regarding the requirements for Mobility Fund Phase II (MF–II). The Commission revises the language of its rule for collocation, and reduces the value of the letter of credit that a Mobility Fund Phase II support recipient is required to hold after the Universal Service Administration Company (USAC), together with the Commission, has verified that the MF–II support recipient has achieved significant progress toward completing their buildout and service provision requirements. The Commission affirms its Mobility Fund Phase II rules in all other respects.

**DATES:** Effective May 25, 2018, except for the amendment to § 54.1016 (a)(1)(ii), which contains information collection requirements that have not been approved by OMB. The Commission will publish a document in the **Federal Register** announcing the effective date.

**FOR FURTHER INFORMATION CONTACT:**

Wireless Telecommunications Bureau, Auction and Spectrum Access Division, Audra Hale-Maddox, at (202) 418–0660. For further information concerning the Paperwork Reduction Act information collection requirements contained in this document, contact Cathy Williams at (202) 418–2918 or via the internet at [PRA@fcc.gov](mailto:PRA@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Second Order on Reconsideration (*MF–II Second Order on Reconsideration*), WC Docket No. 10–90, WT Docket No. 10–208; FCC 18–19, adopted on February 22, 2018 and released on February 27, 2018. The complete text of this document is available for public