

**SUPPLEMENTARY INFORMATION:** This is a summary of the *Second Order on Reconsideration of the Second Report and Order* released on March 26, 2008. The complete text of the *Second Order on Reconsideration of the Second Report and Order* is available for public inspection and copying from 8 a.m. to 4:30 p.m. ET Monday through Thursday or from 8 a.m. to 11:30 a.m. ET on Fridays in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The *Second Order on Reconsideration of the Second Report and Order* may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-488-5300, facsimile 202-488-5563, or you may contact BCPI at its Web site: <http://www.BCPIWEB.com>. When ordering documents from BCPI, please provide the appropriate FCC document number, for example, FCC 08-92. The *Second Order on Reconsideration of the Second Report and Order* is also available on the Internet at the Commission's Web site: <http://wireless.fcc.gov/auctions>.

#### Overview

1. The *Second Order on Reconsideration of the Second Report and Order* formally denies a Petition for Expedited Reconsideration (Petition) filed by Council Tree Communications, Inc., Bethel Native Corporation, and the Minority Media and Telecommunications Council (collectively, the Joint Petitioners).
2. The Petition sought reconsideration of various Commission decisions made in the *Second Report and Order* released on April 25, 2006, FR 71, 26245 (May 4, 2006), which modified the Commission's part 1 competitive bidding rules governing designated entities, including rules on eligibility for benefits and unjust enrichment. Joint Petitioners filed their Petition on May 5, 2006. On June 2, 2006, prior to the deadline for filing petitions for reconsideration of the *Second Report and Order*, the Commission released, *sua sponte*, an *Order on Reconsideration*, FR 71 34262 (June 14, 2006), which considered and rejected the arguments included in the Petition without formally denying the Petition.
3. In a July 2006 letter to the Commission, Joint Petitioners stated that the Commission had already decided the merits of the Petition and that the Joint Petitioners were no longer

seeking reconsideration. Accordingly, Joint Petitioners asked that the Commission formally dispose of their Petition in order to take the *de jure* action already taken *de facto* by the Commission. The Commission agreed with Joint Petitioners that it had already decided the merits of the Petition in the *Order on Reconsideration* and that the *Order on Reconsideration* had conclusively rejected the Joint Petitioners' legal arguments.

4. Accordingly, *it is ordered* that pursuant to Sections 4(i), 5(b), 5(c)(1), 303(r), and 309(j) of the Communications Act, as amended, 47 U.S.C. 154(i), 155(b), 155(c)(1), 303(r), and 309(j), the Petition is hereby *denied*.

Federal Communications Commission.

**Marlene H. Dortch,**  
Secretary.

[FR Doc. E8-7058 Filed 4-3-08; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Agency Information Collection Activities: Proposed Collection Renewals; Comment Request

**AGENCY:** Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Notice and request for comment.

**SUMMARY:** The FDIC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on continuing information collections, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35). Currently, the FDIC is soliciting comments concerning the following collections of information titled: "Flood Insurance," OMB No. 3064-120, and "Forms Relating to Processing Deposit Insurance Claims," OMB No. 3064-0143.

**DATES:** Comments must be submitted on or before June 3, 2008.

**ADDRESSES:** Interested parties are invited to submit written comments to the FDIC by any of the following methods. All comments should refer to the name of the collection:

- <http://www.FDIC.gov/regulations/laws/federal/notices.html>.
- E-mail: [comments@fdic.gov](mailto:comments@fdic.gov).

Include the name of the collection in the subject line of the message.

- Mail: Leneta G. Gregorie (202-898-3719), Counsel, Room F-1064, Federal

Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429.

- **Hand Delivery:** Comments may be hand-delivered to the guard station at the rear of the 17th Street Building (located on F Street), on business days between 7 a.m. and 5 p.m.

A copy of the comments may also be submitted to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Leneta G. Gregorie, at the telephone number and address identified above.

#### SUPPLEMENTARY INFORMATION:

*Proposal to renew the following currently approved collections of information:*

1. **Title:** Flood Insurance.  
**OMB Number:** 3064-0120.  
**Frequency of Response:** On occasion.  
**Affected Public:** Any depository institution that makes one or more loans to be secured by a building located on property in a special flood hazard area.  
**Estimated Number of Respondents/Recordkeepers:** 5,272.  
**Estimated Number of Transactions:** 180,000.  
**Estimated Reporting Hours:** .05 hours × 180,000 = 9,000.  
**Estimated Recordkeeping Hours:** 1 hour × 5,272 hours = 5,272 hours.  
**Estimated Total Annual Reporting and Recordkeeping Burden Hours:** 5,272 + 9,000 = 14,272 hours.  
**General Description of Collection:** Each supervised lending institution is currently required to provide a notice of special flood hazards to each borrower with a loan secured by a building or mobile home located or to be located in an area identified by the Director of the Federal Emergency Management Administration as being subject to special flood hazards. The Riegle Community Development Act requires that each institution must also provide a copy of the notice to the servicer of the loan (if different from the originating lender).
2. **Title:** Forms Relating to Processing Deposit Insurance Claims.  
**OMB Number:** 3064-0143.  
**Frequency of Response:** On occasion.  
**Affected Public:** Deposit brokers and depositors of failed insured institutions.  
**Estimated Number of Respondents:** 5,236 (see chart below).  
**Total Annual Burden:** 2,875 hours (see chart below).

BURDEN ESTIMATE, COMBINED DEPOSIT BROKERS AND INDIVIDUALS  
 [Frequency of response: Occasional]

Form No.	Form title	Hours	Respondents	Burden hours
7200/03	Declaration for Testamentary Deposit (Single Grantor)	.50	1,000	500
7200/04	Declaration for Public Unit Deposit	.50	500	250
7200/05	Declaration for Trust	.50	1,100	550
7200/06	Declaration of Independent Activity	.50	25	12.5
7200/07	Declaration of Independent Activity for Unincorporated Association.	.50	25	12.5
7200/08	Declaration for Joint Ownership Deposit	.50	25	12.5
7200/09	Declaration for Testamentary Deposit (Multiple Grantors)	.50	500	250
7200/10	Declaration for Defined Contribution Plan	1.0	50	50
7200/11	Declaration for IRA/KEOGH Deposit	.50	50	25
7200/12	Declaration for Defined Benefit Plan	1.0	200	200
7200/13	Declaration of Custodian Deposit	.50	50	25
7200/14	Declaration for Health and Welfare Plan	1.0	200	200
7200/15	Declaration for Plan and Trust	.50	1,300	650
Subtotal			5,025	2,738

BURDEN ESTIMATE, DEPOSIT BROKERS ONLY

	Burden per response	Number of responses	Burden hours
Deposit Broker Submission Checklist .... Diskette, following "Broker Input File Requirements."	5 minutes	70	6
	The burden will vary depending on the broker's number of brokered accounts..		
	45 minutes	53 responses (75% of 70 annual responses).	40
	5 hours	18 responses (25% of 70 annual responses).	90
Exhibit B, the standard agency agreement, or the non-standard agency agreement.	1 minute	70	1
	Subtotal	211	137

**General Description of Collection:**  
 When an insured institution is closed by its primary regulatory authority, the FDIC has the responsibility to pay the insured claims of the failed bank depositors pursuant to sections 11(a) and (f) of the Federal Deposit Insurance Act (FDI Act), 12 U.S.C. 1821 (a) and (f), and the FDIC's regulation on "Deposit Insurance Coverage," 12 CFR part 330.

Generally, deposits are insured to a maximum of \$100,000. This maximum coverage is based on "ownership rights and capacities." All deposits that are maintained in the same right and capacity are added together and insured up to \$100,000 in accordance with the regulations relating to deposit insurance of that particular deposit insurance ownership category. Deposits held in different ownership categories are eligible for \$100,000 coverage per category. For example, as a general rule, single-ownership accounts are separately insured from trust accounts held for qualified beneficiaries.

At the time of closing, the FDIC is provided information about customer accounts through the failed institution's records. Based on the institution's

records, the FDIC makes preliminary determinations about insurance coverage for each depositor. Depositors initially deemed to be uninsured because their deposits are over \$100,000 may be qualified for additional insurance coverage if they can provide documents certifying to the existence of varying ownership rights and capacities.

a. *General Deposit Accounts.* The forms, declarations, and affidavits in this collection facilitate customers providing the FDIC with the information that may permit a more comprehensive deposit insurance determination.

b. *Deposit Brokers.* A failed institution's account records may not reveal the actual owner(s) of a particular deposit account. Rather, the account records may indicate that the deposit was placed at the institution by a deposit broker on behalf of one or more third parties. In some cases, the broker's customer may not be an actual owner of the deposit but merely a "second-tier" deposit broker with its own customers. In turn, these customers could be "third-tier" deposit brokers with their own customers. Deposits held in the name of a deposit broker on behalf of

clients are covered by federal deposit insurance (up to the \$100,000 limit) the same as if the broker's clients had deposited the funds directly into the institution (assuming that the clients are the actual owners of the deposit). This is called "pass-through" deposit insurance coverage.

In order to analyze ownership interest and provide pass-through insurance coverage, the FDIC must obtain certain information from both first and lower-tier deposit brokers: (1) Evidence that each deposit broker is not an owner but an agent or custodian with respect to some or all of the funds at issue; (2) a list of all parties for whom each deposit broker acted as agent or custodian; and (3) the dollar amount of funds held by each deposit broker for each such party as of the date of the depository institution's failure.

**Request for Comment**

*Comments are invited on:* (a) Whether this collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection,

including the validity of the methodologies and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the collection should be modified prior to submission to OMB for review and approval. Comments submitted in response to this notice also will be summarized or included in the FDIC's requests to OMB for renewal of these collections. All comments will become a matter of public record.

Dated at Washington, DC, this 1st day of April, 2008.

Federal Deposit Insurance Corporation.

**Robert E. Feldman,**

*Executive Secretary.*

[FR Doc. E8-7003 Filed 4-3-08; 8:45 am]

BILLING CODE 6714-01-P

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## FEDERAL RESERVE SYSTEM

### Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** Board of Governors of the Federal Reserve System (Board).

**ACTION:** Notice of information collection to be submitted to OMB for review and approval under the Paperwork Reduction Act of 1995.

**SUMMARY:** In accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Board, the Federal Deposit Insurance Corporation (FDIC), and the Office of the Comptroller of the Currency (OCC) (collectively, the "agencies") may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number.

On January 15, 2008, the Board, under the auspices of the Federal Financial Institutions Examination Council (FFIEC) and on behalf of the agencies, published a notice in the **Federal Register** (73 FR 2491) requesting public comment for 60 days to extend, with revision, the Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks (FFIEC 002) and the Report of Assets and Liabilities of a Non-U.S. Branch That Is Managed

or Controlled by a U.S. Branch or Agency of a Foreign (Non-U.S.) Bank (FFIEC 002S), which are currently approved information collections. The comment period for this notice expired on March 17, 2008. After receiving four comment letters, the FFIEC and the agencies have made no modifications to the proposal, but are delaying implementation to September 30, 2008, except for certain changes for which a transition period begins June 30, 2008. The Board hereby gives notice that it plans to submit to OMB on behalf of the agencies a request for approval of the FFIEC 002 and the FFIEC 002S.

**DATES:** Comments must be submitted on or before May 5, 2008.

**ADDRESSES:** Interested parties are invited to submit written comments to the agency listed below. All comments, which should refer to the OMB control number, will be shared among the agencies. You may submit comments, identified by FFIEC 002 (7100-0032) or FFIEC 002S (7100-0273), by any of the following methods:

- *Agency Web Site:* <http://www.federalreserve.gov>. Follow the instructions for submitting comments on the <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>.
- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *E-mail:* [regs.comments@federalreserve.gov](mailto:regs.comments@federalreserve.gov).

Include the OMB control number in the subject line of the message.

- *Fax:* 202-452-3819 or 202-452-3102.
- *Mail:* Jennifer J. Johnson, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, NW., Washington, DC 20551.

All public comments are available from the Board's Web site at [www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm](http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm) as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper in Room MP-500 of the Board's Martin Building (20th and C Streets, NW.) between 9 a.m. and 5 p.m. on weekdays.

Additionally, commenters should send a copy of their comments to the Desk Officer for the agencies by mail to U.S. Office of Management and Budget, 725 17th Street NW., #10235, Washington, DC 20503 or by fax to 202-395-6974.

**FOR FURTHER INFORMATION CONTACT:**

Additional information or a copy of the

collection may be requested from Michelle Shore, Federal Reserve Board Clearance Officer, 202-452-3829, Division of Research and Statistics, Board of Governors of the Federal Reserve System, 20th and C Streets, NW., Washington, DC 20551. Telecommunications Device for the Deaf (TDD) users may call 202-263-4869, Board of Governors of the Federal Reserve System, 20th and C Streets, NW., Washington, DC 20551.

**SUPPLEMENTARY INFORMATION:**

*Proposal to request approval from OMB of the extension for three years, with revision, of the following currently approved collections of information:*

*Report Titles:* Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks; Report of Assets and Liabilities of a Non-U.S. Branch that is Managed or Controlled by a U.S. Branch or Agency of a Foreign (Non-U.S.) Bank Form Numbers: FFIEC 002; FFIEC 002S.

*OMB Numbers:* 7100-0032; 7100-0273.

*Frequency of Response:* Quarterly.

*Affected Public:* U.S. branches and agencies of foreign banks.

*Estimated Number of Respondents:* FFIEC 002-264; FFIEC 002S-65.

*Estimated Average Time per Response:* FFIEC 002-25 hours; FFIEC 002S-6 hours.

*Estimated Total Annual Burden:* FFIEC 002-26,400 hours; FFIEC 002S-1,560 hours.

*General Description of Reports:* These information collections are mandatory: 12 U.S.C. 3105(c)(2), 1817(a)(1) and (3), and 3102(b). Except for select sensitive items, the FFIEC 002 is not given confidential treatment; the FFIEC 002S is given confidential treatment [5 U.S.C. 552(b)(4)].

*Abstract:* On a quarterly basis, all U.S. branches and agencies of foreign banks are required to file the FFIEC 002, which is a detailed report of condition with a variety of supporting schedules. This information is used to fulfill the supervisory and regulatory requirements of the International Banking Act of 1978. The data are also used to augment the bank credit, loan, and deposit information needed for monetary policy and other public policy purposes. The FFIEC 002S is a supplement to the FFIEC 002 that collects information on assets and liabilities of any non-U.S. branch that is managed or controlled by a U.S. branch or agency of the foreign bank. (Managed or controlled means that a majority of the responsibility for business decisions, including but not limited to decisions with regard to lending or asset management or funding or liability management, or the