

conventional vehicle. However, the Agency is interested in discussing this issue to see if such analysis would be worthwhile and beneficial and if the developmental work done to date could be useful for states making in future modeling analysis.

Anyone with suggestions for this workshop should contact Barry Garelick at the address listed above.

#### **Workshop on AFV Market and Infrastructure Development**

Within the next year, the Agency intends to conduct a public workshop on infrastructure issues related to creating a sustainable market for AFVs. In previous discussions on AFVs, EPA has noted that the development of a sustainable market for AFVs, which includes necessary infrastructure development, is a key component of any plan to achieve the air quality gains that are possible from the use of AFVs. Developing the infrastructure necessary for AFVs is an important part in developing a sustainable market. For example, drivers may be reluctant to purchase electric vehicles if they have concerns about the availability of recharging stations. EPA believes that solutions to infrastructure development needs can be found by a variety of stakeholders working together. For example, electric utilities that support electric vehicles might provide special assistance for the installation of residential or commercial charging stations; states that wish to encourage the purchase of AFVs might provide tax incentives; fleet operators in any given area, including states and the federal government, could agree to focus AFV purchases on a particular type of AFV. From past discussions with a variety of stakeholders, it appeared that discussions on infrastructure development and creation of a sustainable market for AFVs could identify useful steps for various stakeholders to take and that some steps might best be taken by several stakeholders working in partnership with each other.

At this workshop, the Agency's intent is to gather other Administration officials, State officials (both environmental and purchasing agent), auto and utility industry representatives, environmentalists, and other interested parties. The workshop will provide an opportunity for oral and written presentations on what AFVs are available and how many are being purchased by whom (including federal and state fleet purchases). It will provide a forum for looking at what barriers exist that limit the sales of AFVs and how those barriers can be

reduced or eliminated. It will also provide a forum for identifying key opportunities to create a sustainable market for AFVs. The workshop will focus on the Ozone Transport Region (northern Virginia through Maine) because of the interest the OTR States have shown in AFVs over the past few years. The Agency intends that the workshop will draw on the experience of other areas (such as California). EPA also welcomes participation by states outside the OTR.

This workshop is intended to be the type of workshop that the northeastern states and the auto industry had tentatively agreed to in the ATV Agreement in the National LEV MOU that was never finalized.<sup>1</sup> As EPA indicated in several **Federal Register** notices, EPA believed that the ATV Agreement would have been a productive way of creating a sustainable market for ATVs through cooperative working relationships.

The date and location of the workshop and a more detailed agenda will be published in the **Federal Register** at a later date. Anyone with suggestions for this workshop should contact Barry Garelick.

Dated: May 5, 1999.

**Carol M. Browner,**  
*Administrator.*

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#### **FEDERAL COMMUNICATIONS COMMISSION**

##### **Publication Information Collections Approved by Office of Management and Budget**

May 10, 1999.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1995, Pub.L. 104-13. An agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a

<sup>1</sup> In the negotiations between the northeastern states and the auto industry on EPA's National Low Emission Vehicle (NLEV) program, the states and the auto industry had tentatively agreed to a process to facilitate discussion on the creation of a sustainable market for advanced technology vehicles (ATV Agreement). (This tentative ATV Agreement was to be included in a Memorandum of Understanding (MOU) that was to form the basis for the NLEV program, but the ATV Agreement was not intended to be included in the NLEV regulations. However, the parties have ended discussions and decided not to finalize the MOU, which would have contained the ATV Agreement).

currently valid control number. For further information contact Shoko B. Hair, Federal Communications Commission, (202) 418-1379.

#### **Federal Communications Commission**

*OMB Control No.:* 3060-0787.

*Expiration Date:* 04/30/2002.

*Title:* Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996.

*Form No.:* N/A.

*Respondents:* Business or other for-profit.

*Estimated Annual Burden:* 1800 respondents; 20.46 hours per response (avg.); 36,844 total annual burden hours for all collections.

*Estimated Annual Reporting and Recordkeeping Cost Burden:* \$0.

*Frequency of Response:* On occasion; recordkeeping requirements; third party disclosures.

*Description:* Section 258 of the Communications Act of 1934 (Act), as amended by the Telecommunications Act of 1996, makes it unlawful for any telecommunications carrier to "submit or execute a change in a subscriber's selection of a provider of telecommunications exchange service or telephone toll service except in accordance with such verification procedures as the Commission shall prescribe." The section further provides that any telecommunications carrier that violates such verification procedures and that collects charges for telephone exchange service or telephone toll service from a subscriber, shall be liable to the carrier previously selected by the subscriber in an amount equal to all charges paid by the subscriber after such violation. In order to implement section 258, the Commission amended its rules to modify sections 64.1100 and 64.1150 of its rules and add new sections 64.1160, 64.1170, 64.1180, and 64.1190 to its rules. The modifications and additions are necessary to accommodate the Commission's expanded scope of authority to require verification of orders generated by telemarketing for all telecommunications service, and to provide that unauthorized carriers forfeit all charges collected as a result of their unlawful actions.

a. *Section 64.1100: Separate authorization and verification for multiple services.* Pursuant to rule section 64.1100(b), a carrier marketing multiple services (e.g., intraLATA and interLATA) must specifically distinguish among such services in any preferred carrier solicitation and must obtain separate authorization for each service that is being changed. *Retention of verification records.* Pursuant to rule

section 64.1100(a)(1), a carrier must retain verification records for two years after their creation. *Subscriber Liability for Charges.* Pursuant to section 64.1100(d), any carrier that the subscriber calls to report the unauthorized change is required to inform the subscriber that he or she is not required to pay for any slamming charges incurred for the first 30 days after the unauthorized charges. *Re-rating of slamming charges.* Pursuant to rule section 64.1100(d)(3), where a slamming carrier imposes charges on a subscriber outside of the 30-day absolution period, the subscriber must pay those charges to the authorized carrier at the authorized carrier's rates, after the authorized carrier has re-rated the subscriber's bill. (No. of respondents: 1800; hours per response: 1.5 hours; total annual burden: 2,700 hours).

b. *Section 64.1150.* Pursuant to Section 64.1150 no telecommunications carrier shall submit a preferred carrier charge order unless and until the order has first been confirmed in accordance with the procedures of 64.1150 (a)–(d). Telecommunications carriers may obtain the subscriber's written authorization as required by 64.1150 or an electronic authorization, or an oral authorization through a qualified independent third party. The Commission also permits state-enacted verification procedures applicable to intrastate preferred carrier charge orders. (No. of respondents: 675; hours per response: 1.25 hours; total annual burden 844 hours).

c. *Section 64.1160. Letter of Agency.* Section 64.1160 contains the requirements for issuing a letter of agency to obtain written authorization and/or verification of a subscriber's request to change his/her preferred carrier selection. The letter of agency must be a separate document, shall not be combined on the same document with inducements of any kind. It must be legible, and contain clear and unambiguous language. If any portion of the letter of agency is transmitted into another language then all portions of the letter of agency must be translated. *Separate authorization and verification for multiple services.* Pursuant to section 64.1160(e)(4), a carrier marketing multiple services (e.g., intraLATA and interLATA) must specifically distinguish among such services in any letter of agency, and must obtain separate authorization for each service that is being changed. (No. of respondents: 1800; hours per response: 1.5 hours; total annual burden: 2700 hours). *Section 64.1170. Request for proof of verification from*

*authorized carrier to unauthorized carrier.* Pursuant to section 64.1170(a), upon receiving notification from the subscriber or an executing carrier that a subscriber's carrier selection was changed without authorization, the properly authorized carrier must, within 30 days, request from the allegedly unauthorized carrier proof of verification of the subscriber's authorization to change carriers. *Unauthorized carrier's response to authorized carrier's request for proof of verification.* Pursuant to section 64.1170(a), within ten days of receiving the authorized carriers request for proof of verification, the allegedly unauthorized carrier shall forward to the authorized carrier either (1) proof of verification of the subscriber's authorization to change carriers; or (2) copies of any telephone bill(s) issued from the unauthorized carrier to the subscriber, if applicable; and certain charges. *Subscriber Refunds or Credits.* Pursuant to section 64.1170(d)(1), the authorized carrier must notify the subscriber within 60 days after the subscriber has notified the authorized carrier of an unauthorized change, if the authorized carrier has failed to collect from the unauthorized carrier the charges paid by the slammed subscriber. (No. of respondents: 1800; hours per response: 5 hours; total annual burden: 9000 hours).

e. *Section 64.1180. Investigation Procedures.* Pursuant to 64.1180, the carrier shall have the opportunity to submit to the subscriber's authorized carrier a claim for the amount of charges for which the subscriber was absolved, along with proof of the subscriber's verification of the disputed carrier change. The authorized carrier shall make a decision as to whether the subscriber was actually slammed by the carrier making the claim. Within 60 days after receipt of the claim and the proof of verification, the originally authorized carrier shall issue a decision to the subscribers and the carrier making the claim. (No. of respondents: 1800; hours per respondents: 4 hours; total annual burden: 7200 hours).

f. *Section 64.1190. Freeze verification.* Pursuant to section 64.1190, all local exchange carriers that impose preferred carrier freezes on their subscribers' accounts must verify such freezes, as well as accept subscriber requests to lift such freezes in writing or by three-way calls. (No. of respondents: 1800; hours per response: 2 hours; total annual burden: 3600 hours).

g. *Proposed Registration Requirement.* The FNPRM proposed to add a new section 64.1195 that requires carriers to file a registration with the Commission

in order to provide interstate telecommunications service. The Commission proposed that the registration should contain, at a minimum, the carrier's business name(s); the names and addresses of all officers and principals; verification that such officers and principals have no prior history of committing fraud; and verification of the financial viability of the carrier. (No. of respondents: 1800; hours per response: 2 hours; total annual burden: 3600 hours).

h. *Proposed Reporting Requirement.* The FNPRM sought comments on whether the Commission should require carriers to submit to the Commission a report containing the number of slamming complaints submitted to that carrier. (No. of respondents: 1800; hours per response: 2 hours; total annual burden: 3600 hours).

i. *Proposed Carrier Liability.* The FNPRM proposed to require (1) where a consumer has paid charges to a slamming carrier, the authorized carrier shall be permitted to collect from the slamming carrier double the amount of charges paid by the subscriber during the first 30 days after the unauthorized change; and (2) where a consumer has not paid charges to the slamming carrier, the authorized carrier shall be permitted to collect from the slamming carrier the amount that would have been billed to the subscriber during the first 30 days after the unauthorized change. (No. of respondents: 1800; hours per response: 2 hours; total annual burden: 3600 hours). *Obligation to respond: Mandatory.*

Public reporting burden for the collections of information is as noted above. Send comments regarding the burden estimate or any other aspect of the collections of information, including suggestions for reducing the burden to Performance Evaluation and Records Management, Washington, D.C. 20554.

Federal Communications Commission.

**Shirley S. Suggs,**

*Chief, Publications Branch.*

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## FEDERAL MEDIATION AND CONCILIATION SERVICE

### Labor-Management Cooperation Program; Application Solicitation

**AGENCY:** Federal Mediation and Conciliation Service.

**ACTION:** Final fiscal year 1999 program guidelines/application for labor-management committees.

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