

developing the proposals contained in this Notice, we have attempted to minimize the burdens on all entities in order to allow maximum participation in the U.S. telecommunications markets while achieving our other objectives. We seek comment on the impact of our proposals on small entities and on any possible alternatives that could minimize the impact of our rules on small entities. In particular, we seek comment on alternatives to the reporting, recordkeeping, and other compliance requirements discussed above. We also seek specific comment on the impact on small entities of our proposals to modify our dominant carrier safeguards.

48. *Comments are solicited* Written comments are requested on this Initial Regulatory Flexibility Analysis. These comments must be filed in accordance with the same filing deadlines set for comments on the other issues in this Notice of Proposed Rulemaking, but they must have a separate and distinct heading designating them as responses to the Regulatory Flexibility Analysis. The Secretary shall send a copy of this Notice to the Chief Counsel for Advocacy of the Small Business Administration in accordance with § 603(a) of the Regulatory Flexibility Act.

Initial Paperwork Reduction Act of 1995 Analysis

49. This Notice of Proposed Rulemaking contains either a proposed or a modified information collection. As part of our continuing effort to reduce paperwork burdens, we invite the general public and the Office of Management and Budget (OMB) to comment on the information collections contained in this NPRM, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. Public and agency comments are due August 18, 1997. Comments should address: (a) 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; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) 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.

50. We do not anticipate that the proposed rules will have any impact on the paperwork burden imposed under the Commission's *Flexibility Policy* established in the *Fourth Report and Order*, CC Docket No. 90-337, Phase I

[62 FR 5535, February 6, 1997]; [OMB Control Nos. 3060-0160 and 3060-0764].

51. The rule changes proposed here have been analyzed with respect to the Paperwork Reduction Act of 1980 and found to impose no new or modified requirements or burdens on the public. Accordingly, their implementation is not subject to approval by the Office of Management and Budget under that Act.

OMB Approval Number: 3060-0686.

Title: Streamlining the International Section 214 Authorization Process and Tariff Requirements.

Type of Review: Revision of existing collection.

Respondents: Business or other For-Profit.

Number of Respondents: 3,238.

Estimated Time Per Response: 14 hours.

Total Annual Burden: 23,603 hours.

Estimated costs per respondent: \$263.

Needs and Uses: The information collections are necessary largely to determine the qualifications of applicants to provide common carrier international telecommunications services, or to construct and operate submarine cables, including applicants that are affiliated with foreign carriers, and to determine whether and under what conditions the authorizations are in the public interest, convenience, and necessity. The information collections are necessary for the Commission to maintain effective oversight of U.S. carriers that are affiliated with, or involved in certain co-marketing or similar arrangements with, foreign carriers that have market power. The information collected is necessary for the Commission to ensure that rates, terms and conditions for international service are just and reasonable, as required by the Communications Act of 1934.

52. The information collections under § 310(b)(4) of the Act are necessary to determine, under that section, whether a greater than 25 percent indirect foreign ownership interest in a U.S. common carrier ratio licensee would be inconsistent with the public interest.

Ordering Clauses

53. Accordingly, it is ordered that, pursuant to §§ 1, 4(i), 201(b), 214, 303(r), 307, 309(a), and 310 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 214, 303(r), 307, 309(a), 310, this notice of proposed rulemaking is hereby adopted.

54. The Commission's decision also included minor changes to part 63 of the Commission's rules, which are published elsewhere in this issue.

55. It is further ordered that the Secretary shall send a copy of this notice of proposed rulemaking, including the regulatory flexibility certification, to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with paragraph 603(a) of the Regulatory Flexibility Act, 5 U.S.C. §§ 601 *et seq.*

List of Subjects in 47 CFR Part 63

Communications common carriers, Reporting and recordkeeping requirements.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 63

[IB Docket No. 96-261, DA 97-1173]

International Settlement Rates

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; request for supplemental comments.

SUMMARY: On June 4, 1997, the Federal Communications Commission adopted an Order and Notice of Proposed Rulemaking to review its rules and policies governing foreign participation in the U.S. market for basic telecommunications services. (*See Rules and Policies on Foreign Participation in the U.S. Telecommunications Market* (FCC 97-195, IB Docket No. 97-142) published elsewhere in this issue.) In light of that NPRM, the Commission released a Public Notice soliciting supplemental comments in another ongoing FCC proceeding, *International Settlement Rates*, IB Docket No. 96-261 [61 FR 68702, December 30, 1996]. In the Public Notice, the Commission states that parties should submit supplemental comments and reply comments on only one specific proposal.

DATES: Supplemental Comments must be submitted on or before June 24, 1997, and Supplemental Reply Comments must be submitted on or before July 2, 1997.

ADDRESSES: All supplemental comments and supplemental reply comments should be addressed to: Office of the Secretary, Federal Communications Commission, Washington D.C. 20554. All supplemental comments and supplemental reply comments will be

available for public inspection during regular business hours in the FCC Reference Center (Room 239) of the Federal Communications Commission, 1919 M St., N.W. Washington, D.C. 20554

FOR FURTHER INFORMATION CONTACT: Kathryn O'Brien, Attorney-Advisor, Policy and Facilities Branch, Telecommunications Division, International Bureau, (202) 418-0439.

SUPPLEMENTARY INFORMATION:

International Bureau Seeks Additional Comments in the Settlement Rate Benchmarks Proceeding (Notice of Proposed Rulemaking)

On June 4, 1997, the Commission adopted an Order and Notice of Proposed Rulemaking initiating a review of its rules and policies governing the participation of foreign carriers into the U.S. market for basic telecommunications services. *See Rules and Policies on Foreign Participation in the U.S. Telecommunications Market*, IB Docket 97-142, *Order and Notice of Proposed Rulemaking*, FCC 97-195 (released June 4, 1997) (*Foreign Participation Notice*). In the *Foreign Participation Notice*, the Commission stated that it may be necessary to apply to U.S. facilities-based private line carriers the benchmark settlement rate conditions that the Commission proposed to apply to U.S. private line resellers in International Settlement

Rates, IB Docket 96-261, *Notice of Proposed Rulemaking*, FCC 96-484 (released December 19, 1996) (*Benchmarks* proceeding). In the *Foreign Participation Notice*, the Commission therefore proposed generally to prohibit a U.S. facilities-based private line carrier from originating or terminating U.S. switched traffic over its facilities-based private lines until all U.S. carriers' settlement rates for the country or location at the foreign end of the private line are within the benchmark settlement range to be established in the *Benchmarks* proceeding.

In light of this proposal, the International Bureau invites interested parties to file supplemental comments and supplemental reply comments on this specific proposal in the *Benchmarks* proceeding. Parties should limit their supplemental comments and supplemental replies to this specific proposal. The Commission will decide whether to adopt rules to implement this and other proposed benchmark settlement rate conditions in the *Benchmarks* proceeding.

Pursuant to applicable procedures set forth in Sections 1.415 and 1.419 of the Commission's Rules, 47 CFR 1.415 and 1.419, interested parties may file supplemental comments on or before June 24, 1997, and supplemental reply comments on or before July 2, 1997. We do not anticipate granting any extensions of this pleading cycle. To file

formally in this proceeding, you must file an original and four copies of all submissions. If you want each Commissioner to receive a personal copy of your submission, you must file an original plus nine copies. You should send your submission to: Office of the Secretary, Federal Communications Commission, Washington, D.C. 20554.

A copy of each pleading should also be sent to Kathryn O'Brien, International Bureau, FCC, Room 845A, 2000 M Street, N.W., Washington, D.C. 20554, and to the Commission's contractor for public service records duplication: ITS, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. Supplemental comments will be available for inspection and copying in the FCC's Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. 20554. Copies also can be obtained from ITS at (202) 857-3800.

We will treat this proceeding as non-restricted (*i.e.*, permit-but-disclose) for purposes of the Commission's *ex parte* rules. *See generally* 47 CFR 1.1200-1.1216. For further information concerning this matter, please contact Kathryn O'Brien, Telecommunications Division, International Bureau, at (202) 418-0439.

Federal Communications Commission.

William F. Caton,
Acting Secretary.

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