

benefit all stakeholders in the distribution chain. This information will help the Office understand how the video programming marketplace functions and the kinds of licensing arrangements that drive the online market.

Video-on-Demand. Over the past decade, cable operators have offered video-on-demand (“VOD”) services over their platforms. VOD allows subscribers to select and view individual television programs and movies, for free or for a fee, on an a la carte basis any time during the day. The Office seeks comment on how copyright owners license content for VOD distribution, and the extent to which it might obviate the need for continued operation of the section 111, 119 and 122 statutory licenses.

Linear Channel Packaging. DirecTV currently offers to its subscribers “The 101,” a satellite channel carrying older, or recently cancelled, broadcast and cable programming. In contrast to VOD, which permits subscribers to select and choose individual program offerings, the 101 is a linear channel designed and structured by DirecTV that is available to its customers on a 24 hour/7 days a week basis. The Office seeks comment on how DirecTV obtains and licenses content for The 101, and the extent to which such services might obviate the need for continued operation of the section 111, 119 and 122 statutory licenses.

Online Video. It is likely that more and more television programming will migrate to the Internet in the years ahead. Broadcast content is now widely available to consumers through streaming video services and per-program downloads available at Apple’s iTunes store and other outlets. In fact, some estimate that fifty percent of broadcast network content is available on online platforms the day after it airs on television.¹² Many of these shows have been available for free online for a number of years through Web services such as Hulu.com or directly from the network’s Web site. Is the television marketplace entering an era when the current statutory licenses are no longer needed because all broadcast programming is becoming available online?

In addition to the pantheon of free online video services, there are two burgeoning types of subscriber-based streaming television models that have gained notoriety in the marketplace. First is the “TV Everywhere” model

where cable/satellite subscribers who can confirm their TV subscription through an online registration process, can watch live cable programming on the Web just as it appears on TV for no additional charge.¹³ The second model is exemplified by online subscription services such as Hulu Plus and Netflix that allow subscribers to watch television shows and motion pictures online by paying a monthly fee directly to the service, without the need to be a cable or satellite subscriber.¹⁴ And, it is worth noting that the broadcast industry is also taking part in the development of a secured online distribution system, powered by Syncbak, which will enable the online viewing of local television signals in their local markets.¹⁵

Questions for the public. The Office seeks comment on how broadcast content is licensed for distribution over the Internet and what types of business models are likely to succeed in the online space. Further, the Office seeks comment on whether the TV Everywhere effort and popular services, such as Hulu and Netflix, will eventually offer live broadcast signals to their subscribers with a broadband connection. If so, we ask what licensing models might be used to clear the public performance rights for programs carried by television broadcast stations for online distribution, by aggregators like Hulu, or through technological solutions, as exemplified by Syncbak, and whether these alternative means of obtaining access to broadcast programming will vitiate the rationale underlying the Section 111, 119 and 122 statutory licenses.

IV. Conclusion

The Office hereby seeks comment from the public on the factual and

¹³ Comcast will begin to stream live content from Time Warner’s cable networks later this year under their TV Everywhere licensing agreement. See Todd Spangler, *Comcast, Turner Broaden TV Everywhere Pact to Cover Live Streaming*, <http://www.broadcastingcable.com> (Feb. 2, 2011). There are no press reports indicating whether or when cable operators will be carrying broadcast content under the TV Everywhere plan.

¹⁴ Hulu management has recently discussed recasting the service as an “online cable operator” that would use the Internet to send live television channels and video-on-demand content to subscribers. See Sam Schechner and Jessica Vascellaro, *Hulu Reworks Its Script as Digital Change Hits TV*, *Wall Street Journal*, January 27, 2011.

¹⁵ Syncbak’s proprietary authentication technology synchronizes broadband and broadcast delivery of television, creating a means for viewers to watch broadcast content in real-time on any broadband enabled device. See <http://www.syncbak.com>. Syncbak offers a technical solution to the Internet delivery of broadcast stations; it is not an agent for clearing the public performance rights for programs carried on such stations.

policy matters related to the study mandated by Section 302 of the Satellite Television Extension and Localism Act of 2010. If there are any additional pertinent issues not discussed above, the Office encourages interested parties to raise those matters in their comments. In addition, the Office is considering having a roundtable or formal hearing on the matters raised in this NOI in June 2011. An announcement of such a proceeding, if it were to occur, will be provided by public notice in the future.

Dated: February 25, 2011.

Maria A. Pallante,

Acting Register of Copyrights.

[FR Doc. 2011–4717 Filed 3–2–11; 8:45 am]

BILLING CODE 4110–30–P

NATIONAL SCIENCE FOUNDATION

Submission for OMB Review; Comment Request Survey of Principal Investigators on Earthquake Engineering Research Awards Made by the National Science Foundation, 2003–2009

SUMMARY: Under the provisions of Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Science Foundation has submitted to the Office of Management and Budget (OMB) a request to review and approve the information collection listed below. This proposed information collection was previously published in the **Federal Register** on October 22, 2010 (volume 75, number 204, page 65385) and allowed 60-days for public comment. No comments were received from members of the public. The purpose of this notice is to allow an additional 30 days for public comment.

Request for Comments: Written comments and/or suggestions from the public and affected agencies are invited on one or more of the following points: (1) Whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (2) the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

¹² *How Much Network Programming Was Actually “On Online” This Season?* Clicker Blog, <http://www.clicker.com> (July 13, 2010).

Comments: Written comments and/or suggestions regarding the item(s) contained in this notice, especially regarding the estimated public burden and associated response time, should be directed to the: Office of Management and Budget, Office of Regulatory Affairs, *OIRA_submission@omb.eop.gov* or by fax to 202-395-6974, Attention: Desk Officer for NSF. To request more information on the proposed project or to obtain a copy of the data collection plans and instruments, contact Dr. Joy Pauschke, National Science Foundation, Suite 545, 4201 Wilson Blvd, Arlington, VA, 22230, or call non-toll-free number 703-292-8360, or e-mail your request, including your address to: *jpauschk@nsf.gov*.

Comments Due Date: Comments regarding this information collection are best assured of having their full effect if received within 30 days of the date of this publication. NSF may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Proposed Collection: Title: Survey of Principal Investigators on Earthquake Engineering Research Awards Made by the National Science Foundation, 2003-2009. *Type of Information Collection Request:* New collection. *Need and Use of Information Collection:* At the end of fiscal year 2014, NSF will have completed ten years of support for operations and research of the George E. Brown, Jr. Network for Earthquake Engineering Simulation (NEES). The purpose of the proposed information collection is to inform decision making about the need for multi-user earthquake engineering research infrastructure beyond 2014. The proposed data collection will consist of a survey of Principal Investigators on NSF earthquake engineering research awards, including but not limited to research awards made by the NEES program to facilitate use of the NEES network and infrastructure. Categories of information to be collected from these individuals include: (1) Novelty of research questions and approach; (2) access to and use of specific types of research infrastructure (including those provided by the NEES network); (3) incorporation of education, outreach, and training activities; (4) number and diversity of participants in funded research activities; and (5) outputs and outcomes of funded research activities.

Frequency of Response: Once. *Affected Public:* Individuals. *Type of Respondents:* NSF grantees. The annual reporting burden is as follows: *Estimated Number of Respondents:* 194 per year. *Estimated Number of Responses per Respondent:* 1. *Average Burden Hours Per Response:* 0.5. *Estimated Total Annual Burden Hours Requested:* 97. The annualized cost to respondents is estimated at: \$3,777. There are no Capital Costs to report. There are no Operating or Maintenance Costs to report.

Dated: February 28, 2011.

Suzanne H. Plimpton,
Reports Clearance Officer, National Science Foundation.

[FR Doc. 2011-4772 Filed 3-2-11; 8:45 am]

BILLING CODE 7555-01-P

NATIONAL SCIENCE FOUNDATION

Comment Request: National Science Foundation—Applicant Survey

AGENCY: National Science Foundation.

ACTION: Notice.

SUMMARY: The National Science Foundation (NSF) is announcing plans to request renewed clearance of this collection. In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, we are providing opportunity for public comment on this action. After obtaining and considering public comment, NSF will prepare the submission requesting OMB clearance of this collection for no longer than 3 years.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information shall have practical utility; (b) the accuracy of the Agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information on respondents, including through the use of automated collection techniques or other forms of information technology; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be received by May 2, 2011 to be assured of consideration. Comments received after that date will be considered to the extent practicable.

ADDRESSES: Written comments regarding the information collection and requests for copies of the proposed information collection request should be

addressed to Suzanne Plimpton, Reports Clearance Officer, National Science Foundation, 4201 Wilson Blvd., Rm. 295, Arlington, VA 22230, or by e-mail to *splimpto@nsf.gov*.

FOR FURTHER INFORMATION CONTACT: Suzanne Plimpton at (703) 292-7556 or send e-mail to *splimpto@nsf.gov*. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION:

Title of Collection: "National Science Foundation Applicant Survey."

OMB Approval Number: 3145-0096.

Expiration Date of Approval: June 30, 2011.

Type of Request: Intent to seek approval to extend with revision an information collection for three years.

Proposed Project: The current National Science Foundation Applicant survey has been in use for several years. Data are collected from applicant pools to examine the racial/sexual/disability composition and to determine the source of information about NSF vacancies.

Use of the Information: Analysis of the applicant pools is necessary to determine if NSF's targeted recruitment efforts are reaching groups that are underrepresented in the Agency's workforce and/or to defend the Foundation's practices in discrimination cases.

Burden on the Public: The Foundation estimates about 4,000 responses annually at 1 minute per response; this computes to approximately 67 hours annually.

Dated: February 28, 2011.

Suzanne H. Plimpton,
Reports Clearance Officer, National Science Foundation.

[FR Doc. 2011-4760 Filed 3-2-11; 8:45 am]

BILLING CODE 7555-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 52-025 and 52-026; NRC-2008-0252]

Southern Nuclear Operating Company; Notice of Availability of Application for a Combined License

On March 28, 2008, Southern Nuclear Operating Company (SNC), acting on behalf of itself and Georgia Power Company, Oglethorpe Power Corporation (an Electric Membership Corporation), Municipal Electric Authority of Georgia, and the City of