

0664. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov> your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

**Docket:** All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, will be publicly available only in hard copy.

Publicly available docket materials are available either electronically in <http://www.regulations.gov> or in hard copy at the Air Docket, EPA/DC, EPA West, Room 3334, 1301 Constitution Ave., NW., Washington, DC. This Docket Facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room is (202) 566-1744, and the telephone number for the Air Docket is (202) 566-1742.

**FOR FURTHER INFORMATION CONTACT:**

Margaret Sheppard, Stratospheric Protection Division, Office of Atmospheric Programs; Environmental Protection Agency, Mail Code 6205J, 1200 Pennsylvania Ave., NW.,

Washington, DC 20460; telephone number: (202) 343-9163; fax number, (202) 343-2338; e-mail address: [sheppard.margaret@epa.gov](mailto:sheppard.margaret@epa.gov). Notices and rulemakings under the SNAP program are available on EPA's Stratospheric Ozone Web site at [www.epa.gov/ozone/snap/regulations.html](http://www.epa.gov/ozone/snap/regulations.html). For copies of the full list of SNAP decisions in all industrial sectors, contact the EPA Stratospheric Protection Hotline at (800) 296-1996.

**SUPPLEMENTARY INFORMATION:**

**Background**

The statutory and regulatory background is described in detail in the **Federal Register** proposed rule of October 19, 2009 (74 FR 53445). In that document, EPA proposed to find HFO-1234yf acceptable as an alternative refrigerant for motor vehicle air conditioning, subject to use conditions. The refrigerant discussed in the proposed action, for which the comment period is reopened, is a non-ozone-depleting substance.

**This Action**

EPA has received a request for an extension to the comment deadline for this proposed rule.

This action reopens the comment period. The Agency will consider additional comments we receive through February 24, 2010 in response to this action. Note that additional information is available in the public docket, EPA-HQ-OAR-2008-0664, since publication of the October 19, 2009 proposed rule and a subsequent notice reopening the public comment period (December 28, 2009; 74 FR 68558). EPA will also consider comments received by February 24, 2010 in response to the previous **Federal Register** publication [EPA-OAR-2008-0664] before issuing a final regulatory determination for HFO-1234yf. We intend to issue a regulatory determination as expeditiously as possible following consideration of the comments and information we receive.

Dated: February 3, 2010.

**Gina McCarthy,**

*Assistant Administrator, Office of Air and Radiation.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 4**

[ET Docket No. 04-35, RM 11588, DA 10-220]

**California Public Utilities Commission  
Petition for Rulemaking**

**AGENCY:** Federal Communications Commission.

**ACTION:** Petition for rulemaking.

**SUMMARY:** The California Public Utilities Commission ("CPUC") filed a Petition for Rulemaking requesting that the Federal Communications Commission (Commission or FCC grant State public utilities commissions direct access to the Commission's Network Outage Reporting System (NORS). The CPUC also requests password-protected access to California-specific disruption and outage data in the NORS. The FCC seeks comment on this petition.

**DATES:** Submit statements in support of or in opposition to the petition for rulemaking on or before March 4, 2010; replies to statements in support of or in opposition to the petition for rulemaking should be submitted on or before March 19, 2010.

**ADDRESSES:** You may submit comments, identified by RM-11588 and/or ET Docket No. 04-35, 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://fjallfoss.fcc.gov/ecfs2/>. Follow the instructions for submitting comments.

- *Mail:* Commission's Secretary, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

- *People With Disabilities:* Contact the FCC to request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format) by e-mail: [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:** For additional information contact Jean Ann Collins, Deputy Chief, Communications Systems Analysis Division, Public Safety and Homeland Security Bureau, Federal Communications Commission, at (202) 418-2792 or [jeanann.collins@fcc.gov](mailto:jeanann.collins@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Public Safety and Homeland Security Bureau invites public comment on the petition for rulemaking filed on November 12, 2009, by the California Public Utilities Commission ("CPUC"). The CPUC petitions the Commission, pursuant to Section 1.401 of the Commission's rules, requesting that the Federal Communications Commission (Commission or FCC) grant State public utilities commissions direct access to the Commission's Network Outage Reporting System (NORS) database. The CPUC also informally requests, pursuant to Section 1.41 of the Commission's rules, that the Commission act to allow the CPUC password-protected access to the NORS database that is "limited to California-specific disruption and outage data."

NORS is the Web-based filing system through which certain communications providers submit reports to the Commission of disruptions to communications as required by part 4 of the Commission's rules. Reports of service disruptions filed in NORS are presumed to be confidential. Currently, the Commission shares NORS data only with the Department of Homeland Security (DHS).

CPUC states that the Commission found that mandatory reporting of network outages was "the only reliable way to collect this important information for use by this Commission and, where appropriate, for other government entities." The CPUC asserts that, during the part 4 rulemaking proceeding, no State public utility commission requested access to the part 4 service disruption data and the Commission did not address whether it should or would grant State public utilities commissions the same direct access to the NORS reports that it provided to DHS.

CPUC states that because the public health and safety, as well as California's economy, depend heavily on reliable and well functioning wireline and wireless voice and data communications networks, it is critical that the CPUC have access to the same level of service outage detail found in NORS reports in order to effectively analyze the data. CPUC adds that State commissioners, like the FCC, are responsible for overseeing the reliability and security of their State's respective communications infrastructures and, in times of crisis, local and State authorities are often the first responders. CPUC states that, because of this, California has adopted

"the FCC's NORS requirements" and implemented safeguards to ensure the confidentiality of the information received.

CPUC asserts that its goal is to obtain the data necessary to perform its "traditional role of protecting public health and safety through monitoring of communications network functionality" without requiring duplicative reporting by telecommunications providers. Acknowledging national security concerns, it seeks to allow states access to the NORS database if they can show that appropriate protections are in place that would ensure that the confidentiality of the data is maintained.

The petition for rulemaking is available for public inspection and copying in the Commission's Reference Center, Room CY-A257, 445 12th Street, SW., Washington, DC 20554. Copies of the request also may be obtained via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, ET Docket No. 04-35. Copies of the request also are available from Best Copy and Printing, Inc., telephone (800) 378-3160, facsimile (301) 816-0169, e-mail [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

Pursuant to section 1.405 of the Commission's rules, 47 CFR 1.405, interested parties may file statements in support of or in opposition to the petition for rulemaking not later than March 4, 2010. Any interested parties may file replies to statements in support of or in opposition to the petition for rulemaking not later than March 19, 2010. Statements and replies may be filed using: (1) The Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. 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/> or the Federal eRulemaking Portal: <http://www.regulations.gov>.

**Paper Filers:** Parties who choose to file by paper must file an original and four copies 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.

Effective December 28, 2009, all hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW., Room TW-A325, Washington, DC 20554. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. The filing hours are 8 a.m. to 7 p.m.

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.

In addition, interested parties shall send one copy of their statements and replies to Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, (800) 378-3160, e-mail [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

Filings and comments are also available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554, and via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, ET Docket No. 04-35. They may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone: (202) 488-5300 or (800) 378-3160, fax: (202) 488-5563, or via e-mail [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

**People With Disabilities:** To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

**James Arden Barnett, Jr.,**  
Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission.

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