

continued need for the rule, (2) the nature of complaints or comments received concerning the rule from the public, (3) the complexity of the rule, (4) the extent to which the rule overlaps, duplicates, or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and (5) the length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.”

4. Section 15.17 was originally adopted in 1989, and has not been modified since that time. This is a simple rule enacted to alert manufacturers to the possibility that high-power radio services could cause interference to devices operating under part 15 of the rules. Since that time, the number of manufacturers and the number of part 15 devices have increased. Because this rule is merely advisory, there is no compliance burden on manufacturers and there is no conflict or overlap between this rule and other federal state or local requirements.

5. ARRL believes that the rule continues to be necessary because it alerts manufacturers of radio frequency devices of possible electromagnetic compatibility issues prior to obtaining an equipment authorization. However, ARRL believes that the rule addresses only half of the cautionary information to manufacturers, and that the rule should also caution manufacturers to avoid specification of operating frequencies for their devices that could result in interference to sensitive radio services. It states that this change could avoid the need for and cost of after-market interference resolution.

6. We continue to believe that this rule provides noteworthy guidance to manufacturers on the possibility of receiving interference. ARRL acknowledges the increasing importance of the rule; and, while we are sympathetic to ARRL's suggestion, we believe that the matter raised is already adequately covered in the rules. For example, part 15 contains limits that are designed to minimize the risk of interference caused to all authorized radio services. Further, part 15 equipment is required to operate on a non-interference basis, and users of such equipment must cease operation in the event that interference occurs. We believe that these rules are sufficient to protect against harmful interference to authorized radio services and that

additional advisory language in § 15.17 is unnecessary. Therefore, the ARRL request to modify section 15.17 is denied.

7. The petition filed by the The National Association for Amateur Radio is *denied*.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 01-28413 Filed 11-9-01; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01-2572, MM Docket No. 01-313, RM-10251]

Digital Television Broadcast Service; Tulsa, OK

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by KTUL, LLC, licensee of television station KTUL-TV, NTSC channel 8, Tulsa, Oklahoma, requesting the substitution of DTV 10 for station KTUL-TV's assigned DTV channel 58. DTV Channel 10 can be allotted to Tulsa, Oklahoma, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates (35-58-08 N. and 95-36-59 W.). As requested, we propose to allot DTV Channel 10 to Tulsa with a power of 7.0 and a height above average terrain (HAAT) of 497 meters.

DATES: Comments must be filed on or before December 31, 2001, and reply comments on or before January 15, 2002.

ADDRESSES: Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Thomas P. Van Wazer, Sidley, Austin, Brown & Wood, 1722 Eye Street, NW., Washington, DC 20006 (Counsel for KTUL, LLC).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of

Proposed Rule Making, MM Docket No. 01-313, adopted November 2, 2001, and released November 7, 2001. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television, Digital television broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—TELEVISION BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

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

§ 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Oklahoma is amended by removing DTV Channel 58 and adding DTV Channel 10 at Tulsa.

Federal communications commission.

Barbara A. Kreisman,

Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 01-28417 Filed 11-9-01; 8:45 am]

BILLING CODE 6712-01-P