

*Needs and Uses:* This rule section is necessary to require each fixed station in the International Aeronautical Mobile Service (IAMS) to maintain a written or automatic log in accordance with the provisions of the International Civil Aviation Organization (ICAO). This recordkeeping requirement is necessary to document specific information, including harmful interference, equipment failure, and logging of distress and safety calls where applicable. The Commission is seeking extension (no change in rule requirements) to this information collection request. We are simply seeking the full three year OMB clearance.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-24835 Filed 11-5-04; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

November 2, 2004.

**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 (PRA) of 1995, Pub. L. 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently 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 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 Paperwork Reduction Act (PRA) comments should be

submitted on or before January 7, 2005. 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 Paperwork Reduction Act (PRA) comments to Judith B. Herman, Federal Communications Commission, Room 1-C804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to *Judith-B.Herman@fcc.gov*.

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Judith B. Herman at 202-418-0214 or via the Internet at *Judith-B.Herman@fcc.gov*.

#### SUPPLEMENTARY INFORMATION:

*OMB Control No.:* 3060-0262.

*Title:* Section 90.179, Shared Use of Radio Stations.

*Form No.:* N/A.

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

*Respondents:* Business or other for-profit, not-for-profit institutions, and state, local or tribal government.

*Number of Respondents:* 42,000.

*Estimated Time Per Response:* .75 hours.

*Frequency of Response:*

Recordkeeping requirement and third party disclosure requirement.

*Total Annual Burden:* 31,500 hours.

*Total Annual Cost:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* Licensees of radio stations authorized under this rule part may share the use of their facilities. A station is shared when persons not licensed for the station control the station for their own purposes pursuant to the licensee's authorization. Shared use of a radio station may be either on a non-profit cost shared basis or on a for-profit private carrier basis. Section 90.179(d) requires that if the licensee shares the land station on a non-profit, cost shared basis to the licensee, this shared use must be pursuant to a written agreement between the licensee and each participant which sets out (1) the method of operation; (2) the components of the system which are covered by the sharing arrangements; (3) the method of which costs are to be apportioned; and (4) acknowledgement that all shared transmitter use must be subject to the licensee's control. These agreements must be kept as part of the station records.

*OMB Control No.:* 3060-0805.

*Title:* Section 90.527, Regional Plan Requirements; Section 90.523, Eligibility; and Section 90.545, TV/DTV Interference Protection Criteria.

*Form No.:* N/A.

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

*Respondents:* Business or other for-profit, not-for-profit institutions, and state, local or tribal government.

*Number of Respondents:* 26,656.

*Estimated Time Per Response:* .50-28.87 hours.

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

*Total Annual Burden:* 647,675 hours.

*Total Annual Cost:* N/A.

*Privacy Act Impact Assessment:* N/A.

*Needs and Uses:* Section 90.523

requires that all applications submitted by a nongovernmental organization (NGO) must be accompanied by a new, written certification of support (for the NGO) applicant to operate the applied-for system) by the state or local governmental entity referenced in paragraph (b)(1) of this rule section. All NGO authorizations are conditional. NGOs assume all risks associated with operating under conditional authority. If at any time the supporting governmental entity notifies the Commission in writing of such governmental entity's termination of its authorization of a NGOs operation of a system in the 764-776 MHz and 794-806 MHz frequency bands, the NGO's application shall be dismissed automatically or, if authorized by the Commission, the NGOs authorization shall terminate automatically.

Section 90.527 requires that each regional planning committee must submit a regional plan for approval by the Commission. There is specific information that must be included in the plans, under this rule section, including a certification by the regional planning chairperson that all planning committee meetings, including subcommittee or executive committee meetings, were open to the public. Modification of regional plans may be submitted in a written request, signed by the regional planning committee, to the Chief, Wireless Telecommunications Bureau, FCC. The request must contain the full text of the modification, and must certify that successful coordination of the modification with all adjacent regions has occurred and that all such regions concur with the modification.

Section 90.545 requires licensees of stations operating within the effective radiated power (ERP) and the antenna height above average terrain (HAAT) limits of the proposed land mobile base station, the associated control station, and the mobile transmitters, must select one of three methods to meet the TV/DTV protection requirements, subject to

Commission approval: (1) Utilize the geographic separation specified in the tables referenced in this rule section; (2) submit an engineering study justifying the proposed separations based on the actual parameters of the land mobile station and the actual parameters of the TV/DTV station(s) it is trying to protect; (3) submit an engineering study justifying the proposed separations based on the parameters of the land mobile station and the parameters, including authorized and/or applied-for facilities, of the TV/DTV station(s) it is trying to protect; or, (4) obtain written concurrence from the applicable TV/DTV station(s). If this method is chosen, a copy of the agreement must be submitted with the application.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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## FEDERAL RESERVE SYSTEM

### Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

**SUMMARY:** Notice is hereby given of the final approval of proposed information collection by the Board of Governors of the Federal Reserve System (Board) under OMB delegated authority, as per 5 CFR 1320.16 (OMB Regulations on Controlling Paperwork Burdens on the Public). Board-approved collections of information are incorporated into the official OMB inventory of currently approved collections of information. Copies of the OMB 83-Is and supporting statements and approved collection of information instrument(s) are placed into OMB's public docket files. The Federal Reserve may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

#### FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Cindy Ayouch—Division of Research and Statistics, Board of Governors of the Federal Reserve System, Washington, DC 20551 (202-452-3829).

OMB Desk Officer—Mark Menchik—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503, or email to mmenchik@omb.eop.gov.

### Final approval under OMB delegated authority of the extension for three years, with revision, of the following report:

*Report title:* Consolidated Bank Holding Company Report of Equity Investments in Nonfinancial Companies.

*Agency form number:* FR Y-12.

*OMB Control number:* 7100-0300.

*Frequency:* Quarterly and semi-annually.

*Reporters:* Bank holding companies.

*Annual reporting hours:* 1,696 hours.

*Estimated average hours per response:* 16 hours.

*Number of respondents:* 28.

*General description of report:* This information collection is mandatory pursuant to Section 5(c) of the Bank Holding Company Act (12 U.S.C. 1844(c)) and data may be exempt from disclosure pursuant to Sections (b)(4) and (b)(8) of the Freedom of Information Act (5 U.S.C. 552(b)(4) and (b)(8)).

*Abstract:* The FR Y-12 was implemented as of September 30, 2001, in response to the Gramm-Leach-Bliley Act (GLB Act) of 1999, which broadened the scope of permissible investments in nonfinancial companies. The FR Y-12 collects information from certain domestic bank holding companies (BHCs) on their investments in nonfinancial companies on three schedules: Type of Investments, Type of Security, and Type of Entity within the Banking Organization. Large BHCs report on a quarterly basis, and small BHCs report semi-annually.

*Current Actions:* The Federal Reserve will revise the FR Y-12 reporting form and instructions to enhance the Federal Reserve's ability to monitor and supervise the private equity merchant banking (PEMB) activity across all BHCs for purposes of safety and soundness. The revisions to the FR Y-12 include (1) modifying the reporting threshold to reduce regulatory burden; (2) adding a memorandum item to Schedule A to collect data on "Investments managed for others;" (3) adding a memorandum item to Schedule B to identify whether the BHC holds any warrants received in connection with equity investment activity; (4) simplifying Schedule C by eliminating three columns used to collect data on direct investments in public entities, direct investments in nonpublic entities, and all indirect investments; and (5) adding Schedule D "Nonfinancial Investment Transactions During the Reporting Period" to collect information on all PEMB activity of the BHC during the reporting period and to better reflect the industry's focus on monitoring "cash in and cash out." The

Federal Reserve will defer implementation of the revised FR Y-12 until March 31, 2005, to coincide with the implementation of proposed revisions to the FR Y-9C and FR Y-9SP reports (OMB No. 7100-0128).

The Federal Reserve received one comment letter from a banking trade association. The comment is summarized and addressed below.

### Addition of Memorandum Item "Investments managed for others"

The Federal Reserve proposed to add a memorandum item to collect information on the extent of the BHC's role in managing private equity investments for others. This item would be used to collect new information on the extent of the institution's PEMB operations. Significant investment funds management activity could increase the inherent legal and reputational risk of the institution.

The commenter opposed the addition of this memorandum item for three reasons. First, the commenter felt the proposed instructions did not adequately define the scope of the item and questioned whether any such investments managed through a BHC's trust, brokerage or mutual fund businesses were to be included. The Federal Reserve clarified the instructions for memorandum item 4 by defining the BHCs management relationship "as serving as a general partner in a limited partnership or performing a similar function in a private equity fund." The Federal Reserve also added an exclusion for investments managed through a bank trust department in a fiduciary capacity. Second, the commenter felt the collection of these data would be burdensome as there is not typically a standard reporting category for such business lines. During the development stage of modifying the FR Y-12, the Federal Reserve consulted with several large BHCs on the proposed addition of this item and concluded from the responses received that this information was readily available for reporting purposes and should not be burdensome. Third, the commenter felt that reporting this item would be outside the scope of the FR Y-12 because the form collects information on the types of investments made by BHCs and their subsidiaries in nonfinancial companies. The Federal Reserve believes that the collection of these data are necessary to accurately and efficiently conduct off-site monitoring of information regarding the extent of the institution's PEMB operation.