

*Manufacturing.* The Census Bureau defines this category as follows: “This industry comprises establishments primarily engaged in manufacturing communications equipment (except telephone apparatus, and radio and television broadcast, and wireless communications equipment).” The SBA has developed a small business size standard for Other Communications Equipment Manufacturing, which is having 750 or fewer employees. According to Census Bureau data for 2002, there were a total of 503 establishments in this category that operated for the entire year. Of this total, 493 had employment of under 500, and an additional 7 had employment of 500 to 999. Thus, under this size standard, the majority of firms can be considered small.

*E. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities*

29. This Order reinstates the requirement that E-rate applicants cost allocate all bundled ineligible components other than those that fall under the Commission’s definition of “ancillary.” Cost allocation requirements are already part of § 54.504(e) of the Commission’s rules, which requires a clear delineation of eligible and ineligible services that are included on an application requesting E-rate discounts. The rulemaking results in minimal additional reporting requirements.

30. The result of this rulemaking is that small entities that had not been cost allocating certain bundled ineligible components will again be required to comply with § 54.504(e) requirements for cost allocating these components. Small entities that are service providers and vendors in the E-rate program will also be required to reexamine offerings in accordance to any changed requirements.

*F. Steps Taken to Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered*

31. The RFA requires an agency to describe any significant, specifically small business, alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): “(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance and reporting requirements under the rule for such small entities;

(3) the use of performance rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for such small entities.”

32. This rulemaking could impose minimal additional burdens on small entities. The only additional administrative burden the rulemaking could impose on small entities, however, would be requiring them to cost allocate ineligible components that they may have presumed were exempted from the cost allocation requirements by the *2010 Clarification Order*. Cost allocation requires determining the costs of eligible and ineligible components and reporting the delineation of those costs in a request for E-rate discounts on the FCC Form 471. E-rate recipients had been required to cost allocate ineligible components bundled with eligible services prior to the *2010 Clarification Order*, and are already generally required to cost allocate all ineligible components.

*G. Report to Congress*

33. The Commission will send a copy of this Order, including this FRFA, in a report to be sent to Congress pursuant to the SBREFA. In addition, the Commission will send a copy of the Order, including the FRFA, to the Chief Counsel for Advocacy of the SBA. A copy of the Order and the FRFA (or summaries thereof) will also be published in the **Federal Register**.

*H. Paperwork Reduction Act Analysis*

34. This document contains revised information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. It will be submitted to the Office of Management and Budget (OMB) for review under section 3507 of the PRA. We note that pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, the Commission previously sought specific comment on how it might further reduce the information collection burden on small business concerns with fewer than 25 employees.

35. In the present document, we rescind the guidance in the *2010 Clarification Order* regarding cost allocation requirements in the E-rate program (more formally known as the schools and libraries universal service support program). We have determined that it is in the best interest of the E-rate program and its participants to require E-rate recipients to cost allocate ineligible components that are bundled with eligible services and that may have been subject to the limited exemption provided by the guidance in the *2010 Clarification Order*. Any information

collected from applicants is limited to information explaining the cost allocation.

*I. Congressional Review Act*

36. The Bureau will include a copy of this Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act.

**IV. Ordering Clause**

37. Accordingly, *it is ordered*, that pursuant to the authority contained in sections 1 through 4, 254, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151 through 154, 254, and 303(r), and authority delegated in *Federal-State Joint Board on Universal Service*, CC Docket No. 96–45, Third Report and Order, 12 FCC Rcd 22485, 22488 through 89, paragraph 6 (1997), this Order *is adopted*, effective July 14, 2014.

Federal Communications Commission.

**Julie A. Veach,**

*Chief, Wireline Competition Bureau.*

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 64**

[WC Docket No. 12–375; FCC 13–113]

**Rates for Interstate Inmate Calling Services**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; announcement of effective date.

**SUMMARY:** On September 26, 2013, the Federal Communications Commission (Commission) released a Report and Order and Further Notice of Proposed Rulemaking, *Rates for Interstate Inmate Calling Services*, WC Docket No. 12–375, FCC 13–113, (Report and Order) which required, among other things, that all ICS providers comply with a one-time mandatory data collection provided in Section III.I of the Report and Order. This information collection requirement in the Report and Order required approval from the Office of Management and Budget (OMB). This document announces the approval of and effective date of the one-time mandatory data collection requirement.

**DATES:** The information collection requirement in Section III.I, published on November 13, 2013 (78 FR 67956), was approved by the OMB on June 2, 2014. Accordingly, the information

collection requirements provided in Section III.I of the Report and Order are effective June 12, 2014.

**FOR FURTHER INFORMATION CONTACT:** Lynne Hewitt Engledow, Wireline Competition Bureau, (202) 418-1520 or [lynne.engledow@fcc.gov](mailto:lynne.engledow@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Report and Order stated that the information collection requirements would be effective immediately upon announcement in the **Federal Register** of OMB approval. On June 2, 2014, OMB approved the information collection requirement contained in Section III.I of this Report and Order pursuant to OMB Control Number: 3060-1196, Inmate Calling Services (ICS) Data Collection. Accordingly, the information collection requirement contained in Section III.I of the Report and Order is effective June 12, 2014. The expiration date for the information collection is June 30, 2017. The Commission will announce, in a separate notice, the due date by which respondents must submit the required data.

Pursuant to the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3520, an agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. Notwithstanding any other provisions of law, no person shall be subject to any penalty for failing to comply with the collection of

information subject to the Paperwork Reduction Act that does not display a valid control number. Questions concerning this information collection, 3060-1196, should be directed to Leslie F. Smith, Federal Communications Commission at (202) 418-0217 or [leslie.smith@fcc.gov](mailto:leslie.smith@fcc.gov).

The total annual reporting burdens and costs for the respondents are as follows:

*OMB Control Number:* 3060-1196.

*OMB Approval Date:* June 2, 2014.

*OMB Expiration Date:* June 30, 2017.

*Title:* Rates for Inmate Calling Services Data Collection.

*Form Number:* N/A.

*Respondents:* Business or other for profit, federal government.

*Number of Respondents and Responses:* 25 respondents; 25 responses.

*Estimated Time per Response:* 90 hours.

*Frequency of Response:* One-time reporting requirement and one-time recordkeeping requirement.

*Obligation to Respond:* Required to obtain or maintain benefits.

*Total Annual Burden:* 2,250 hours.

*Total Annual Cost:* None.

*Nature and Extent of Confidentiality:* The Commission anticipates providing confidential treatment for proprietary information submitted by ICS providers. Parties that comply with the terms of a protective order for the proceeding will

have an opportunity to comment on the data.

*Needs and Uses:* The Commission's Report and Order required that all inmate calling service (ICS) providers comply with a one-time mandatory data collection. The Report and Order requires ICS providers to submit data on the costs of providing interstate, intrastate toll, and local ICS. Data required to be submitted include data on the costs of telecommunications service, interconnection fees, equipment investment, installation and maintenance, security, ancillary services, and other costs. Providers will also be required to provide certain related rate, demand, and forecast data. The data will be used to inform the Commission's evaluation of rate reform options in the FNPRM, to enable the Commission to transition from interim rate reform to permanent rate reform, and to enable the Commission to discharge its core responsibility of ensuring just, reasonable and fair rates as required by sections 201 and 276 by ensuring ICS rates are just, reasonable, and fair pursuant to sections 201(b) and 276 of the Communications Act of 1934, as amended.

Federal Communications Commission.

**Sheryl Todd,**

*Deputy Secretary.*

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