

**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.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under South Dakota, is amended by adding, Rosebud, Channel 257C.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 04-11545 Filed 5-20-04; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 04-1238; MB Docket No. 04-168; RM-10832]

**Radio Broadcasting Services; Waitsburg, WA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rulemaking filed by Waitsburg Broadcasting Company requesting the allotment of Channel 272A at Waitsburg, Washington. The coordinates for Channel 272A at Waitsburg are 46-17-41 and 117-59-47. There is a site restriction 12.3 kilometers (7.6 miles) east of the community. Canadian concurrence will be requested for the allotment of Channel 272A at Waitsburg.

**DATES:** Comments must be filed on or before June 25, 2004, and reply comments on or before July 12, 2004.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner as follows: Thomas D. Hodgins, Waitsburg Broadcasting Company, 45 Campbell road, Walla Walla, Washington 99362.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 04-168, adopted April 30, 2004, and released May 4, 2004. 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, CY-A257, 445 Twelfth Street, SW., Washington, DC. This document may also be purchased from the Commission's duplicating contractors, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-863-2893, or via e-mail [qualexint@aol.com](mailto: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**

Radio, Radio broadcasting.

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.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Washington, is amended by adding Waitsburg, Channel 272A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 04-11546 Filed 5-20-04; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 04-1077; MB Docket No. 04-162, RM-10959]

**Radio Broadcasting Services; Iowa Park and Quanah, TX**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document sets forth a proposal to amend the FM Table of Allotments, §73.202(b) of the Commission's rules, 47 CFR 73.202(b). The Commission requests comment on a petition filed by KIXC-FM, L.L.C., licensee of Station KIXC-FM, Channel 265C3, Quanah, Texas. Petitioner proposes to delete Channel 265C3 at Iowa Park, Texas, and to modify the license of Station KIXC-FM accordingly. Channel 265C3 can be allotted to Iowa Park in compliance with the Commission's minimum distance separation requirements with a site restriction of 15.3 km (9.5 miles) southwest of Iowa Park. The coordinates for Channel 265C3 at Iowa Park are 33-53-55 North Latitude and 98-49-16 West Longitude. See **SUPPLEMENTARY INFORMATION** *infra*.

**DATES:** Comments must be filed on or before June 18, 2004, and reply comments on or before July 5, 2004.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner as follows: Fred R. Morton, Manager, KIXC-FM, L.L.C., 67 Legend Lane, Houston, Texas 77024.

**FOR FURTHER INFORMATION CONTACT:** Deborah A. Dupont, Media Bureau (202) 418-7072.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 04-162, adopted April 22, 2004 and released April 27, 2004. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893.

The 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

Radio, Radio broadcasting.

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.

##### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Channel 265C3 at Iowa Park and by removing Quannah, Channel 265C3.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 04–11547 Filed 5–20–04; 8:45 am]

**BILLING CODE 6712–01–P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 04–1078; MB Docket No. 04–161; RM–10961]

#### Radio Broadcasting Services; Mount Sterling and Wilmington, OH

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed by Vernon R. Baldwin, Inc., licensee of Station WKLN(FM), Channel 272A, Wilmington, Ohio. The petition proposes to reallocate Channel 272A, Station WKLN(FM), from Wilmington to Mount Sterling, Ohio, thus providing Mount Sterling with its first local aural transmission service. The coordinates for requested Channel 272A at Mount Sterling, Ohio, are 39–35–16 NL and 83–13–26 WL, with a site restriction of 15 kilometers (9.4 miles) south of Mount Sterling.

Petitioner's reallocation proposal complies with the provisions of Section 1.420(i) of the Commission's Rules, and therefore, the Commission will not accept competing expressions of interest in the use of Channel 272A at Mount Sterling, Ohio, or require the petitioner to demonstrate the availability of an additional equivalent class channel.

**DATES:** Comments must be filed on or before June 18, 2004, and reply comments on or before July 5, 2004.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 12th Street, SW., Room TW–A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Dennis F. Begley, Esq., Reddy, Begley & McCormick, LLP; 1156 15th Street, NW., Suite 610; Washington, DC 20005–1770.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 04–161, adopted April 22, 2004, and released April 27, 2004. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC's Reference Information Center at Portals II, 445 12th Street, SW., CY–A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractors, 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](mailto:qualexint@aol.com).

The 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

Radio, Radio broadcasting

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.

##### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Ohio, is amended by

removing Wilmington, Channel 272A, and adding Mount Sterling, Channel 272A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division Media Bureau.*

[FR Doc. 04–11548 Filed 5–20–04; 8:45 am]

**BILLING CODE 6712–01–P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 04–1079; MM Docket No. 01–115; RM–10129; 10325]

#### Radio Broadcasting Services; Alpena, Au Gres, Beaverton, Cheboygan, Frankfort, and Standish, MI

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; dismissal.

**SUMMARY:** At the request of Au Gres Broadcasting Company, we dismiss its petition for rule making proposing the allotment of Channel 295A at Au Gres, Michigan, as the community's first local aural transmission service (RM–10129). *See* 66 FR 31597, June 12, 2001. As requested, we also dismiss the counterproposal of Fort Bend Broadcasting Company proposing the upgrade from Channel 257C2 to Channel 257C1 at Frankfort, Michigan, and the required channel substitutions to accommodate the upgrade (RM–10325). A showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to refrain from making an allotment to a community absent an expression of interest.

**FOR FURTHER INFORMATION CONTACT:** Sharon P. McDonald, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 01–115, adopted April 22, 2004, and released April 27, 2004. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY–A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Qualex International, Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554. This document is not subject to the Congressional Review Act.