

419, 33 U.S.C. 601) includes the following provisions as to the administration of the headwater reservoirs:

And it shall be the duty of the Secretary of War to prescribe such rules and regulations in respect to the use and administration of said reservoirs as, in his judgment, the public interest and necessity may require; which rules and regulations shall be posted in some conspicuous place or places for the information of the public. And any person knowingly and willfully violating such rules and regulations shall be liable to a fine not exceeding five hundred dollars, or imprisonment not exceeding six months, the same to be enforced by prosecution in any district court of the United States within whose territorial jurisdiction such offense may have been committed.

(c) *Previous regulations now revoked.* In accordance with the above act, the Secretary of War prescribed regulations for the use and administration of the reservoirs at the headwaters of the Mississippi River under date of February 11, 1931, which together with all subsequent amendments are hereby revoked and the following substituted therefor.

(d) *Authority of officer in charge of the reservoirs.* The accumulation of water in, and discharge of water from the reservoirs, including that from one reservoir to another, shall be under the direction of the U.S. District Engineer, St. Paul, Minnesota, and of his authorized agents subject to the following restrictions and considerations:

(1) Notwithstanding any other provision of this section, the discharge from any reservoir may be varied at any time as required to permit inspection of, or repairs to, the dams, dikes or their appurtenances, or to prevent damage to lands or structures above or below the dams.

(2) During the season of navigation on the upper Mississippi River, the volume of water discharged from the reservoirs shall be so regulated by the officer in charge as to maintain as nearly as practicable, until navigation closes, a sufficient stage of water in the navigable reaches of the upper Mississippi and in those of any tributary thereto that may be navigated and on which a reservoir is located.

(e) *Passage of logs and other floating bodies.* Logs and other floating bodies may be sluiced or locked through the dams, but prior authority for the sluicing of logs must be obtained from the District Engineer when this operation necessitates a material change in discharge.

(f) *Obstructions to flow of water.* No person shall place floating bodies in a stream or pond above or below a reservoir dam when, in the opinion of the officer in charge, such act would prevent the necessary flow of water to or from such dam, or in any way injure the dam and its appurtenances, its dikes and embankments; and should floating bodies lying above or below a dam constitute at any time an obstruction or menace as before said, the owners of said floating bodies will be required to remove them immediately.

(g) *Trespass.* No one shall trespass on any reservoir dam, dike, embankment or upon any property pertaining thereto.

[FR Doc. 2013-16877 Filed 7-12-13; 8:45 am]

BILLING CODE 3720-58-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 64

[WC Docket No. 12-375; DA 13-1445]

### More Data Sought on Extra Fees Levied on Inmate Calling Services

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Wireline Competition Bureau (Bureau) seeks additional comment on certain fees related to inmate calling services (ICS). The record to date indicates that ICS providers may charge ICS account holders fees that appear ancillary to making calls, such as account setup fees, account replenishment fees, account refund fees, and account inactivity fees.

**DATES:** Comments due on or before July 17, 2013; reply comments due on or before July 24, 2013.

**ADDRESSES:** You may submit comments, identified by WC Docket No. 12-375, by any of the following methods:

- *Federal Communications Commission's Web site:* <http://fjallfoss.fcc.gov/ecfs2/>. Follow the instructions for submitting comments.
- *Mail:* 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, Express, and Priority mail must be addressed to 445 12th Street SW., Washington DC 20554.
- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters,

CART, etc.) by email: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

#### FOR FURTHER INFORMATION CONTACT:

Gregory Haledjian, Wireline Competition Bureau, Pricing Policy Division, (202) 418-1520 or [gregory.haledjian@fcc.gov](mailto:gregory.haledjian@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Public Notice, WC Docket No. 12-375; DA 13-1445, released June 26, 2013. The complete text of this document 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. The document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554, telephone (800) 378-3160 or (202) 863-2893, facsimile (202) 863-2898, or via Internet at <http://www.bcpweb.com>.

The Bureau requests that parties provide data and information about such fees. Specifically, we request that parties identify any ancillary ICS fees that ICS providers charge in connection with the provision of interstate ICS, the level of each fee, the total amount of revenue received from each fee, and the cost of providing the service for which the fee recovers. We also request that parties identify any portion of ancillary service costs that are shared or common to the provision of other services, and explain how these costs, and recovery of them, are apportioned among the services to which they are shared or common. To evaluate how costs associated with providing ancillary services relate to ICS providers' overall costs, we request that costs that are shared or common to the provision of ancillary ICS services be identified, and that parties explain how such costs are apportioned to and recovered by ICS rates. Providers submitting joint and common costs are requested to provide both per-minute rates and fixed charges associated with interstate ICS and intrastate ICS and information on the costs of providing ICS, including but not limited to Customer Premise Equipment or CPE, installation, specific security enhancements (such as monitoring and call blocking), labor, maintenance, interconnection fees, and any other cost recovered by ICS rates. In addition to per-minute or incremental costs, we

seek information on fixed costs, including recovered and unrecovered costs, historic and projected demand, and information on how such costs are recovered.

### Procedural Matters

#### *Initial Regulatory Flexibility Act Analysis*

As discussed above, the Public Notice seeks comment on certain issues raised in the Rates for Interstate Inmate Calling Services NPRM that is intended to refresh the record regarding rates for interstate ICS calling. The Initial Regulatory Flexibility Analysis (IRFA) for that proceeding is found at Appendix C of the *Rates for Interstate Inmate Calling Services NPRM*, 78 FR 4369–01 (January 22, 2013). In addition, we invite comment on the IRFA in light of developments since the issuance of the original IRFA.

#### *Paperwork Reduction Act*

As discussed above, this Public Notice seeks comment on certain issues raised in the Rates for Interstate Inmate Calling Services NPRM that is intended to refresh the record regarding rates for interstate ICS calling. The Initial Regulatory Flexibility Analysis (IRFA) for that proceeding is found at Appendix C of the Rates for Interstate Inmate Calling Services NPRM, 78 FR 4369–01 (January 22, 2013). In addition, we invite comment on the IRFA in light of developments since the issuance of the original IRFA.

### Ex Parte Requirements

This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments,

memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s ex parte rules.

### Filing Requirements

Pursuant to §§ 1.415 and 1.419 of the Commission’s rules, 47 CFR 1.415, 1.419, interested parties may file comments on or before the date indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- *Electronic Filers:* Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.

- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers 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. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th Street SW., Room TW–A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes 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, Express, and Priority mail must be addressed to 445 12th Street SW., Washington DC 20554.

*People with Disabilities:* 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 & Governmental Affairs Bureau at (202) 418–0530 (voice) or (202) 418–0432 (tty).

The proceeding the Public Notice refers to shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules. Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule § 1.1206(b). In proceedings governed by rule § 1.49(f) or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s ex parte rules.

Federal Communications Commission.

**Kalpak Gude,**

*Division Chief, Pricing Policy Division,  
Wireline Competition Bureau.*

[FR Doc. 2013-16776 Filed 7-12-13; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 13-156; DA 13-1377]

**Radio Broadcasting Services; Port  
Lions, AK, De Beque, CO, Benjamin,  
Cisco, Rule, and Shamrock, TX**

**AGENCY:** Federal Communications  
Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Audio Division, on its own motion, proposes the deletion of six vacant allotments in various communities in Alaska, Colorado, and Texas. We tentatively conclude that it is in the public interest to delete six FCC-held permits that have been offered in two FM auctions. No bids were entered for these allotments in the recently completed FM Auction 94 and these allotments are now considered unsold permits. Deletion of these allotments may create other opportunities in nearby communities for new FM allotments or upgrades of existing stations. Therefore, we believe that the proposed deletion of these vacant allotments may promote a more effective and efficient use of the FM broadcast spectrum. Interested parties must file comments expressing an interest in the vacant allotments to prevent their removal. Moreover, interested parties must provide an explanation as to why they did not

participate in prior auction events for any permit in which an interest is expressed.

**DATES:** Comments must be filed on or before August 5, 2013, and reply comments on or before August 20, 2013.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 Twelfth Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418-2700.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 13-156, adopted June 13, 2013, and released June 14, 2013. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 Twelfth Street SW., Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractors, Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or via email [www.BCPIWEB.com](http://www.BCPIWEB.com). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

**Nazifa Sawez,**

*Assistant Chief, Audio Division, Media  
Bureau.*

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR Part 73 as follows:

### PART 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334, 336, and 339.

#### § 73.202 [Amended]

■ 2. Amend § 73.202(b) Table of FM Allotments as follows:

- a. Remove Port Lions, under Alaska, Channel 221C0
- b. Remove De Beque, under Colorado, Channel 247C3.
- c. Remove Benjamin, under Texas, Channel 237C3; Cisco, Channel 261C3; Rule, Channel 288C2; and Shamrock, Channel 225C2.

[FR Doc. 2013-16888 Filed 7-12-13; 8:45 am]

**BILLING CODE 6712-01-P**