requirements which have subsequently changed; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: Flexible polyurethane foam fabrication facilities.

Estimated Number of Respondents: 11.

Frequency of Response: Initially, occasionally, semiannually, and annually.

Estimated Total Annual Hour Burden: 12,303.

Estimated Total Annual Cost: $1,004,834, which includes: labor costs of $1,002,163, annualized capital/startup costs of $997, and $1,674 in O&M costs.

Changes in the Estimates: There is no change in the total estimated burden currently identified in the OMB Inventory of Approved ICR Burdens. Apparent differences of less than 500 hours are attributable to rounding; in previous years, hours were rounded to the nearest thousand; this ICR presents more exact figures.

Dated: January 13, 2009.

John Moses,

Acting Director, Collection Strategies Division.

[FR Doc. E9–1169 Filed 1–21–09; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK OF THE UNITED STATES

Economic Impact Policy

This notice is to inform the public that the Export-Import Bank of the United States has received an application for a $453 million direct loan to support the U.S. export of approximately $372 million worth of mining equipment and services for a mining project in the Dominican Republic. The U.S. exports will enable the company in the Dominican Republic to produce approximately 28.35 metric tons of gold and 140 metric tons of silver per year on average during the 11-year repayment term of the loan. Available information indicates that most of this new gold and silver production will be sold internationally. Interested parties may submit comments on this transaction by e-mail to *economic.impact@exim.gov* or by mail to 811 Vermont Avenue, NW., Room 1238, Washington, DC 20571, within 14 days of the date this notice appears in the **Federal Register**.

Helene S. Walsh,

Vice-President, Policy Analysis Division.

[FR Doc. E9–1164 Filed 1–21–09; 8:45 am]

BILLING CODE 6690–01–P

FEDERAL COMMUNICATIONS COMMISSION

[MB Docket No. 08–214; DA 08–2819]

NFL Enterprises LLC, Complainant v. Comcast Cable Communications, LLC, Defendant; File No. CSR–7876–P

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document finds that the Administrative Law Judge exceeded his authority by setting a hearing date beyond the 60-day deadline specified in the Hearing Designation Order for issuing a recommended decision regarding the above-captioned program carriage dispute and orders that the Media Bureau will proceed to resolve this dispute without the benefit of a recommended decision from the ALJ.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: For additional information on this proceeding, contact Steven Broeckaert, *Steven.Broeckaert@fcc.gov,* or David Konczal, *David.Konczal@fcc.gov,* of the Media Bureau, Policy Division, (202) 418–2120.

SUPPLEMENTARY INFORMATION: This is a summary of the Memorandum Opinion and Order, DA 08–2819, adopted and released on December 31, 2008. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street, SW., CY–A257, Washington, DC 20554. This document will also be available via ECFS (*http://www.fcc.gov/cgb/ecfs/*). (Documents will be available electronically in ASCII, Word 97, and/or Adobe Acrobat.) The complete text may be purchased from the Commission's copy contractor, 445 12th Street, SW., Room CY–B402, Washington, DC 20554. To request this document in accessible formats (computer diskettes, large print, audio recording, and Braille), send an e-mail to *fcc504@fcc.gov* or call the Commission's Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

Synopsis of the Order

1. On October 10, 2008, the Media Bureau issued a *Memorandum Opinion and Hearing Designation Order* (''HDO'') in the above captioned matter. 73 FR 65312, November 3, 2008. The HDO, among other things, referred certain program carriage disputes, including the above-captioned matter, to an Administrative Law Judge (''ALJ'') to resolve factual disputes as to whether the defendant cable operators had discriminated against the complainant video programmers or required a financial interest in the complainant video programmer's programming as a condition for carriage in violation of the Commission's program carriage rules. 73 FR 65312, 65322, 65323, November 3, 2008. The HDO ordered the ALJ to make and return a recommended decision to the Commission within 60 days of the release date of the HDO, *i.e.*, by December 9, 2008. Unfortunately, the ALJ has not issued a recommended decision by the deadline but, instead, has set a date to begin a hearing more than three months past the HDO's deadline without indicating when a recommended decision will be released. *Herring Broadcasting, Inc.* v. *Time Warner Cable Inc. et al.*, Order, MB Docket No. 08–214, FCC 08M–50 (rel. Dec. 2, 2008).

2. On December 24, 2008, the Media Bureau issued a *Memorandum Opinion and Order* (the ''*Dec. 24th MO&O*'') finding that the ALJ exceeded his authority by setting a hearing date beyond the HDO's 60-day deadline for issuing a recommended decision. *In the Matter of Herring Broadcasting Inc., d/b/a WealthTV, et al.*, Memorandum Opinion and Order, DA 08–2805, MB Docket 08–214 (rel. Dec. 24, 2008), at ¶¶ 2, 14–16 (''*Dec. 24th MO&O*''). In the *Dec. 24th MO&O,* the Media Bureau stated that the ALJ's limited authority to consider these matters extended through December 9, 2008. *See id.* The Media Bureau noted that this deadline has passed, and the ALJ's delegated authority over these hearing matters has thus expired under the terms of the HDO. *See id.* While the above-captioned matter was not included in the caption of the *Dec. 24th MO&O,* NFL Enterprises, LLC has filed a Motion for Clarification arguing that the logic and reasoning of that decision applies equally to the above-captioned matter. *See* NFL Enterprises LLC, Motion for Clarification, MB Docket No. 08–214, File No. CSR–7876–P (filed Dec. 29, 2008). We agree and therefore the Media Bureau will proceed to resolve the above-captioned program carriage

dispute without the benefit of a recommended decision from the ALJ.

3. Accordingly, *It is ordered,* that the Hearing Designation Order for the above-captioned matter has *Expired,* the proceeding set for hearing before the Administrative Law Judge is *Terminated,* and the Media Bureau will proceed to resolve the above-captioned program carriage dispute.

4. *It is further ordered* that all parties to the above-captioned proceeding will be served with a copy of this Memorandum Opinion and Order by e-mail and by certified mail, return receipt requested.

5. *It is further ordered* that a copy of this Memorandum Opinion and Order or a summary thereof *Shall Be Published* in the **Federal Register**.

Federal Communications Commission.

Monica Shah Desai,

Chief, Media Bureau.

[FR Doc. E9–1172 Filed 1–21–09; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[RM No. 11510; DA 09–5]

Wireless Telecommunications Bureau Seeks Comment on Petition for Rulemaking To Transition Part 22 Cellular Services to Geographic Market-Area Licensing

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Federal Communications Commission (''Commission'') seeks comment on a Petition for Rulemaking (''Petition'') filed by CTIA—The Wireless Association (''CTIA'') on October 8, 2008, seeking to transition certain cellular licensing rules to a geographic market area-based license system.

DATES: Interested parties may file comments on or before February 23, 2009, and reply comments on or before March 9, 2009.

ADDRESSES: You may submit comments, identified by RM No. 11510, by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *Federal Communications Commission's Web Site: http://www.fcc.gov/cgb/ecfs/.* Follow the instructions for submitting comments.
- *Mail:* Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- *People with Disabilities:* Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by *e-mail: FCC504@fcc.gov* or phone: 202–418–0530 or TTY: 202–418–0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: Joyce Jones, Mobility Division, Wireless Telecommunications Bureau, at (202) 418–1327 or by e-mail to *joyce.jones@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Public Notice in RM No. 11510, DA 09–5, released on January 5, 2009. The full text of the Public Notice is available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. It also may be purchased from the Commission's duplicating contractor at Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554; the contractor's Web site, *http://www.bcpiweb.com*; or by calling (800) 378–3160, facsimile (202) 488–5563, or e-mail *FCC@BCPIWEB.com.* Copies of the Public Notice also may be obtained via the Commission's Electronic Comment Filing System (ECFS) by entering the docket number, WT Docket No. 08–165. Additionally, the complete item is available on the Commission's Web site at *http://www.fcc.gov.*

1. On October 8, 2008, CTIA filed a Petition for Rulemaking, seeking to transition part 22 cellular licensing to a geographic market area-based license system.[1] To effectuate this transition, CTIA proposes that the Commission re-issue all cellular licenses to ''incumbents'' on a Cellular Market Area (''CMA'') basis in place of their existing Cellular Geographic Service Area licenses, subject to two carve outs. First, cellular licensees in a CMA providing service using unserved area licenses would consult with the CMA license holder ''to determine each license's service area boundaries following the transition to digital service.'' Second ''incumbent'' cellular licensees providing service beyond the boundaries of their CMAs ''would consult with the CMA licensee of the affected market to establish service area boundaries'' and the ''incumbent's'' license would be modified to reflect these boundaries. In either instance, if the parties cannot reach agreement, CTIA proposes that the matter be referred to the Commission for adjudication. The Commission seeks comment on CTIA's Petition.

2. Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415 and 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using: (1) The Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: *http://www.fcc.gov/cgb/ecfs/* or the Federal eRulemaking Portal: *http://www.regulations.gov.* Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to *ecfs@fcc.gov*, and include the following words in the body of the message, ''get form.'' A sample form and directions will be sent in response.
- *Paper Filers:* Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service

[1] Cellular markets initially licensed more than five years ago are subject to the Commission's Unserved Area licensing rules, which require prior approval for new cellular systems, and expansions of existing systems, on a cell site-by-cell site basis. *See* 47 CFR 22.949 and 22.953.