

described above and *comment is sought* on those issues.

50. *It is further ordered* that the Commission's Consumer Information Bureau, Reference Information Center, *shall send* a copy of the Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

51. *It is further ordered* that, pursuant to the authority contained in sections 1, 2, 4(i), 4(j), and 201–205 of the Communications Act of 1934, as amended, and section 1.3 of the Commission's rules, 47 U.S.C. 151, 152, 154(i), 154(j), 201–205 and 47 CFR 1.3, the joint petition for expedited waiver *is granted* to the extent stated herein.

Federal Communications Commission.

**William F. Caton,**

*Deputy Secretary.*

[FR Doc. 04–18550 Filed 8–12–04; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 04–2396, MB Docket No. 04–289, RM–19802]

#### Television Broadcast Service and Digital Television Broadcast Service; Columbia and Edenton, NC

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by the University of North Carolina proposing the reallocation of TV channel \*2 and DTV channel \*20 from Columbia to Edenton, North Carolina, as the community's first local TV service. TV channel \*2 and DTV channel \*20 can be allotted to Edenton in compliance with the Commission's minimum distance separation requirements at Station WUND's current licensed transmitter site. The coordinates for TV channel \*2 and DTV channel \*20 at Edenton are 35–54–00 N. and 76–20–45 W. In compliance with section 1.420(i), we will not accept competing expressions of interest in the use of TV channel \*2 and DTV channel \*20 at Edenton.

**DATES:** Comments must be filed on or before September 27, 2004, and reply comments on or before October 12, 2004.

**ADDRESSES:** The Commission permits the electronic filing of all pleadings and comments in proceeding involving petitions for rulemaking (except in

broadcast allotment proceedings). *See Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97–113 (rel. April 6, 1998). Filings by paper can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Marcus W. Trathen, Brooks, Pierce, McLendon, Humphrey & Leonard, LLP, P.O. Box 1800, Raleigh, North Carolina, 27602 (Counsel for the University of North Carolina).

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rulemaking, MB Docket No. 04–289, adopted July 30, 2004, and released August 6, 2004. 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, SW., Room CY–A257, Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone (301) 816–2820, facsimile (301) 816–0169, or via e-mail [joshir@erols.com](mailto:joshir@erols.com).

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

This document does not contain proposed information collection(s) subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. In addition, therefore, it does not contain

any new or modified “information collection burden for small business concerns with fewer than 25 employees,” pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, *see* 44 U.S.C. 3506(c)(4).

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

Digital television broadcasting, Television.

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

### PART 73—RADIO BROADCAST SERVICES

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

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

#### § 73.606 [Amended]

2. Section 73.606(b), the Table of Television Allotments under North Carolina is amended by removing channel \*2 at Columbia; and adding Edenton, channel \*2.

#### § 73.622 [Amended]

3. Section 73.622(b), the Table of Digital Television Allotments under North Carolina is amended by removing DTV channel \*20 at Columbia; and adding Edenton, DTV channel \*20.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 04–18463 Filed 8–12–04; 8:45 am]

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