§ 61.172 Changes to be incorporated in tariffs of successor carrier.

When only a portion of properties is transferred to a successor carrier, that carrier must incorporate in its tariff the rates applying locally between points in the transferred portion. Moreover, the predecessor carrier must simultaneously cancel the corresponding rates from its tariffs, and reference the FCC number of the successor carrier's tariff containing the rates that will thereafter apply.

§ 61.191 Carrier to file supplement when notified of suspension.

If a carrier is notified by the Commission that its tariff filing has been suspended, the carrier must file immediately a consecutively numbered supplement without an effective date, which specifies the schedules which have been suspended.

§ 61.192 Contents of supplement announcing suspension.

(a) A supplement announcing a suspension by the Commission must specify the term of suspension imposed by the Commission.

(b) A supplement announcing a suspension of either an entire tariff or a part of a tariff publication, must specify the applicable tariff publication effective during the period of suspension.

PART 62—APPLICATIONS TO HOLD INTERLOCKING DIRECTORATES

GENERAL

§ 62.1 Scope and method of securing authorization.

No person may hold the position of officer or director in more than one carrier subject to the Communications Act of 1934, as amended, unless duly authorized to do so pursuant to the regulations set forth in this part:

(a) Application must be made to hold interlocking positions with more than one carrier subject to the Act where any carrier sought to be interlocked has been found by the Commission to have market power and is therefore defined as a dominant carrier under 47 CFR part 61, or where any carrier has not yet been found to be non-dominant,
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§ 62.12 Information required for findings of common ownership.

Authorization to hold interlocking directorates based upon a finding of common ownership must be obtained where a carrier found to be dominant under 47 CFR part 61 or where any carrier not yet found to be non-dominant is involved. Each application for such authorization shall state the following:

(a) The name and address of the carrier which seeks a finding that it owns more than 50 percent of the stock of another or other carriers; or the name and address of the person who seeks a finding that he owns 50 percent or more of the stock of two or more carriers; and

(b) The name and address of each carrier with respect to which the finding is sought by the applicant; for each such carrier, the total number of outstanding shares of stock of each category (common, preferred, etc.); the voting rights of each category; for each category, the number of shares directly or indirectly owned by the applicant and the percentage of the total number of outstanding shares in each category so owned. Where ownership is indirect,
§ 62.21 Signature.

(a) The original application filed pursuant to §62.11, and any amendment or change in status, shall be signed by the individual applicant.

(b) The original application filed pursuant to §62.12 should be signed by the applicant, if an individual, or by a duly authorized officer, if a company or corporation.

§ 62.22 Form of application; number of copies; size of paper, etc.

The original application and two copies thereof shall be filed with the Commission. Each copy shall bear the dates and signatures that appear on the original and shall be complete in itself, but the signatures on the copies may be stamped or typed. The application shall be submitted in typewritten or printed form, on paper not more than 8 and 1/2 inches wide and not more than 11 inches long, with a left-hand margin of approximately 1 and 1/2 inches, and if typewritten, the impression must be on only one side of the paper and must be doubled spaced.

[52 FR 5294, Feb. 20, 1987]

§ 62.23 Additional or different positions with same companies.

If an applicant has been authorized by the Commission upon application filed pursuant to §62.11 to hold certain positions as officer or director of certain carriers and is subsequently elected or appointed, or anticipates election or appointment, to additional or different positions with one or more of the same carriers, he may report the change in the manner and form provided in §62.24 relating to “change in status”. Authorization for the holding of such additional or different positions shall be deemed granted as of the 15th day following the filing of such report, unless within that time the Commission shall call upon the applicant for additional information or for the filing of a formal application.

§ 62.24 Change in status; Commission to be informed.

Should any change occur in the status as reported under this part, the applicant shall report such change to the Commission within 30 days after such change occurs.

§ 62.25 Authorization to hold interlocking directorates in commonly owned carriers.

After the Commission has found upon application filed pursuant to §62.12 that two or more carriers are commonly owned carriers, any duly designated person is authorized hereby to be an interlocking director of two or more such carriers. However, the authorization herein granted to any interlocking director shall be automatically canceled with respect to any position held in any such carrier which at any time ceases to be a commonly owned carrier, without notice thereof by the Commission, either to the interlocking director, to the carrier, or to the person upon whose application a finding of common ownership was made. In event of such cancellation, the interlocking director shall immediately cease and desist from acting in that capacity with respect to the carrier which has ceased to be a commonly owned carrier until such time as appropriate authorization is obtained pursuant to this part.

§ 62.26 Reporting requirements.

All persons holding interlocking positions on more than one carrier subject to the Act, including positions upon a parent or holding company of a carrier, shall report to the Commission within 30 days of assumption of the interlocking positions, including the title of the position(s) held for each carrier (or holding or parent company of a carrier) represented. This subsection shall also apply to positions upon connecting carriers as defined in 47 U.S.C. 153(u), so long as the interlock with the connecting carriers also involves positions upon a fully subject carrier. This subsection shall not apply to persons who
must file applications pursuant to §§62.1(a), 62.12, and 62.25 hereof.


PART 63—EXTENSION OF LINES AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS

EXTENSIONS AND SUPPLEMENTS

Sec.
63.01 Contents of applications for domestic common carriers.
63.02 Special provisions relating to extensions involving small projects.
63.03 Special provisions relating to small projects for supplementing of facilities.
63.04 Special provisions relating to temporary or emergency service.
63.05 Commencement and completion of construction for domestic common carriers.
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63.07 Special procedures for non-dominant domestic common carriers.
63.08 Lines outside of a carrier’s exchange telephone service area.
63.10 Regulatory classification of U.S. international carriers.
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63.12 Streamlined processing of certain international facilities-based and resale applications.
63.13 Streamlined procedures for modifying regulatory classification of U.S. international carriers from dominant to non-dominant.
63.14 Prohibition on agreeing to accept special concessions.
63.15 Special procedures for international service providers.
63.17 Special provisions for U.S. international common carriers.
63.18 Contents of applications for international common carriers.
63.19 Special procedures for discontinuances of international services.
63.20 Copies required; fees; and filing periods for international service providers.
63.21 Conditions applicable to international Section 214 authorizations.

GENERAL PROVISIONS RELATING TO ALL APPLICATIONS UNDER SECTION 214

63.50 Amendment of applications.
63.51 Additional information.
63.52 Copies required; fees; and filing periods for domestic authorizations.
63.53 Form.

DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT

63.60 Definitions.
63.61 Applicability.
63.62 Type of discontinuance, reduction, or impairment of telephone or telegraph service requiring formal application.
63.63 Emergency discontinuance, reduction, or impairment of service.
63.65 Closure of public toll station where another toll station of applicant in the community will continue service.
63.66 Closure of or reduction of hours of service at telephone exchanges at military establishments.
63.71 Special procedures for discontinuance, reduction or impairment of service by domestic non-dominant carriers.
63.70 Notification of service outage.

CONTENTS OF APPLICATIONS; EXAMPLES

63.500 Contents of applications to dismantle or remove a trunk line.
63.501 Contents of applications to sever physical connection or to terminate or suspend interchange of traffic with another carrier.
63.504 Contents of applications to close a public toll station where no other such toll station of the applicant in the community will continue service and where telephone toll service is not otherwise available to the public through a telephone exchange connected with the toll lines of a carrier.
63.506 Contents of applications for any type of discontinuance, reduction, or impairment of telephone service not specifically provided for in this part.
63.601 Contents of applications for authority to reduce the hours of service of public coast stations under the conditions specified in §63.70.

REQUEST FOR DESIGNATION AS A RECOGNIZED PRIVATE OPERATING AGENCY

63.701 Contents of application.
63.702 Form.

AUTHORITY: 47 U.S.C. 151, 154(i), 154(j), 201-205, 218, 403 and 533, unless otherwise noted.

SOURCE: 28 FR 13229, Dec. 5, 1963, unless otherwise noted.