

contract; addition or deletion of a shipper entitled to access the service contract; and modification of the duration or minimum quantity commitment of the contract. This is not an exhaustive list, but instead serves as a specific example for general guidance. These and other similar types of changes should continue to be made as "amendments" under 46 CFR 530.10(b) or, if retroactivity is deemed necessary, by filing a request for permission to correct a clerical or administrative error in the terms of a filed service contract under 46 CFR 530.10(c).

Corrections to an initial filing are allowed within 48 hours from the time and date of receipt recorded in SERVCON (excluding Saturdays, Sundays and legal public holidays). For example, an initial filing received at 5 p.m. on a Friday must be corrected before 5 p.m. the following Tuesday. The SERVCON system currently has and will continue to have the ability to identify such corrected service contract filings. The Bureau of Trade Analysis will monitor the use of the correction process; any abuse of the limited permission in the rule would be considered a violation of the Commission's regulations.

Under this new rule, the SERVCON system will be modified to accept only corrected service contracts that the filer identifies as such and for which the filer provides a description of the changes being made by the correction process. A new field will be added to the online filing system as a checkbox for the filer to identify the submission as a corrected service contract. If the filer fails to use this new checkbox, the contract will be rejected because the SERVCON system will not accept service contracts that have duplicate file names or service contract or amendment numbers. The system also will flag resubmitted contracts and will give a unique internal file name to the corrected transmission for FMC monitoring purposes. A new separate SERVCON field for filers to enter a description of the corrections being made will be provided.

The Commission has determined that it will not add a "withdrawal" function to the final rule as recommended by PCTB. The Commission's previous Automated Tariff Filing and Information ("ATFI") system did have a "withdrawal" function that permitted a filer to withdraw a service contract filing containing erroneous matter on the same date that it was filed and allowed the re-filing of the appropriate copy. That "withdrawal" function was eliminated when the ATFI system was discontinued September 30, 1999. Presumably, filers have been

accomplishing any needed "withdrawals" of service contracts by filing an amendment to cancel an unintentionally filed document, which is permitted under 46 CFR 530.10(b). Therefore, even though the final rule does not permit reuse of the service contract number and file name, or the complete withdrawal of an unintended contract filing as suggested by PCTB, the Commission does not believe it is necessary to add a separate "withdrawal" feature to the SERVCON system. The 48-hour window to correct a transmission error contained in the final rule, 46 CFR 530.10(d), adequately provides an opportunity for filers to address erroneous service contract filings. For example, under the final rule the SERVCON system will accept a correction via the Corrected Transmission ("CT") function to allow an erroneous service contract number, organization number, or document file name on an initial contract filing to be corrected.

List of Subjects in 46 CFR Part 530

Freight, Maritime carriers, Reporting and record keeping requirements.

■ For the reasons discussed in the preamble, the Commission is adding a new paragraph (d) in 46 CFR part 530, subpart B, section 530.10, as follows:

PART 530—SERVICE CONTRACTS

■ 1. The authority citation for part 530 continues to read as follows:

Authority: 5 U.S.C. 553; 46 U.S.C. app. 1704, 1705, 1707, 1716.

■ 2. Section 530.10 is amended by revising the section heading; by redesignating paragraphs (d) and (e) as paragraphs (e) and (f) and by adding a new paragraph (d) to read as follows:

§ 530.10 Amendment, correction, cancellation, and electronic transmission errors.

* * * * *

(d) *Electronic transmission errors.* An authorized person who experiences a purely technical electronic transmission error or a data conversion error in transmitting a service contract filing or an amendment thereto is permitted to file a Corrected Transmission ("CT") of that filing within 48 hours of the date and time of receipt recorded in SERVCON (excluding Saturdays, Sundays and legal public holidays). This time-limited permission to correct an initial defective service contract filing is not to be used to make changes in the original service contract rates, terms or conditions that are otherwise provided for in paragraphs 530.10(b) and (c) of this section. The CT tab box

in SERVCON must be checked at the time of resubmitting a previously filed service contract, and a description of the corrections made must be stated at the beginning of the corrected service contract in a comment box. Failure to check the CT box and enter a description of the correction will result in the rejection of a file with the same name, since documents with duplicate file names or service contract and amendment numbers are not accepted by SERVCON.

By the Commission.

Bryant L. VanBrakle,
Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 69

[CC Docket Nos. 96-262, 94-1, 99-249, 96-45 FCC 03-139]

Access Charge Reform; Price Cap Performance Review for Local Exchange Carriers; Assessment of Presubscribed Interexchange Carrier Charges of Public Payphones

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document the Commission modified its rules so that payphone lines are no longer subject to the PICC (Presubscribed Interexchange Carrier Charge). This action is necessary because the Commission determined that eliminating the PICC for payphone lines is more consistent with section 276 of the Act. To ensure compliance with the anti-subsidization and anti-discrimination provisions of section 276 of the Act, the Commission determined that payphone line rates should be set according to the cost-based new services test. Because the multi-line business PICC is a subsidy from multi-line business lines to residential and single-line business lines whose subscriber line charge (SLC) rates are capped by the Commission's rules, the PICC is not cost-based and so it does not comply with the new services test. The intended effect of this action is to exempt payphones lines from the PICC.

DATES: Effective October 1, 2003.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order on Reconsideration, FCC 03-139 in CC