

receive notification that the Commission has registered the structure, modification or dismantlement on FCC Form 854R, Antenna Structure Registration. Owners of new and modified towers must notify the Commission within 24 hours of construction completion and/or disposition of structure, using a portion of the FCC Form 854R which is detachable. The data collected is required by the Communications Act of 1934, as amended; FCC Rules Section 1.61(a), 17.4, 21.11(g), 25.113(c), 73.3533(c), 74.551(c), 74.651(d), 74.1251(d), 78.109(c), 95.83(a)(3), 97.15(d).

OMB Approval Number: 3060-0544.

Title: 47 CFR 76.701 Leased access channels.

Type of Review: Revision of a currently approved collection.

Respondents: Businesses or other for-profit, individuals or households.

Number of Respondents: 535,600 determined as follows: 6,270 cable companies are subject to the Commission's leased access provisions with approximately 1,000 carrying active leased access channels. We estimate approximately 50 systems will add leased access channels to their channel line-up for the first time and they will choose to adopt a written and published policy prohibiting indecent programming. The average burden is 2 hours per system for a total 100 hours. We also estimate that much leased access programming contains no indecent material. Therefore no more than 10% of the subscribers to a system with leased access channels are in a position to request indecent access programming or request termination of such programming. We estimate that cable systems have an average of 5,300 subscribers and the average burden to complete the written request is approximately 1 minute since many systems provide a pre-printed area on their monthly billing statement for subscribers to make these requests. The total burden for this is 9,010 hours.

Additionally the Commission estimates that for the 1,000 systems with leased access channels there will be an average 5 occurrences annually where program providers must identify indecent programming in writing to the cable operators. The estimated burden is 10 minutes per respondent for a total of 835 hours.

A cable operator may also request a program provider to certify that the programming intended for leased access does not have obscene or indecent content and may request that programming of "live programming"

certify that reasonable efforts will be made to ensure that live programming is not indecent. The average burden for each certification is 10 minutes per respondent for a total burden of 835 hours. Section 76.701(h) requires retention of records verifying compliance with these requirements. The estimated burden is 4 hours per respondent for a total of 4,000 hours.

This collection was revised to incorporate the third party disclosure requirements contained in sections 76.701(c), 76.701(d), and 76.702(e) which were not previously reported. Also the number of respondents has been adjusted from 497 to 1,000.

Total Annual Burden: 14,780 hours.

Needs and Uses: Section 10(a) of the Cable Television Consumer Protection and Competition Act of 1992, Pub.L. No. 102-385, permits cable operators to enforce voluntarily a written and published policy of prohibiting indecent programming on commercial leased access channels on their cable systems. Section 10(b) of the Act requires the Commission to adopt regulations that are designed to restrict access of children to indecent programming on leased access channels (that is not voluntarily prohibited under section 10(a) by requiring cable operators to place indecent leased access programming, as identified by program providers, on a "blocked" leased access channel. The various information collection, disclosure and recordkeeping requirements set forth in 47 CFR 76.701 protect cable operators against involuntarily transmitting indecent programming on leased access channels; and unknowingly transmitting indecent programming on leased access channels to children or adult subscribers without adult subscribers' consent.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-9530 Filed 4-17-96; 8:45 am]

BILLING CODE 6712-01-F

Public Information Collection Approved by Office of Management and Budget

April 11, 1996.

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collection pursuant to the Paperwork Reduction Act of 1995, Pub. L. 96-511. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. Notwithstanding any other provisions of law, no person shall

be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Questions concerning the OMB control numbers and expiration dates should be directed to Dorothy Conway, Federal Communications Commission, (202) 418-0217.

Federal Communications Commission

OMB Control No.: 3060-0084.

Expiration Date: 04/30/99.

Title: Ownership Report for Noncommercial Educational Broadcast Station; FCC Form 323-E.

Estimated Annual Burden: 348 hours annual burden; average 4 hours per respondent. However, the Commission estimates that the respondents will contract with an attorney to complete the form. The average time for conveying the necessary information to the attorney is 30 minutes per respondent; 695 respondents.

Description: Each licensee/permittee of a noncommercial AM, FM and TV station is required to file an FCC Form 323-E within 30 days of the date of grant by the FCC of an application for original construction permit and after any changes occur in the information called for in the form; and in conjunction with the renewal application. Licensees with current unamended Ownership Reports on file at the Commission may so indicate on their renewal applications and be relieved of the obligation to file a new Ownership Report. The data is used by FCC staff to determine whether the licensee/permittee is abiding by the multiple ownership requirements as set down by the Commission's Rules and is in compliance with the Communications Act.

OMB Control No.: 3060-0690.

Expiration Date: 4/30/99.

Title: Proposed Rules Regarding the 37.0-38.6 GHz and 38.6-40.0 GHz Bands ET Docket No. 95-183.

Estimated Annual Burden: 156,200 total annual hours.

This estimate was determined as follows: Proposed Section 21.711(b) has 300 respondents estimated time per response is 40 hours; Proposed Section 21.711(b)(2) has 200 respondents estimated time per response is 80 hours; Proposed Section 21.711(a)(4) has 500 respondents estimated time per response is 256 hours; FCC Forms 402 and 494 have 100 respondents estimated time per response is 2 hours.

Description: This information will be used by the Commission to provide adequate point-to-point microwave spectrum, which could be used by broadband Personal Communications

Service (PCS) and cellular licensees. Without this information the Commission would not be able to carry out its statutory responsibilities.

OMB Control No.: 3060-0705.

Expiration Date: 6/30/96.

Title: Implementation and Waiver Procedures Adopted in Preemption of Local Zoning Regulation of Satellite Earth Stations and Implementation of Section 207 of 1996 Telecommunications Act.

Estimated Annual Burden: 120 total annual hours; average 3 hours per respondent to prepare petitions for Declaratory Rules and 5 hours per respondent to prepare Petitions for Waivers; the commission estimates 30 petitions and 10 waiver requests per year.

Description: Pursuant to Section 205.104(d) of the Commission Rules, the Commission will be issuing a public notice implementing revisions to its rule preempting certain local nonfederal governmental regulations of satellite earth station antennas and setting forth procedures for filing petitions and waivers. The information collected from persons or entities seeking a petition for declaration of preemptibility will be used by the Commission to determine whether the state or local regulation in question is preemptible under Section 205.104 of the Commission's rules. The information collected from states and other local governmental agencies seeking a waiver of Section 25.104 will be used to determine if a waiver of the rule is warranted.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-9532 Filed 4-17-96; 8:45 am]

BILLING CODE 6712-01-F

Notice of Extension of Low Power Television/Television Translator "Major Change Only" Filing Window

April 10, 1996.

On March 18, 1996, the Commission announced the scheduling of a low power television and television translator station (LPTV) application filing window. Public Notice, Mimeo No. 62033, 61 FR 11840, March 22, 1996. That filing window was limited to LPTV major change applications and was scheduled to commence on April 22, 1996 and continue through April 26, 1996.

The Community Broadcasters Association, the National Translator Association, and the Association of Federal Communications Consulting Engineers requested that the scheduled

filing window be postponed or extended to better accommodate the expected demand for application preparation. For good cause shown, the LPTV filing window will be extended, as requested. Accordingly, commencing April 22, 1996, and continuing to and including May 17, 1996, the Commission will permit the filing of applications for MAJOR CHANGES ONLY in existing facilities for low power television and television translator stations.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-9492 Filed 4-17-96; 8:45 am]

BILLING CODE 6712-01-U

[DA 96-481]

Wireless Telecommunications Bureau Will Strictly Enforce Default Payment Rules; Bureau To Re-Auction Licenses Quickly

Released: April 4, 1996.

The Wireless Telecommunications Bureau ("Bureau") has received numerous inquiries concerning the Commission's rules on bidder defaults in the various spectrum auctions. In response to these inquiries, the Bureau reminds bidders that the Commission's rules concerning default payments will be strictly enforced in all auctions. Under 47 CFR 1.2109(b), if a winning bidder fails to submit the required down payment(s) within the time frame designated by the applicable auction rules, the bidder will be deemed to have defaulted, its application will be dismissed, and it will be subject to the default payment specified in 47 CFR 1.2104(g)(2). All funds, including upfront payments and down payments, will be applied first to satisfy outstanding bid withdrawal and default payments before being applied toward the down payment on licenses the bidder has won and seeks to acquire. 47 CFR 1.2104(g)(2). As indicated in the Fifth Report and Order in PP Docket No. 93-253 and the Broadband PCS C Block Supplemental Bidder Package, if the amount of the bid withdrawal or default payment cannot be determined, the bidder will be required to make a deposit of 20 percent of the amount bid on such licenses.¹

Example: Bidder X submitted an upfront payment of \$5 to participate in an auction. At the close of an auction, Bidder X is the high bidder on licenses A, B and C. Bidder X submitted high bids of \$1,000 for license

A, \$1,500 for license B, and \$2,000 for license C. Within five days of the close of the auction, Bidder X must supplement its upfront payment with down payments sufficient to bring its total deposits up to five percent of its winning bids. Thus, Bidder X must submit down payments totalling \$220 (\$225 minus its \$5 upfront payment) to be in compliance with the down payment requirements. If Bidder X submits \$120 as down payments for licenses A and B only, it will be in default on license C.

Under our rules, all of Bidder X's funds on deposit with the Commission will be applied first to satisfy the default payment on license C. Because the amount of the default payment cannot be determined until the license is re-auctioned, Bidder X is required to make a deposit of 20 percent of the amount it bid on license C, or \$400. Thus, all of the \$125 that Bidder X has submitted to the Commission will be applied toward satisfying the default payment obligation on license C. Because Bidder X still owes \$275 to satisfy its default payment on license C, Bidder X will be considered to be in default on licenses A and B as well. Bidder X will then owe the Commission \$775 for its default payments (twenty percent of the amount bid on all three licenses (or \$900) minus the amount it has on deposit (or \$125)). Bidder X can avoid defaulting on licenses A and B only if it is able to deposit sufficient funds to cover the down payments on all three licenses (\$225) or the default payment on license C and the down payments on licenses A and B (\$625).

Should a winning bidder fail to submit the required down payment(s), the Bureau will either re-auction the license(s) to existing or new applicants, or offer the license(s) to the other highest bidders (in descending order) at their final bids. 47 CFR 1.2109(b). For defaults on licenses that occur after the down payments are due (or, in the case of small business applicants, after the first down payment is due), the Bureau will move to re-auction these licenses as quickly as possible. 47 CFR 1.2109(c).

For further information, please contact James W. Hedlund, Wireless Telecommunications Bureau, Auctions Division at (202) 418-0660.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-9490 Filed 4-17-96; 8:45 am]

BILLING CODE 6712-01-P

¹ See, Fifth Report and Order in PP Docket No. 93-253, FCC 94-178, 9 FCC Rcd 5532, released July 15, 1994 at fn. 51; Broadband PCS C Block Supplemental Bidder Package at page 39.