

the Commission is looking for comments on whether the proposed parental consent method is reasonably calculated, in light of available technology, to ensure that the person providing consent is the child's parent.

3. Does this proposed method pose a risk to consumers' personal information? If so, is that risk outweighed by the benefit to consumers and businesses of using this method?

### Section C. Invitation to Comment

You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before January 21, 2014. Write "iVeriFly Application for Parental Consent Method, Project No. P-135420" on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the Commission Web site, at <http://www.ftc.gov/os/publiccomments.shtml>. As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment doesn't include any sensitive personal information, such as Social Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment doesn't include any sensitive health information, including medical records or other individually identifiable health information. In addition, do not include any "[t]rade secret or any commercial or financial information which . . . is privileged or confidential," as discussed in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). In particular, do not include competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).<sup>5</sup> Your

comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublish.commentworks.com/ftc/coppaiverifyapp> by following the instructions on the web-based form. If this Notice appears at <http://www.regulations.gov#!/home>, you also may file a comment through that Web site.

If you file your comment on paper, write "iVeriFly Application for Parental Consent Method, Project No. P-135420" on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex E), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at <http://www.ftc.gov> to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before January 21, 2014. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

By direction of the Commission.

**Donald S. Clark,**

*Secretary.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Parts 117, 161, and 164

#### 46 CFR Part 4

[Docket No. USCG-2013-0466]

### Overhead Clearance (Air-Draft) Accidents

**AGENCY:** Coast Guard, DHS.

**ACTION:** Request for comments on petition for rulemaking.

**SUMMARY:** The Coast Guard seeks public comment on a petition that requests the Coast Guard to initiate a rulemaking to address the problem of overhead clearance (air-draft) accidents. In its petition, which calls for vessel masters to be provided with accurate vertical air draft information, a maritime organization has described 16 overhead clearance accidents that it says were avoidable and that resulted in damage to or destruction of waterway infrastructure and inconvenienced the public. The Coast Guard will consider all comments received in response to this notification in determining whether or not to initiate the requested rulemaking.

**DATES:** Comments and related material must either be submitted to our online docket via <http://www.regulations.gov> on or before March 20, 2014, or reach the Docket Management Facility by that date.

**ADDRESSES:** You may submit comments identified by docket number USCG-2013-0466 using any one of the following methods:

(1) *Federal eRulemaking Portal:* <http://www.regulations.gov>.

(2) *Fax:* 202-493-2251.

(3) *Mail:* Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

To avoid duplication, please use only one of these four methods. See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice,

<sup>5</sup> In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the

comment to be withheld from the public record. See FTC Rule 4.9(c), 16 CFR 4.9(c).

contact LCDR William Nabach, Office of Vessel and Facility Operating Standards (CG-OES-2), U.S. Coast Guard Headquarters, at telephone 202-372-1386, or by email at

[William.A.Nabach@uscg.mil](mailto:William.A.Nabach@uscg.mil). If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Public Participation and Request for Comments

We encourage you to submit comments and related material on the rulemaking petition described below regarding Overhead Clearance (Air-Draft) Accidents. All comments received will be posted, without change, to <http://www.regulations.gov> and will include any personal information you have provided.

**Submitting comments:** If you submit a comment, please include the docket number for this notice (USCG-2013-0466) and provide a reason for each suggestion or recommendation. You may submit your comments and material online, or by fax, mail or hand delivery, but please use only one of these means. We recommend that you include your name and a mailing address, an email address, or a telephone number in the body of your document so that we can contact you if we have questions regarding your submission.

To submit your comment online, go to <http://www.regulations.gov>, and follow the instructions on that Web site. The following link will take you directly to the docket where you may submit your comment: <http://www.regulations.gov/#!docketDetail;D=USCG-2013-0466>. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period.

**Viewing the rulemaking petition and comments:** To view the petition and comments that have been submitted to the docket, go to <http://www.regulations.gov>, and follow the instructions on that Web site. The following link will take you directly to the docket: <http://www.regulations.gov/#!docketDetail;D=USCG-2013-0466>. If you do not have access to the internet, you may view the docket in person by visiting the Docket Management Facility in Room W12-140 on the ground floor

of the Department of Transportation West Building, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. We have an agreement with the Department of Transportation to use the Docket Management Facility.

**Privacy Act:** Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act, system of records notice regarding our public dockets in the January 17, 2008, issue of the **Federal Register** (73 FR 3316).

##### Description of Petition for Rulemaking

In its Petition for Rulemaking dated May 22, 2013, the National Mariners Association (NMA) describes 16 separate marine casualties involving allisions with overhead structures which it identifies as resulting from inaccurate or non-existent air draft data available to the master of the vessel. NMA views these allisions as avoidable and noted that they resulted in unnecessary damage to or destruction of waterway infrastructure and inconvenienced the public.

##### Air Draft Determination

NMA requests that the Coast Guard establish regulations to require (1) the permanent marking of maximum design air draft for masts and booms on stationary vessel apparatus, and (2) the owner or operator to mark all crane or derrick barges with the maximum air draft or otherwise provide this maximum air draft information in writing to any vessel contracted to tow the barge. (See p. 4 of the Petition.) The petitioner identifies the vessel owner or operator as the responsible party for providing accurate vertical air draft information, for both the vessel and its tow, to the master of a vessel prior to conducting underway operations. (See pp. 3, 4 & 16 of the Petition.)

The petitioner notes that masters of towing vessels are greatly affected by this air-draft issue particularly because the barges they tow have cargo with significant and dynamic air draft requirements. (See pp. 5 & 7 of the Petition.) Moreover, the petitioner states that the master often lacks the necessary equipment to accurately assess the true vertical clearances. (See pp. 5 & 11 of the Petition.) Lacking such capacities, the mariner then estimates the height of their vessel or towed barges as best he or she can. (See p. 3 of the Petition.) The petitioner recommends a regulation to

require that the Master of a towing vessel be provided with the air draft of the vessel, and that before a tow begins, the Master is provided with the air draft of the tow. The Petition states that ensuring that those persons directing and controlling the movement of towing vessels know the maximum overhead clearance (air draft) for their vessel and the barges in their tow will enable them to avoid trying to pass under bridges when there is insufficient clearance. (See p. 4 of Petition.)

##### Voyage Planning

NMA further notes that a professional pre-sailing survey may be required to protect waterway infrastructure. The petitioner recommends that the Coast Guard amend what NMA views as “severely qualified” language in 33 CFR 164.80 so that it covers all towing vessels. Paragraph (c) of § 164.80 requires the master to check the planned route for proximity to hazards before the voyage begins and that the voyage plan must consider “vertical clearances (air-gaps) for all bridges, ports, and berthing areas.” (See pp. 4 & 6 of Petition.)

##### Towing Safety Advisory Committee

The petitioner requested this issue be submitted to the Towing Safety Advisory Committee (TSAC). (See NMA submission to TSAC Meeting Notice docket USCG-2013-0605.) TSAC is a Federal advisory committee under 5 U.S.C. App. (Pub. L. 92-463). It was established under authority of 33 U.S.C. 1231a and advises the Secretary of Homeland Security on matters relating to shallow-draft inland and coastal waterway navigation and towing safety. The Coast Guard agreed with the petitioner and has tasked TSAC with reviewing the issue and providing recommendations with respect to towing vessels. See September 2013 TSAC meeting notice (78 FR 49543, 49544, August 14, 2013) and copy of Task #13-10, Recommendation to Establish Criteria for Identification of Air Draft for Towing Vessels and Tows, which is available in the docket for this notice.

##### Request for Comments

We invite you to review the petition in the docket and submit relevant comments, including comments on whether a rulemaking would be beneficial, or not. The Coast Guard will consider the petition, any comments received from the public, and other information to determine whether or not to initiate the requested rulemaking.

This notice is issued under authority of 5 U.S.C. 552(a) & 553(e), and 33 CFR 1.05-20.

Dated: November 27, 2013.

**F.J. Sturm,**

*Acting Director of Commercial Regulations and Standards, U.S. Coast Guard.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 27

[GN Docket Nos. 12-268 and 13-185; DA 13-2351]

### Wireless Telecommunications Bureau Seeks Comment on a Proposal To License the 600 MHz Band Using Partial Economic Areas

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** In this document, the Commission seeks comment on an alternative proposal submitted by the Competitive Carriers Association (CCA), to adopt a new geographic area size called Partial Economic Areas to license the 600 MHz Band and seeks comment on the specific boundaries proposed by CCA, which would enable smaller and rural carriers to bid on portions of Economic areas to obtain more efficiently sized spectrum licenses.

**DATES:** Submit comments on or before January 9, 2014. Submit reply comments on or before January 23, 2014.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW., Washington, DC 20554. You may submit comments, identified by GN Docket Nos. 12-268 and 13-185, DA 13-2351, by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Federal Communications Commission's Web site:* <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.

- *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.

- *Availability of Documents.* Comments, reply comments, and *ex parte* submissions will be available for public inspection during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street SW., CY-A257, Washington, DC 20554. These

documents will also be available via ECFS. Documents will be available electronically in ASCII, Microsoft Word, and/or Adobe Acrobat.

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:** Paul Malmud, Broadband Division, Wireless Telecommunications Bureau, at (202) 418-0006 or by email at [Paul.Malmud@fcc.gov](mailto:Paul.Malmud@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document released on December 11, 2013, DA 13-2351, seeking comment on a proposal to license the 600 MHz Band using partial economic areas and seeking comment on the specific boundaries proposed by CCA. Copies of the document and any subsequently-filed documents in this matter may be obtained from Best Copy and Printing, Inc., in person at 445 12th Street SW., Room CY-B402, Washington, DC 20554, via telephone at (202) 488-5300, via facsimile at (202) 488-5563, or via email at [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com). This document and any associated documents are also available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street SW., Room CY-A257, Washington, DC 20554. The complete text is also available on the Commission's Web site at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/DA-13-2351A1.docx](http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-13-2351A1.docx). Alternative formats (computer diskette, large print, audio cassette, and Braille) are available by contacting Brian Millin at (202) 418-7426, TTY (202) 418-7365, or via email to [bmillin@fcc.gov](mailto:bmillin@fcc.gov).

## Synopsis

### I. Synopsis

1. In *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions* 77 FR 69934 November 21, 2012 (NPRM), the Commission sought public comment on creating a 600 MHz band plan from the spectrum made available for flexible use through the broadcast television incentive auction. Specifically, it proposed to use geographic area licensing to license the 600 MHz band using Economic Areas (EAs). The Commission also sought comment on whether it should use geographic areas larger or smaller than EAs, such as Cellular Market Areas (CMAs). Although a number of commenters support the Commission's proposal to license the 600 MHz band on an EA

basis, some commenters argue that EA licenses are too large for small and rural operators to obtain at auction or deploy. Consequently, these commenters support licensing the 600 MHz band using CMAs. Others oppose using CMAs because they do not "nest" (*i.e.*, fit neatly) within larger EA-based license areas and because using smaller license areas can frustrate a carrier's ability to acquire a larger footprint.

2. On November 27, 2013, the Competitive Carriers Association (CCA) submitted an alternative proposed scheme for smaller license areas based on a new geographic area size that CCA calls Partial Economic Areas (PEAs). *Letter from Competitive Carriers Association to FCC* at page 2 (Nov. 27, 2013) available at <http://apps.fcc.gov/ecfs/document/view?id=7520959815>. PEAs, as described by CCA, are a subdivision of EAs based on the CMA boundaries, which ensure that some licenses consist of large population centers while other PEAs consist of less populous areas. As a result, PEAs are smaller than EAs, and separate rural from urban markets to a greater degree than EAs. Unlike CMAs, the geographic boundaries are set so that they "nest" into the larger EAs. Although CCA continues to support CMAs as the optimal license size, it argues that PEAs are preferable to EAs in the 600 MHz band because PEAs would enable smaller and rural carriers to bid on portions of EAs to obtain more efficiently sized spectrum licenses. The counties contained in each PEA are listed in the appendix. On December 3, 2013, AT&T filed an *ex parte* letter urging the Commission to seek public comment on the PEA proposal and, as described further below, seek comment on how that proposal could be effectuated within a package-bidding framework. *Letter from AT&T to FCC* at page 3 (Dec. 3, 2013) available at <http://apps.fcc.gov/ecfs/document/view?id=7520960131>.

3. The Wireless Telecommunications Bureau (WTB) hereby seeks comment on CCA's proposed PEA licensing scheme, including the specific makeup and boundaries of the individual PEAs proposed by CCA. WTB encourages commenters to address the geographic area licensing issues raised in the NPRM, including the importance of using a license scheme that "nests" into EAs. We also seek comment on other new geographic licensing proposals that address the issues under consideration in this document. See, *Letter from Rural Wireless Association and National Telecommunications Cooperative Association to FCC* (Dec. 6, 2013) available at <http://apps.fcc.gov/ecfs/>