

information collections contact Les Smith at 202-418-0217 or via Internet at Leslie.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION: The Commission has requested emergency OMB review of this collection with an approval by June 30, 2003.

OMB Control Number: 3060-0787.

Type of Review: Revision of a currently approved collection.

Title: Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996, Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers, CC Docket No. 94-129, FCC 03-42.

Form Number: N/A.

Respondents: Business or other for-profit entities; Individuals or households; State, local, or tribal government.

Number of Respondents: 35,035.

Estimated Time per Response: 1 to 10 hours.

Frequency of Response: Recordkeeping; on occasion and biennial reporting requirements; third party disclosure.

Total Annual Burden: 145,869 hours.

Total Annual Cost: \$51,187,500.

Needs and Uses: On March 17, 2003, the FCC released the *Third Order on Reconsideration and Second Further Notice of Proposed Rulemaking*, CC Docket No. 94-129, FCC 03-42 (*Third Order on Reconsideration*), in which the Commission revised and clarified certain rules to implement Section 258 of the 1996 Act. On May 23, 2003, the Commission also released an Order (CC Docket No. 94-129, FCC 03-116) clarifying certain aspects of the *Third Order on Reconsideration*. The rules and requirements implementing Section 258 can be found primarily at 47 CFR part 64. The modified and revised rules will strengthen the ability of our rules to deter slamming, while protecting consumers from carriers that may take advantage of consumer confusion over different types of telecommunications services. This *Third Order on Reconsideration* also contains a *Further Notice of Proposed Rulemaking*, in which we seek comment on rule modifications with respect to third party verifications.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 03-16627 Filed 7-1-03; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 96-45; DA 03-1959]

NPCR, Inc. d/b/a Nextel Partners Petition for Designation as an Eligible Telecommunications Carrier in Certain Rural and Non-Rural Service Areas in the State of Virginia

AGENCY: Federal Communications Commission.

ACTION: Notice; solicitation of comments.

SUMMARY: In this document, the Wireline Competition Bureau seeks comment on the NPCR, Inc. d/b/a/ Nextel Partners (Nextel Partners) petition. Nextel Partners is seeking designation as an eligible telecommunications carrier (ETC) to receive federal universal service support for service offered in those portions of Nextel Partners' licensed service area located in rural and non-rural areas in Virginia.

DATES: Comments are due on or before July 14, 2003. Reply comments are due on or before July 21, 2003.

ADDRESSES: Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. See **SUPPLEMENTARY INFORMATION** for further filing instructions.

FOR FURTHER INFORMATION CONTACT: Andy Firth, Attorney, Wireline Competition Bureau, Telecommunications Access Policy Division (202) 418-2694, TTY (202) 418-0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Public Notice, CC Docket No. 96-45, released June 16, 2003. On April 23, 2003, NPCR, Inc. d/b/a/ Nextel Partners (Nextel Partners) filed with the Commission a petition under section 214(e)(6) of the Communications Act of 1934, as amended, seeking designation as an eligible telecommunications carrier (ETC) to receive federal universal service support for service offered in those portions of Nextel Partners' licensed service area located in rural and non-rural areas in Virginia. Nextel Partners contends that the Virginia State Corporation Commission (Virginia Commission) lacks jurisdiction to consider Nextel Partners' petition because wireless carriers are not subject to state jurisdiction in Virginia. Hence, according to Nextel Partners, the Commission has jurisdiction under section 214(e)(6) to consider and grant its petition. Nextel Partners also maintains that it satisfies all the

statutory and regulatory prerequisites for ETC designation.

The petitioner must provide copies of its petition to the Virginia Commission. The Commission will also send a copy of this Public Notice to the Virginia Commission by overnight express mail to ensure that the Virginia Commission is notified of the notice and comment period.

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments as follows: Comments are due on or before July 14, 2003, and reply comments are due on or before July 21, 2003. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121, May 1, 1998.

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, comments must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form your <e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of

before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be sent to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

Parties also must send three paper copies of their filing to Sheryl Todd, Telecommunications Access Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street SW., Room 5-B540, Washington, DC 20554. In addition, commenters must send diskette copies to the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20054.

Pursuant to § 1.1206 of the Commission's rules, 47 CFR 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which ex parte communications are permitted subject to disclosure.

Federal Communications Commission.

Paul Garnett,

Acting Assistant Division Chief, Wireline Competition Bureau, Telecommunications Access Policy Division.

[FR Doc. 03-16628 Filed 7-01-03; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL COMMUNICATIONS COMMISSION

[WC Docket No. 03-90; FCC 03-142]

Application by Qwest Communications International, Inc. for Authorization To Provide In-Region, InterLATA Services in Minnesota

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In the document, the Federal Communications Commission (Commission) grants the section 271 application of Qwest Communications International, Inc. for authorization to provide in-region, interLATA services in Minnesota. The Commission grants Qwest's application based on its conclusion that Qwest has satisfied all of the statutory requirements for entry, and fully opened its local exchange markets to competition.

DATES: Effective July 7, 2003.

FOR FURTHER INFORMATION CONTACT: Gail Cohen, Senior Economist, Wireline Competition Bureau, at (202) 418-0939 or via the Internet at gcohen@fcc.gov. The complete text of this Memorandum Opinion and Order is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. Further information may also be obtained by calling the Wireline Competition Bureau's TTY number: (202) 418-0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Memorandum Opinion and Order in WC Docket No. 03-90, FCC 03-142, adopted June 25, 2003 and released June 26, 2003. The full text of this order may 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 e-mail qualexint@aol.com. It is also available on the Commission's website at http://www.fcc.gov/Bureaus/Wireline_Compensation/in-region_applications.

Synopsis of the Order

1. *History of the Application.* On March 28, 2003, Qwest filed an application with the Commission, pursuant to section 271 of the Telecommunications Act of 1996, to provide in-region, interLATA service in the state of Minnesota.

2. *The State Commission's Evaluation.* The Minnesota Public Utilities Commission (Minnesota Commission), following an extensive review process, determined that Qwest satisfied 12 of the 14 checklist items, but did not reach a collective determination with respect to checklist items 2 and 14, pertaining to unbundled network elements (UNEs) and resale, respectively, and public interest issues.

3. *The Department of Justice's Evaluation.* The Department of Justice filed its evaluation on May 2, 2003, recommending approval of the application, although deferring to the Commission's prior decision regarding the relevance of unfiled interconnection agreements on the section 271 process. The Department of Justice concludes opportunities are available to competing carriers serving business and residential customers, and although only a small portion of residential customers are served via the UNE-Platform, the Department of Justice does not believe there are any material obstacles to such entry.

Primary Issues in Dispute

4. *Checklist Item 2—Unbundled Network Elements.* Section 251(c)(3) requires incumbent LECs to provide "nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory." Based on the evidence in the record, we conclude that Qwest has satisfied the requirements of checklist item 2.

5. *Operations Support Systems.* The Commission concludes that Qwest meets its obligation to provide access to its OSS—the systems, databases, and personnel necessary to support the network elements or services. Nondiscriminatory access to OSS ensures that new entrants have the ability to order service for their customers and communicate effectively with Qwest regarding basic activities such as placing orders and providing maintenance and repair services for customers. The Commission finds that Qwest provides access to each of the primary OSS functions (pre-ordering, ordering, provisioning, maintenance and repair, and billing, as well as change management and technical assistance), in order for competitive LECs to compete and in accordance with the Act. In particular, although the Minnesota Commission could not reach consensus on this checklist item due to billing issues related to UNE-Star, the Commission concludes that Qwest does provide non-discriminatory access to billing functions in accordance with the Act.

6. *UNE Combinations.* Pursuant to section 271(c)(2)(B)(ii) a BOC must also provide nondiscriminatory access to network elements in a manner that allows other carriers to combine such elements, and demonstrate that it does not separate already combined elements, except at the specific request of a competing carrier. Based on the evidence in the record, and upon Qwest's legal obligations under interconnection agreements, Qwest demonstrates that it provides to competitors combinations of already-combined network elements as well as nondiscriminatory access to unbundled network elements in a manner that allows competing carriers to combine those elements themselves.

7. *Pricing of Unbundled Network Elements.* The Commission finds, as did the Minnesota Commission, that Qwest's UNE rates in Minnesota are just, reasonable, and nondiscriminatory as required by section 252(d)(1). Thus, Qwest's UNE rates in Minnesota satisfy checklist item 2.