

SUMMARY: This document revises rules to allow for electronic filing of forms by Multichannel Video Programming Distributors ("MVPDs") via the Cable Operations And Licensing System ("COALS"). When COALS, currently being completed, is fully implemented MVPDs will be able to file over the Internet cable community registrations, aeronautical frequency notifications, operational change information, cable television system reports, annual signal leakage reports, and Cable Television Relay Service (CARS) applications. Electronic filing of each type of data will become mandatory 6 months after the Commission has determined that the form for collecting it has been reliably automated. This action includes providing forms for information previously submitted by letter and simplifying the CARS license application.

DATES: These rules contain information collection requirements that have not been approved by OMB. The Federal Communications Commission will publish a document in the **Federal Register** announcing the effective date of these rules. Public and agency comments are due July 18, 2003.

FOR FURTHER INFORMATION CONTACT: Wayne T. McKee, 202-418-2355, or Michael Lance, 202-418-7014. For additional information concerning the information collection(s) contained in this document, contact Judith B. Herman at 202-418-0214, or via the Internet at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order (R&O) in CS Docket No. 00-78; FCC 03-55, adopted March 13, 2003, and released March 19, 2003. The complete text of this R&O is available for inspection and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, SW., Washington, DC, and also may be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail at qualexint@aol.com. Alternative formats (computer diskette, large print, audio cassettes, and Braille) are available to persons with disabilities by contacting Brian Millin at 202-418-7426, TTY 202-418-7365, or at bmillin@fcc.gov. In addition to filing comments with the Office of the Secretary, a copy of any comments on the information collection(s) contained herein should be submitted to Judith B. Herman, Federal Communications Commission, Room 1-C804, 445 12th

Street, SW., Washington, DC 20554, or via the Internet to jboley@fcc.gov.

The Notice of Proposed Rule Making (NPRM) in this proceeding may be found at 65 FR 48211, August 7, 2000.

Synopsis of the Report and Order

This Report and Order revises our rules governing the filing of the majority of forms filed by the public for the Multichannel Video and Cable Television Service ("MVCTS") and applications in the Cable Television Relay Service ("CARS"). In addition to the CARS microwave applications, these forms include cable television operator registrations, change of operational information, cable television system reports, aeronautical frequency usage filings, and annual signal leakage reports. These rule changes facilitate our implementation of the Cable Operations and Licensing System ("COALS") and will allow for a new electronic filing system. This action will reduce the effort for Multichannel Video Programming Distributors ("MVPDs") to file applications, reports, and other documents. It will also enhance the availability to the industry and the public of cable system and multichannel video programming systems information. This action is also another step for the Commission in complying with Government Paperwork Elimination Act.

Use of COALS will become mandatory in phases as the Commission verifies its reliability for filing each form. Thus, electronic filing of each form will be made mandatory six months after the Commission announces that the software for filing that form is available. The Commission will publish by Public Notice the date on which mandatory filing will begin. In cases where filers can show that electronic filing will work a hardship on them, the Commission will consider waivers of the mandatory filing requirement.

This Report and Order also makes modifications to procedural rules for filings by MVPDs. It redefines major and minor modifications of CARS stations and license applications. It also requires that geographic coordinates be given using the 1983 North American Datum (NAD83).

This Report and Order contains new or modified information collection(s) subject to the Paperwork Reduction Act of 1995 (PRA), Pub. L. 104-13. It will be submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the PRA. OMB, the general public, and other Federal agencies are invited to comment on the new or modified information

collection(s) contained in this proceeding.

Paperwork Reduction Act

This Report and Order contains a modified information collection. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public to comment on the information collection(s) contained in this Report and Order as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13.

Final Regulatory Flexibility Analysis

As required by the Regulatory Flexibility Act of 1980, as amended ("RFA"), an Initial Regulatory Flexibility Analysis ("IRFA") was incorporated in the Notice of Proposed Rulemaking ("NPRM") in CS Docket No. 00-78, FCC 00-165. The Commission sought written public comment on the proposals in the Notice, including comment on the IRFA. This present Final Regulatory Flexibility Analysis ("FRFA") conforms to the RFA.

A. Need for, and Objectives of, This Report and Order

We revise our rules governing the filing of forms and applications for the Multichannel Video and Cable Television Services. These include applications in the Cable Television Relay Service (CARS microwave applications), cable television operator registrations, and aeronautical frequency usage filings. These rule changes are designed to facilitate our implementation of electronic filing via the new Cable Operations And Licensing System ("COALS"). We undertake implementation of the COALS electronic filing system so that cable services applicants and associated parties may file documents with greater speed and efficiency. Because it is available over the Internet and is fully searchable, the system will also make license and cable operational information more accessible to the Commission's staff, the MVPD industry, and the general public. Furthermore, it is expected that the cost of filing applications or obtaining information will be reduced.

B. Summary of Significant Issues Raised by Public Comments in Response to IRFA

No one commented in direct response to the IRFA. We received only one comment in the proceeding—from the National Cable Telecommunications Association ("NCTA"). That comment did address the issue of the burden on small entities that would result if we decide to make electronic filing