

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) unless otherwise noted.

■ 2. Section 90.7 is amended by adding definitions for “Public Safety Broadband Network Operator” and “Service Availability” and revising the definition for “Upper 700MHz D Block license” to read as follows:

§ 90.7 Definitions.

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Public Safety Broadband Network Operator. A Public Safety Network Operator is a public safety entity that is authorized by lease or other permitted mechanism under the Public Safety Broadband License to operate a public safety broadband network in the 763–768 MHz and 793–798 MHz bands.

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Service Availability. The use of a public safety broadband network on a day-to-day basis for operational purposes by at least fifty users.

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Upper 700 MHz D Block license. The Upper 700 MHz D Block license authorizes services in the 758–763 MHz and 788–793 MHz bands.

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■ 3. Section 90.203 is amended by adding paragraph (p) to read as follows:

§ 90.203 Certification required

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(p) *Equipment certification for transmitters in the 763–769 and 793–799 MHz Bands.* Applications for all transmitters must show support for at least 3GPP TS 23.401, V8.8.0 (2009–12), “3rd Generation Partnership Project; Technical Specification Group Services and System Aspects; General Packet Radio Service (GPRS) enhancements for Evolved Universal Terrestrial Radio Access Network (E-UTRAN) access (Release 8),” December, 2009, which is incorporated by reference. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be inspected at the Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554 or National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/

[code_of_federal_regulations/ibr_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). Copies of the 3GPP Standard E-UTRA Release 8 can be obtained from 3GPP Mobile Competence Centre, c/o ETSI, 650, route des Lucioles, 06921 Sophia-Antipolis Cedex, France, Tel: +33 (0)4 92 94 42 00, Fax: +33 4 93 65 47 16, <http://www.3gpp.org>.

■ 4. Section 90.1407 is amended by adding paragraphs (d) through (f) to read as follows:

§ 90.1407 Spectrum use in the network.

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(d) Public Safety Broadband Network Operators must use at least 3GPP TS 23.401, V8.8.0 (2009–12), “3rd Generation Partnership Project; Technical Specification Group Services and System Aspects; General Packet Radio Service (GPRS) enhancements for Evolved Universal Terrestrial Radio Access Network (E-UTRAN) access (Release 8),” December, 2009 (incorporated by reference). The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be inspected at the Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554 or National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. Copies of the 3GPP Standard E-UTRA Release 8 can be obtained from 3GPP Mobile Competence Centre, c/o ETSI, 650, route des Lucioles, 06921 Sophia-Antipolis Cedex, France, Tel: +33 (0)4 92 94 42 00, Fax: +33 4 93 65 47 16, <http://www.3gpp.org>. Later versions of this standard may be employed by Public Safety Broadband Network Operators provided they are backwards-compatible with this version.

(e) Systems in the network must support the following interfaces: Uu—LTE air interface; S6a—Visited MME to Home HSS; S8—Visited SGW to Home PGW; S9—Visited PCRF to Home PCRF for dynamic policy arbitration; S10—MME to MME support for Category 1 handover support; X2—eNodeB to eNodeB; S1-u—between eNodeB and SGW; S1-MME—between eNodeB and MME; S5—between SGW and PGW; S6a—between MME and HSS; S11—between MME and SGW; SGI—between PGW and external PDN; Gx—between PGW and PCRF (for QoS policy, filter policy and charging rules); Rx—between PCRF and AF located in a PDN; Gy/Gz—offline/online charging interfaces.

(f) A Public Safety Broadband Network Operator must submit to the Chief of the Public Safety and Homeland Security Bureau prior to deployment of any Radio Access Network equipment a certification that it will be in compliance with paragraph (e) of this section prior to the date its network achieves service availability.

[FR Doc. 2011–20831 Filed 8–17–11; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 100804323–0569–02]

RIN 0648–XA617

Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Closure of the 2011 Trimester 2 Directed Loligo Squid Fishery

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS announces that 90 percent of the Trimester 2 *Loligo* squid (*Loligo*) quota is projected to be harvested by 0001 hours, August 23, 2011. Therefore, the directed *Loligo* fishery in the Exclusive Economic Zone (EEZ) will be closed as of 0001 hours, August 23, 2011, and vessels issued a Federal permit are prohibited from possessing or landing more than 2,500 lb (1.13 mt) of *Loligo* for the remainder of Trimester 2 (through August 31, 2011). The directed *Loligo* fishery will re-open for Trimester 3 on September 1, 2011. This action is necessary to prevent the fishery from exceeding its Trimester 2 allocation of 11,190,664 lb (5,076 mt), and to allow for effective management of this stock.

DATES: Effective 0001 hours, August 23, 2011, through 2400 hours, August 31, 2011.

FOR FURTHER INFORMATION CONTACT: Lindsey Feldman, Fishery Management Specialist, 978–675–2179, Fax 978–281–9135.

SUPPLEMENTARY INFORMATION: Regulations governing the *Loligo* fishery are found at 50 CFR part 648. The regulations require specifications for maximum sustainable yield, initial optimum yield, allowable biological catch, domestic annual harvest (DAH),

domestic annual processing, joint venture processing, and total allowable levels of foreign fishing for the species managed under the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan (FMP). The procedures for setting the annual initial specifications are described in § 648.21.

The 2011 specification of DAH for *Loligo* was set at 3,384 mt (76 FR 8306, February 14, 2011). Due to an under harvest of the Trimester 1 *Loligo* quota, on May 16, 2011, the Trimester 2 quota was increased to 5,076 mt. Section 648.22 requires NMFS to close the directed *Loligo* fishery in the EEZ when 90 percent of the Trimester 2 quota is projected to be harvested. NMFS is required to notify the Executive Directors of the Mid-Atlantic, New England, and South Atlantic Fishery Management Councils; mail notification of the closure to all *Loligo* permit holders at least 72 hr before the effective date of the closure; provide adequate notice of the closure to recreational participants in the fishery; and publish

notification of the closure in the **Federal Register**.

The Administrator, Northeast Region, NMFS, based on dealer reports and other available information, has determined that 90 percent of the Trimester 2 *Loligo* quota for the 2011 fishing year will be harvested on August 23, 2011. Therefore, effective 0001 hours, August 23, 2011, Trimester 2 directed *Loligo* fishery is closed and vessels issued Federal permits for *Loligo* are prohibited from possessing or landing more than 2,500 lb (1.13 mt) of *Loligo* through August 31, 2011. The Trimester 3 *Loligo* fishery will open at 0001 hours, September 1, 2011.

Classification

This action is required by 50 CFR part 648, and is exempt from review under Executive Order 12866.

The Assistant Administrator for Fisheries, NOAA (AA), finds good cause pursuant to 5 U.S.C. 553(b)(B) to waive prior notice and the opportunity for public comment because it would be

contrary to the public interest. This action closes the directed *Loligo* fishery until August 31, 2011, under current regulations. The regulations at § 648.21 require such action to ensure that *Loligo* vessels do not exceed the 2011 Trimester 2 quota. Data indicating the *Loligo* fleet will have landed at least 90 percent of the 2011 Trimester 2 quota have only recently become available. If implementation of this closure is delayed to solicit prior public comment, the quota for Trimester 2 will be exceeded, thereby undermining the conservation objectives of the FMP. The AA further finds, pursuant to 5 U.S.C. 553(d)(3), good cause to waive the 30-day delayed effectiveness period for the reasons stated above.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 15, 2011.

James P. Burgess,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2011–21109 Filed 8–17–11; 8:45 am]

BILLING CODE 3510–22–P