

§0.459. The Commission has determined that there is a statutory basis for withholding these records from public inspection. In some cases, the Commission is prohibited from permitting the inspection of records. In other cases, the records are the property of another agency, and the Commission has no authority to permit their inspection. In still other cases, the Commission is authorized, for reason of policy, to withhold records from inspection, but is not required to do so.

(2) The second category consists of records that are not listed in §0.453, §0.455, or §0.457 and have not been withheld from inspection under §0.459. In some cases, these records have not been identified for listing. In other cases (*e.g.*, the general correspondence files), the Commission is unable to determine either that all records in a class should be routinely available for inspection or that all records in that class should not be routinely available for inspection, and individualized determination is required.

(3) Procedures governing requests for inspection of these records are set forth in §0.461.

(4) Procedures governing demands by competent authority for inspection of these records are set forth in §0.463.

(5) Except as provided in §0.461 and §0.463, or pursuant to §19.735-203 of this chapter, no officer or employee of the Commission shall permit the inspection of records which are not routinely available for public inspection under §0.453 or §0.455, or disclose information contained therein.

(c) *Copies.* Section 0.465 applies to requests for copies of Commission records which are routinely available for public inspection under §0.453 and §0.455 and those which are made available for inspection under §0.461. Sections 0.467 and 0.465(c)(3) apply to requests for certified copies of Commission records.

(d) *Search and copying fees.* Section 0.465(c)(2) prescribes the per page fee for copying records made available for inspection under §0.460 or §0.461. Section 0.466 prescribes fees to cover the expense of searching for and reviewing records made available for inspection under §0.460 or §0.461. Review of initial fee determinations under §0.467

through §0.470 and initial fee reduction or waiver determinations under §0.470(e) may be sought under §0.461(j).

NOTE TO PARAGRAPH (d): The Commission may require advance payment pursuant to §0.469 before releasing documents.

§0.453 Public reference rooms.

The Commission maintains the FCC Reference Information Center as its public reference room at its offices in Washington, DC. Much of the information available from the public reference room may also be retrieved from the Commission's main Web site at <http://www.fcc.gov> and its electronic reading room at <http://www.fcc.gov/foia/e-room.html>:

(a) *The Reference Information Center.* Maintains files containing the record of all docketed cases, petitions for rule making and related papers. A file is maintained for each docketed hearing case and for each docketed rule making proceeding. Cards summarizing the history of such cases for the years before 1984 are available for inspection. Information summarizing the history of such cases for the years from 1984 through present is available online on the Electronic Comment Filing System (ECFS).

(b) *Broadcast Services.* The following files and documents are available, including:

(1) Applications for radio and television broadcast station construction permits, licenses, modifications of facilities, license renewal, assignments and transfer of control, including any Commission correspondence or rulings pertaining to those applications;

(2) Petitions to deny, informal objections, and complaints directed against the stations and/or station applications;

(3) Ownership reports filed by licensees pursuant to §73.3615 of this chapter;

(4) Television network application contracts, radio and television time brokerage agreements, and other documents required to be filed under §73.3613 of this chapter;

(5) Children's television programming reports filed by commercial television licensees pursuant to §73.3526 of this chapter;

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(6) Annual DTV ancillary/supplementary services reports filed by commercial and non-commercial educational digital television licensees pursuant to §73.624 of this chapter;

(7) Station requests for declaratory rulings, special temporary authorizations, and other waivers;

(8) Annual employment reports filed by licensees and permittees of broadcast stations pursuant to §73.3612 of this chapter; and

(9) Responses from licensees to random audits of their Equal Employment Opportunity programs conducted pursuant to §73.2080 of this chapter.

(c) *Common Carrier Services*, including:

(1) Annual reports filed by carriers under §43.21 of this chapter;

(2) Reports of proposed changes in depreciation rates filed by carriers under §43.43 of this chapter;

(3) Rate-of-return reports filed by price-cap and rate-of-return incumbent local exchange carriers under §65.600 of this chapter;

(4) All applications for common carrier authorizations acted upon by the Enforcement Bureau, and related files;

(5) All formal and informal carrier-to-carrier complaints against common carriers filed under §1.711 through §1.735 of this chapter, all documents filed in connection therewith, and all communications related thereto;

(6) Annual employment reports filed by common carrier licensees or permittees pursuant to §1.815 of this chapter;

(7) Enforcement proceedings and public inquiries and related materials;

(8) Cost Allocation Manuals and related materials;

(9) Currently effective tariffs filed by Communications Common Carriers pursuant to various FCC Rules and Regulations; and

(10) Recent revisions to tariff filings and the Reference Information Center Log, which is prepared daily and lists the tariff filings received the previous day.

(d) *Wireless Telecommunications Services and Auction* related data including:

(1) Pending files containing applications for additional facilities or modifications of existing facilities;

(2) Cellular and Paging Granted Station files and related materials;

(3) Pending cellular and paging applications and related files;

(4) Electronically stored application and licensing data for commercial radio operators and for all authorizations in the Wireless Radio services are available for public inspection via the Commission's Web site, <http://wireless.fcc.gov/uls>. Wireless Radio services include Commercial and Private Mobile Radio, Common Carrier and Private Operational Field point-to-point Microwave, Local Television Transmission Service (LTTS), Digital Electronic Message Service (DEMS), Aviation Ground and Marine Coast applications; and

(5) Petitions and related materials.

(e) *International Services* as follows, except to the extent they are excluded from routine public inspection under another section of this chapter:

(1) Satellite and earth station applications files and related materials under part 25 of this chapter;

(2) Section 214 applications and related files under part 63 of this chapter, to the extent that they concern international communications facilities and services;

(3) International Fixed Public Radio applications and related files under part 23 of this chapter;

(4) Files relating to submarine cable landing licenses and applications for such licenses since June 30, 1934, except for maps showing the exact location of submarine cables, which are withheld from inspection under sec. 4(j) of the Communications Act, 47 U.S.C. 154(j) (see §0.457(c)(1)(i));

(5) International broadcast applications, applications for permission to deliver programming to foreign stations, and related files under part 73 of this chapter; and

(6) Contracts and other arrangements filed under §43.51 of this chapter, except for those that are filed with a request for confidential treatment (see §0.459) or are deemed confidential pursuant to sec. 412 of the Communications Act (see also §0.457(c)(3)).

(f) *Cable and other Multichannel Video Program Distribution Services*. The following files and records are available, including:

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(1) Complaints regarding multi-channel video programming, all documents filed in connection therewith, and all communications related thereto, unless the cable operator has submitted a request pursuant to §0.459 that such information not be made routinely available for public inspection;

(2) Special relief petitions and files pertaining to cable television operations;

(3) Special relief petitions and files pertaining to DBS television operations;

(4) Petitions and related documents concerning the enforcement of regulations governing the installation of over-the-air reception devices (OTARD) pursuant to §1.4000 of this chapter;

(5) Filings by cable television operators, including Cable Signal Leakage Reports (Form 320 and §76.1804 of this chapter), Cable System Registration Statements (§76.1801 of this chapter), Cable System Operator Changes (§76.1610 of this chapter), Cable Aeronautical Frequency Notifications (§76.1804 of this chapter), Cable Annual Report (Form 325 and §76.403 of this chapter), and filings related to CARS licenses (Part 78 of this chapter).

NOTE TO PARAGRAPH (f)(5): This data also is available at <http://www.fcc.gov/coals>. Electronic submissions for cable filings (excluding CARS) are mandatory. Original forms are not available for information filed electronically, but the Reference Information Center or the Commission's Copy Contractor may assist in producing paper copies of information found in the COALS database;

(6) Annual employment reports filed by multichannel video programming distributors pursuant to §76.1802 of this chapter; and

(7) Responses from multichannel video programming distributors to random audits of their Equal Employment Opportunity programs conducted pursuant to §76.77 of this chapter.

[74 FR 14078, Mar. 30, 2009, as amended at 76 FR 24389, May 2, 2011]

§0.455 Other locations at which records may be inspected.

Except as provided in §0.453, §0.457, and §0.459, records are routinely available for inspection in the Reference Information Center or the offices of the Bureau or Office which exercises re-

sponsibility over the matters to which those records pertain (see §0.5), or will be made available for inspection at those offices upon request. Upon inquiry to the appropriate Bureau or Office, persons desiring to inspect such records will be directed to the specific location at which the particular records may be inspected. Examples of the records available from Bureaus and Offices are set forth in paragraphs (a) through (c).

(a) *Media Bureau.* (1) Rulings under secs. 312(a)(7), 315, and 317 of the Communications Act of 1934, as amended;

(2) All materials associated with a rate proceeding for basic cable service and associated equipment over which the Commission has assumed jurisdiction pursuant to §76.913 of this chapter;

(3) All materials associated with Commission review of franchise authority decisions concerning the rate charged for the basic cable service tier and associated equipment pursuant to §76.944 of this chapter;

(4) All materials associated with local government requests for authorization to regulate basic cable rates pursuant to §76.910 of this chapter (Form 328);

(5) All materials associated with the certification of Open Video System (OVS) operators pursuant to §76.1502 of this chapter;

(6) A list of all registered cable communities is maintained electronically at <http://www.fcc.gov/mb>; and

(7) Public notices issued related to CARS licenses, Cable Special Relief Petitions, and other filings are available electronically at http://www.fcc.gov/Document_Indexes/Media/.

(b) *Office of Managing Director.* (1) All minutes of Commission actions, containing a record of all final votes, minutes of actions and internal management matters as provided in §0.457(b)(1) and (c)(1)(i). These records and files are available for inspection in the Office of the Secretary.

(2) Files containing information concerning the history of the Commission's rules. These files are available for inspection in the Office of the Secretary.

(3) Reports filed by employees pursuant to 5 CFR Parts 2634 and 3902 and