

this requirement is documenting compliance with the Project 25 Compliance Assessment Program (P25 CAP). CAP is a program that establishes an independent compliance assessment process to ensure that communications equipment conforms to Project 25 standards and is interoperable across vendors. Alternatively, a manufacturer may submit a document describing how it determined compliance with Section 90.548 and that its equipment is interoperable across vendors.

On August 22, 2016, the Federal Communications Commission released an *Order on Reconsideration*, FCC 16–111, PS Docket No. 13–87 (see attached) that modified Part 2 and Part 90 of the Rules for equipment approval and Private Land Mobile Radio Services. See 81 FR 66830 (Sept. 29, 2016). The amended rule requires all Wireless Communications Equipment Manufacturers who manufacture 700 MHz narrowband equipment capable of operating on the interoperability channels to demonstrate compliance with the Commission's Interoperability Technical Standards in 90.548. The *Order on Reconsideration* prescribes two methods for showing compliance with Section 90.548 after equipment authorization application approval and before the marketing and sale of equipment capable of operating on the 700 MHz narrowband interoperability channels. Specifically, the Commission modified Section 2.1033(c)(20) to provide that:

Before equipment operating under part 90 of this chapter and capable of operating on the 700 MHz interoperability channels (See § 90.531(b)(1) of this chapter) may be marketed or sold, the manufacturer thereof shall have a Compliance Assessment Program Supplier's Declaration of Conformity and Summary Test Report or, alternatively, a document detailing how the manufacturer determined that its equipment complies with § 90.548 of this chapter and that the equipment is interoperable across vendors. Submission of a 700 MHz narrowband radio for certification will constitute a representation by the manufacturer that the radio will be shown, by testing, to be interoperable across vendors before it is marketed or sold.

The Commission also modified Section 90.548(c) of the Commission's rules to provide:

Transceivers capable of operating on the interoperability channels listed in § 90.531(b)(1) shall not be marketed or sold unless the transceiver has previously been certified for interoperability by the Compliance Assessment Program (CAP) administered by the U.S. Department of Homeland Security; provided, however, that this requirement is suspended if the CAP is discontinued. Submission of a 700 MHz

narrowband radio for certification will constitute a representation by the manufacturer that the radio will be shown, by testing, to be interoperable across vendors before it is marketed or sold. In the alternative, manufacturers may employ their own protocol for verifying compliance with Project 25 standards and determining that their product is interoperable among vendors. In the event that field experience reveals that a transceiver is not interoperable, the Commission may require the manufacturer thereof to provide evidence of compliance with this § 90.548.

To effectively implement the provisions of the new Rules, no modifications to the existing FCC Form 731 Application for Equipment Authorization are required. The changes are intended to simplify the filing process, ensure equipment complies with Project 25 standards and is interoperable across vendors. The following specific methods are proposed to ensure compliance with Section 90.548 and simplify filing processes for equipment manufacturers:

(1) The *Order on Reconsideration* establishes that before the marketing or sale of equipment designed to operate on the 700 MHz narrowband interoperability channels, manufacturers shall have a Compliance Assessment Program Supplier's Declaration of Conformity and Summary Test Report or, alternatively, a document detailing how the manufacturer determined that its equipment complies with § 90.548 and that the equipment is interoperable across vendors. OMB has approved the information collections associated with P25 CAP compliance under OMB Control No. 1640–0015.<sup>1</sup>

(2) In the event that field experience reveals that a transceiver is not interoperable, the Commission may require the manufacturer thereof to provide evidence of compliance with § 90.548.

The modified rules provide a benefit to public safety licensees by ensuring that only equipment that has been tested for interoperability in a vendor-neutral environment before equipment can be marketed or sold to public safety. This will provide the additional benefit of engendering competition in the public safety equipment marketplace by eliminating system compatibility as a gating factor when evaluating equipment purchases. The *Order on Reconsideration* reduces the burden on equipment manufacturers by allowing them to meet this standard by demonstrating compliance with the P25

<sup>1</sup> Congressional direction for a P25 compliance assessment program can be found in the *COPS Law Enforcement Technologies and Interoperable Communications Program* section of the Conference Report to Public Law 109–148, as well as the *Science & Technology Management and Administration* section of Division E of the Conference Report to Public Law 110–161.

CAP or manufacturers' interoperability testing protocol. Compliance with the P25 CAP program is already a requisite for grant eligibility and agency purchasing standards, consequently any new burden imposed by this requirement would be minimal.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2016–25714 Filed 10–24–16; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–XXXX]

### Information Collection Being Reviewed by the Federal Communications Commission

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–3520), the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: 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; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; 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; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC 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 PRA that does not display a valid Office of Management and Budget (OMB) control number.

**DATES:** Written PRA comments should be submitted on or before December 27, 2016. 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 PRA comments to Nicole Ongele, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Nicole.Ongele@fcc.gov](mailto:Nicole.Ongele@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Nicole Ongele at (202) 418-2991.

*OMB Control Number:* 3060-XXXX.

*Title:* Connect America Fund—High Cost Portal Filing.

*Form Number:* N/A.

*Type of Review:* New collection.

*Respondents:* Business or other for-profit.

*Number of Respondents and Responses:* 1,525 unique respondents; 3,590 responses.

*Estimated Time per Response:* 8 hours–30 hours.

*Frequency of Response:* On occasion, quarterly reporting requirements, annual reporting requirements, one-time reporting requirement and recordkeeping requirement.

*Obligation to Respond:* Required to obtain or retain benefits. Statutory authority for this information collection is contained in 47 U.S.C. 151–154, 155, 201–206, 214, 218–220, 251, 252, 254, 256, 303(r), 332, 403, 405, 410, and 1302.

*Total Annual Burden:* 65,640 hours.

*Total Annual Cost:* No Cost.

*Privacy Act Impact Assessment:* No impact(s).

*Nature and Extent of Confidentiality:* We note that USAC must preserve the confidentiality of certain data obtained from respondents; must not use the data except for purposes of administering the universal service programs or other purposes specified by the Commission; and must not disclose data in company-specific form unless directed to do so by the Commission. Respondents may request materials or information submitted to the Commission or the Administrator believed confidential to be withheld from public inspection under 47 CFR 0.459 of the FCC's rules.

*Needs and Uses:* The Commission is requesting approval for this new information collection. In March 2016, the Commission adopted an order reforming its universal service support program in areas served by rate-of-return carriers. Connect America Fund et al., WC Docket Nos. 10–90 et al., Report and Order, Order and Order on Reconsideration, and Further Notice of Proposed Rulemaking, FCC 16–33 (*Rate-of-Return Order*). Also, in May 2016, the Commission adopted rules to implement a competitive bidding

process for Phase II of the Connect America Fund. Connect America Fund et al., WC Docket Nos. 10–90 et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 16–64 (*Phase II Auction Order*).

This information collection addresses the requirement that certain carriers with high cost reporting obligations must file information about their locations which meet their broadband deployment public interest obligations via an electronic portal (“portal”). The *Rate-of-Return Order* required that the Universal Service Administrative Company (USAC) establish the portal so that carriers could file their location data with the portal starting in 2017. The *Rate-of-Return Order* required all recipients of Phase II model-based support and rate-of-return carriers to submit geocoded location data and related certifications to the portal. Recipients of Phase II model-based support had been required to file such information in their annual reports due by July 1. The *Phase II Auction Order* requires auction winners to build-out networks capable of meeting their public interest obligations and report, to an online portal, locations to which auction winners had deployed such networks. This collection also implements the Rate-of-Return Order by moving and revising the currently approved requirements under OMB Control Numbers 3060–1200 and 3060–0986 to enable recipients of Phase II model-based support and rural broadband experiment funding to file their location information and associated reports and certifications in the portal instead of on the FCC Form 481 or as is currently required.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2016–25719 Filed 10–24–16; 8:45 am]

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## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

### Sunshine Act Notice

October 21, 2016.

**TIME AND DATE:** 2:00 p.m., Wednesday, November 9, 2016.

**PLACE:** The Richard V. Backley Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW., Washington, DC 20004 (enter from F Street entrance).

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will consider and act upon the following in open session: *Secretary*

*of Labor v. Consol Pennsylvania Coal Company, LLC*, Docket No. PENN 2013–385 (Issues include whether the Judge erred in making high negligence and unwarrantable failure findings.)

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

### CONTACT PERSON FOR MORE INFO:

Emogene Johnson (202) 434–9935/(202) 708–9300 for TDD Relay/1–800–877–8339 for toll free.

### PHONE NUMBER FOR LISTENING TO

**MEETING:** 1–(866) 867–4769, Passcode: 493–925.

**Sarah L. Stewart,**

*Deputy General Counsel.*

[FR Doc. 2016–25913 Filed 10–21–16; 4:15 pm]

**BILLING CODE 6735-01-P**

## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

### Sunshine Act Notice

October 21, 2016.

**TIME AND DATE:** 2:00 p.m., Tuesday, November 8, 2016.

**PLACE:** The Richard V. Backley Hearing Room, Room 511N, 1331 Pennsylvania Avenue NW., Washington, DC 20004 (enter from F Street entrance)

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will hear oral argument in the matter *Secretary of Labor v. Consol Pennsylvania Coal Company, LLC*, Docket No. PENN 2013–385 (Issues include whether the Judge erred in making high negligence and unwarrantable failure findings.)

Any person attending this oral argument who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and § 2706.160(d).

### CONTACT PERSON FOR MORE INFO:

Emogene Johnson (202) 434–9935/(202) 708–9300 for TDD Relay/1–800–877–8339 for toll free.

### PHONE NUMBER FOR LISTENING TO

**ARGUMENT:** 1–(866) 867–4769, Passcode: 493–925.

**Sarah L. Stewart,**

*Deputy General Counsel.*

[FR Doc. 2016–25912 Filed 10–21–16; 4:15 pm]

**BILLING CODE 6735-01-P**