REQUEST FOR RECORDS DISPOSITION AUTHORITY

To NATIONAL ARCHIVES & RECORDS ADMINISTRATION
8601 ADELPHI ROAD, COLLEGE PARK, MD 20740-6001

FROM (Agency or establishment)
Federal Communications Commission

MAJOR SUB DIVISION
Media Bureau

MINOR SUB DIVISION
Policy Division

NAME OF PERSON WITH WHOM TO CONFER
Shoko B Hair

MAJOR SUB DIVISION
In accordance with the provisions of 44 USC 3303a, the
DISPOSITION
request, including amendments is approved

MINOR SUB DIVISION
except for items that may be marked “disposition not
AUTHORITY
approved” or “withdrawn” in column 10

MAJOR SUB DIVISION

MINOR SUB DIVISION

NAME OF PERSON WITH WHOM TO CONFER
Shoko B Hair

5 TELEPHONE
(202) 418-1379

6 AGENCY CERTIFICATION
I hereby certify that I am authorized to act for this agency in matters pertaining to the
disposition of its records and that the
records proposed for Disposal on the attached __2__ page(s) are not needed now for the business of this agency or will not be
needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the
provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies,

DATE
May 24, 2010

SIGNATURE OF AGENCY REPRESENTATIVE
Shoko B Hair

DATE
May 24, 2010

TITLE
Records Officer

7 ITEM NO
8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION
See attachment.

9 GR5 OR SUPERSEDED JOB
CITATION

10 ACTION TAKEN
(NARA USE ONLY)

LEAVE BLANK (NARA use only)

JOB NUMBER
NI-173-10-3

Date Received
5/26/10

NOTIFICATION TO AGENCY

ARCHivist OF THE UNITED STATES

PREVIOUS EDITION NOT USABLE

STANDARD FORM 115 (REV 3-91)
PRESCRIBED BY NARA 36 CFR 1228
Over the Air Reception Devices (OTARD) - (Informal OTARD Cases)

47 C.F.R. Section 14000 prohibits restrictions that impair the installation, maintenance or use of antennas used to receive video programming. The rule applies to video antennas including direct-to-home satellite dishes that are less than one meter in diameter, TV antennas, and wireless cable antennas. The rule prohibits most restrictions that: (1) unreasonably delay or prevent installation, maintenance or use; (2) unreasonably increase the cost of installation, maintenance or use, or (3) preclude reception on an acceptable quality signal. The rule applies to state or local laws or regulations, including zoning, land-use or building regulations, private covenants, homeowners’ association rules, condominium or cooperative association restrictions, lease restrictions, or similar restrictions on property within the exclusive use or control of the antenna user where the user has an ownership or leasehold interest in the property.

An entity may file a petition with the Federal Communications Commission for violation of the restrictions. Most of the OTARD cases are handled informally. An OTARD petition will receive Cable Special Relief (CSR) number, but only after informal negotiations have failed. For those that do, the procedures for CSRs applies. (See N1-173-86-2, item 24). At the outset, however, all OTARD petitions are treated informally and a Commission staff member attempts to resolve the dispute by telephone negotiations with the parties involved. Approximately 80% of these cases are resolved by telephone. Some cases are dismissed because the rules do not apply or due to inactivity or lost of interest. The case file on an informal OTARD case includes any incoming documentation, the Commission’s replies, staff notes, etc.

Disposition:

a. Closed Cases: Destroy three years after case is resolved or closed.

b. Dismissed Cases and Inactive Cases. Destroy three years after case has been dismissed or three years after last transaction of inactive cases.