

form of certification is required, it should come from the Commission or a national public safety organization.

21. In 2012, TCS refreshed the record in this proceeding and announced that it was certified as a competitive local exchange carrier in 42 states and could obtain p-ANI codes directly for use in those states. However, TCS states that it cannot obtain p-ANI codes in all states due to state certification issues. TCS lacks certification in Idaho, Colorado, Wyoming, South Dakota, South Carolina, West Virginia, Alaska, and the District of Columbia, and has an open application in Maine. TCS encountered certification questions in Iowa, Illinois, Ohio, and Arizona that directly related to the inapplicability of CLEC certification of VoIP Positioning Services. Moreover, TCS notes that it had to relinquish its inventory of p-ANI codes to Neustar as part of the Commission's move to a permanent p-ANI administrator. TCS thus cannot obtain p-ANI codes in certain states, and TCS asserts that this may result in disruptions to E911 and homeland security. It notes in particular that its difficulty obtaining codes in South Carolina "is currently causing a 911 routing disruption" in that state. TCS states that, "because it is not [a] CLEC certified in South Carolina and there is not 'central 911 authority' in South Carolina from which to secure a waiver, [TCS] has been denied access to p-ANI in this area. This places TCS's customers, and their end users, in jeopardy." TCS requests that the Commission grant a waiver so that TCS may obtain p-ANIs in states where TCS is not certified.

## 2. Discussion

22. We grant TCS a limited waiver of § 52.15(g)(2)(i) of the Commission's rules so that it may obtain p-ANI codes from the RNA in South Carolina and other states where it cannot obtain certification. TCS may show that it cannot obtain state certification by demonstrating that the state does not certify VPC providers (it has already done so in South Carolina). We grant this limited waiver while the Commission considers whether § 52.15(g)(2)(i) should be modified to allow all providers of VPC service to directly access p-ANI codes.

23. This waiver is limited in duration and scope. It lasts only until the Commission addresses whether to modify § 52.15(g)(2)(i) of the rules to allow all VPC providers direct access to numbers, specifically p-ANI codes, for the purpose of providing 911 and E911 service. The waiver applies only with respect to states where TCS

demonstrates that it cannot obtain p-ANI codes because it cannot obtain state certification. For example, TCS could provide the Commission with a denial from a state commission with the reason for denial being that the state does not certify VPC providers, or a statement from the state commission or its general counsel that it does not certify VPC providers. Upon such a showing, the Bureau will notify the RNA that TCS may directly access p-ANI codes in a particular state. We will consider broader relief, including options that TCS proposed, in the rulemaking. During the pendency of the rulemaking, we find good cause to grant TCS a limited waiver of § 52.15(g)(2)(i) of the Commission's rules so that it may obtain p-ANIs in those states where it cannot obtain certification.

## II. Procedural Matters

### A. Ex Parte Rules—Permit-but-Disclose

24. The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. See 47 CFR 1.1200 *et seq.* 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 § 1.1206(b). In proceedings governed by § 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.

### B. Paperwork Reduction Analysis

25. 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).

### C. Congressional Review Act

26. The Commission will not send a copy of this Order pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A), because the adopted rules are rules of particular applicability.

## III. Ordering Clauses

27. *It is ordered* that, pursuant to the authority contained in sections 1, 3, 4, 201–205, 251, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 153, 154, 201–205, 251, 303(r), the Petition of Vonage Holdings Corp. for Limited Waiver of § 52.15(g)(2)(i) of the Commission's rules Regarding Access to Numbering Resources; and the Petition of TeleCommunication Systems, Inc. and HBF Group, Inc. for Waiver of Part 52 of the Commission's Rules *are granted* to the extent set forth herein, and this Order *shall be effective* upon release.

Federal Communications Commission.

**Marlene H. Dortch,**  
Secretary.

[FR Doc. 2013–13704 Filed 6–18–13; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MB Docket No. 12–84; RM–11627; DA 13–1121]

### Radio Broadcasting Services; Summit, Mississippi

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Audio Division, at the request of Bowen Broadcasting, allots FM Channel 228A

as a first local service at Summit, Mississippi. To accommodate that allotment, the Audio Division reclassifies Station WQUE-FM, New Orleans, Louisiana, to specify operation on FM Channel 227C0 rather than FM Channel 227C. With that reclassification, Channel 228A can be allotted at Summit, consistent with the minimum distance separation requirements of the Commission's rules, at coordinates 31-17-07 NL and 90-19-10 WL, at a site 14.2 km (8.8 miles) east of the community. See Supplementary Information *infra*.

**DATES:** Effective July 19, 2013.

**FOR FURTHER INFORMATION CONTACT:** Deborah Dupont, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket No. 12-84, adopted May 15, 2013, and released May 17, 2013. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Information Center, Portals II, 445 12th Street SW., Room CY-A257, Washington, DC 20554. The complete text of this decision also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street SW., Room CY-B402, Washington, DC 20554, (800) 378-3160, or via the company's Web site, [www.bcpweb.com](http://www.bcpweb.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). The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see U.S.C. 801(a)(1)(A).

#### 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 amends 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. Section 73.202(b), the Table of FM Allotments under Mississippi, is amended by adding Summit, Channel 228A.

[FR Doc. 2013-14600 Filed 6-18-13; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 90

[WP Docket No. 07-100; PS Docket No. 06-229; WT Docket No. 06-150; FCC 12-61]

### 4.9 GHz Band

**AGENCY:** Federal Communications Commission.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final regulations (§ 90.1213(a)), which were published in the *Federal Register* of Wednesday, August 1, 2012 (77 FR 45503). The regulations related to bandwidths of certain frequencies.

**DATES:** Effective June 19, 2013.

**ADDRESSES:** Federal Communications Commission, 445 12th Street SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Thomas Eng, Policy and Licensing Division, Public Safety and Homeland Security Bureau, Federal Communications Commission, 445 12th Street SW., Washington, DC 20554, at (202) 418-0019, TTY (202) 418-7233, or via email at [Thomas.Eng@fcc.gov](mailto:Thomas.Eng@fcc.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

The final regulations that are the subject of these corrections are the band plan for the 4940-4990 MHz band. Section 90.1203(a) was amended to change the bandwidth of Channel 14 from five megahertz to one megahertz. The table in § 90.1203(a) was amended to add a bandwidth column, which assigned a bandwidth value to each center frequency and channel number.

#### Need for Correction

The *Federal Register* at 77 FR 45507 inadvertently listed a value of "1" for every entry in the bandwidth column of the table in § 90.1213(a). This is

incorrect for certain channel numbers because these bandwidths do not conform to the preceding text. This document corrects the final regulations by revising this section to list bandwidths of 5 megahertz for channel numbers 6 through 13.

#### List of Subjects in 47 CFR Part 90

Communications equipment; Radio.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

Accordingly, 47 CFR part 90 is corrected by making the following correcting amendments:

## PART 90—PRIVATE LAND MOBILE RADIO SERVICES

- 1. The authority citation for part 90 continues to read as follows:

**Authority:** Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), and 332(c)(7).

- 2. Section 90.1213 is amended by revising paragraph (a) to read as follows:

### § 90.1213 Band plan.

(a) The following channel center frequencies are permitted to be aggregated for channel bandwidths of 5, 10, 15 or 20 MHz as described in paragraph (b) of this section. Channel numbers 1 through 5 and 14 through 18 are 1 MHz bandwidth channels, and channel numbers 6 through 13 are 5 MHz bandwidth channels.

Center frequency (MHz)	Bandwidth (MHz)	Channel numbers
4940.5 .....	1	1
4941.5 .....	1	2
4942.5 .....	1	3
4943.5 .....	1	4
4944.5 .....	1	5
4947.5 .....	5	6
4952.5 .....	5	7
4957.5 .....	5	8
4962.5 .....	5	9
4967.5 .....	5	10
4972.5 .....	5	11
4977.5 .....	5	12
4982.5 .....	5	13
4985.5 .....	1	14
4986.5 .....	1	15
4987.5 .....	1	16
4988.5 .....	1	17
4989.5 .....	1	18

\* \* \* \* \*

[FR Doc. 2013-14593 Filed 6-18-13; 8:45 am]

**BILLING CODE 6712-01-P**