

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 117**

[Docket No. USCG–2018–0097]

Drawbridge Operation Regulation; Mianus River, Greenwich, CT**AGENCY:** Coast Guard, DHS.**ACTION:** Notice of deviation from drawbridge regulation.

SUMMARY: The Coast Guard has issued a temporary deviation from the operating schedule that governs the Metro-North Bridge across the Mianus River, mile 1.0 at Greenwich, Connecticut. The deviation is necessary to repair the superstructure and replace timber ties. This deviation allows the bridge to be closed to navigation.

DATES: This deviation is effective from 8 a.m. on April 10, 2018 to 8 a.m. on May 14, 2018.

ADDRESSES: The docket for this deviation, USCG–2018–0097 is available at <http://www.regulations.gov>. Type the docket number in the “SEARCH” box and click “SEARCH”. Click on Open Docket Folder on the line associated with this deviation.

FOR FURTHER INFORMATION CONTACT: If you have questions on this temporary deviation, call or email Mr. Jeffrey Stieb, First Coast Guard District Bridge Branch, Coast Guard; telephone 617–223–8364, email Jeffrey.D.Stieb@uscg.mil.

SUPPLEMENTARY INFORMATION: The owner of the bridge, the Connecticut Department of Transportation (CT DOT), requested a temporary deviation to conduct superstructure repair and timber ties replacement. The Metro-North Bridge across the Mianus River, mile 1.0, at Greenwich Connecticut has a vertical clearance in the closed position of 20 feet at mean high water and 27 feet at mean low water. The existing bridge operating regulations are found at 33 CFR 117.209.

This temporary deviation allows the bridge to operate from 8 a.m. April 10, 2018 to 8 a.m. on Monday, May 14, 2018 as follows: From 8 a.m. Monday through 4 p.m. Friday, the draw is authorized to remain closed to navigation; from 4:01 p.m. Friday to 7:59 a.m. Monday, the draw shall open with 24 hours advance notice.

The deviation will have negligible effect on vessel navigation. The waterway is transited primarily by seasonal recreational vessels and small commercial fishing vessels. In 2016

there were six openings and in 2017 there were 19 openings between the effective dates. CT DOT has notified waterway users, the harbor master, and town officials of the requested deviation. No objections to the proposed closure were received. Vessels that can pass through the bridge in the closed position may continue to do so. The bridge will not be able to open for emergencies and there is no immediate alternate route for vessels to pass. CT DOT will issue a press release announcing the closure. The Coast Guard will inform waterway users of the closure through Local and Broadcast Notices to Mariners.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: February 14, 2018.

Christopher J. Bisignano,
Supervisory Bridge Management Specialist,
First Coast Guard District.

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FEDERAL COMMUNICATIONS COMMISSION**47 CFR Parts 1, 4, 9, and 20**

[WT Docket No. 16–240; FCC 17–167]

Requirements for Licensees To Overcome a CMRS Presumption**AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: In this document, the Federal Communications Commission adopts rules to harmonize and streamline the Commission’s regulations regarding the classification of commercial and private mobile radio services, primarily by removing provisions in the Commission’s rules that were outdated or unnecessary. The rules in question list various services or subservices that the Commission had classified as “mobile services” and determined to be “commercial mobile radio services” (or “CMRS”) (in accordance with the definitions set forth in the Communications Act). These rules also establish in certain instances a presumption that some services are private mobile radio services (or “PMRS”), and set out a process by which that presumption can be rebutted. This action also removes any presumptions about whether mobile

services are regulated as commercial or private, and instead allows licensees to rely on the statutory definitions of those terms to identify the nature and regulatory treatment of their mobile services, consistent with applicable service rules.

DATES: Effective March 23, 2018.

FOR FURTHER INFORMATION CONTACT: Thomas Reed at thomas.reed@fcc.gov, of the Wireless Telecommunications Bureau, Mobility Division, (202) 418–0531.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Report and Order (*Order*) in WT Docket No. 16–240, FCC 17–167, released on December 18, 2017. The complete text of the *Order*, including all Appendices, is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW, Room CY–A157, Washington, DC 20554, or by downloading the text from the Commission’s website at http://transition.fcc.gov/Daily_Releases/Daily_Business/2017/db1218/FCC-17-167A1.pdf.

Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format), by sending an email to FCC504@fcc.gov or calling the Consumer and Government Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

The Commission will send a copy of the *Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

I. Report and Order

1. The Commission adopted §§ 20.7 and 20.9 in 1994 as part of its implementation of Sections 3(n) and 332 of the Communications Act, which Congress amended in the Omnibus Budget Reconciliation Act of 1993 (OBRA). Congress, seeking to bring mobile services that were similar in nature under a consistent regulatory framework, created the statutory classifications of “commercial mobile services” and “private mobile services” (referred to in Commission rules as commercial mobile radio service and private mobile radio service, respectively). The Communications Act defines commercial mobile service as “any mobile service . . . that is provided for profit and makes interconnected service available (A) to the public or (B) to such classes of eligible users as to be effectively available to a substantial portion of the public[.]” “Private mobile service” is defined in the negative as “any mobile