

Authority: Secs. 1102, 1871, and 1881(b)(1) of the Social Security Act (42 U.S.C. 1302, 1395hh, and 1395rr (b)(1)).

■ 2. In § 414.222 paragraph (a)(1) is revised to read as follows:

§ 414.222 Items requiring frequent and substantial servicing.

(a) *Definition.* * * *

(1) Ventilators (except those that are either continuous airway pressure devices or respiratory assist devices with bi-level pressure capability with or without a backup rate, previously referred to as “intermittent assist devices with continuous airway pressure devices”).

* * * * *

(Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program) Dated: April 7, 2005.

Mark B. McClellan,
Administrator, Centers for Medicare & Medicaid Services.

Dated: August 10, 2005.

Michael O. Leavitt,
Secretary.

Editorial Note: This document was received at the Office of the Federal Register January 24, 2006.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 06-21; MB Docket No. 05-16; RM-11143, RM-11295]

Radio Broadcasting Services; La Grange, Shallotte, Swansboro, Topsail Beach, and Wrightsville Beach, NC

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In response to a *Notice of Proposed Rule Making*, 70 FR 7220 (February 11, 2005), this *Report and Order* upgrades Channel 279C3, Station WBNU(FM), Shallotte, North Carolina, to Channel 279C2, reallots Channel 279C2 to Wrightsville Beach, North Carolina, and modifies the license of Station WBNU(FM) accordingly. The coordinates for Channel 279C2 at Wrightsville Beach are 33-59-56 NL and 77-54-35 WL, with a site restriction of 25.4 kilometers (15.8 miles) southwest of Wrightsville Beach. The *Report and Order* also upgrades Channel 229A, Station WBNE(FM), Wrightsville Beach, to Channel 229C3, reallots Channel 229C3 to Topsail Beach

and modifies the license of Station WBNE(FM) accordingly. The coordinates for Channel 229C3 at Topsail Beach are 34-25-37 NL and 77-38-33 WL, with a site restriction of 7.0 kilometers (4.3 miles) north of Topsail Beach. In addition, the *Report and Order* downgrades Channel 280C3, Station WWTB(FM), Topsail Beach, North Carolina, to Channel 281A, reallots Channel 281A to Swansboro, North Carolina, and modifies the license of Station WWTB(FM) accordingly. The coordinates for Channel 281A at Swansboro are 34-42-41 NL and 77-16-07 WL, with a site restriction of 13.9 kilometers (8.7 miles) west of Swansboro. Lastly, the *Report and Order* upgrades Channel 284C3, Station WZUP(FM), La Grange, North Carolina, to Channel 284C2. The coordinates for Channel 284C2 at LaGrange are 35-07-39 NL and 77-42-59 WL, with a site restriction of 20.9 kilometers (13.0 miles) south of La Grange.

DATES: Effective February 21, 2006.

FOR FURTHER INFORMATION CONTACT: R. Barthen Gorman, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MB Docket No. 05-16, adopted January 4, 2006, and released January 6, 2006. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

■ Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

Part 73—RADIO BROADCAST SERVICES

■ 1. The authority citation for Part 73 reads as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under North Carolina, is amended by removing Channel 284C3 and adding Channel 284C2 at La Grange; by removing Channel 279C3 at Shallotte, by adding Swansboro, Channel 281A, by removing Channel 280C3 and adding Channel 229C3 at Topsail Beach and by removing Channel 229A and by adding Channel 279C2 at Wrightsville Beach.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 06-800 Filed 1-26-06; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 06-13; MB Docket No. 03-147, RM-10722; MB Docket No. 03-148, RM-10724; MB Docket No. 03-177, RM-10749; MB Docket No. 03-178; RM-10750; and MB Docket No. 03-180, RM 10753]

Radio Broadcasting Services; Anacoco, LA; Barstow, CA; Erie, PA, Greenfield, CA; and Newcastle, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Audio Division, at the request of Linda A. Davidson, allots Channel 267A at Barstow, California, as the community's third local FM transmission service. See 68 FR 42664, July 18, 2003. Channel 267A can be allotted to Barstow in compliance with the Commission's minimum distance separation requirements at city reference coordinates. The coordinates for Channel 267A at Barstow are 34-53-55 North Latitude and 117-01-19 West Longitude. Because Barstow is located within 320 kilometers (199 miles) of the U.S.-Mexican border, Mexican concurrence has been requested. However, concurrence of the Mexican government has not yet been received. If a construction permit for Channel 267A at Barstow is granted prior to the Commission's receipt of formal concurrence in the allotment by the Mexican Government, the construction permit will include the following condition: "Use of this allotment is subject to suspension, modification, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the 1992 USA-Mexico FM Broadcast Agreement or if specifically objected to