

Hermanville, Mississippi, because the Counterproposal was filed past the due date. Even if the Counterproposal were considered on the merits, it would be denied as short spaced to an authorized FM broadcast station at the time the Counterproposal was filed.

**DATES:** Effective October 20, 2006.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

**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. 06-52, adopted August 31, 2006, and released September 1, 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>. This document is not subject to the Congressional Review Act. (The Commission is, therefore, not required to submit a copy of this *Report and Order* to GAO pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because the proposed rule is denied.)

#### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. E6-15532 Filed 9-19-06; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[FCC 06-119; MM Docket No. 01-11; RM-10027; RM-10322]

#### Radio Broadcasting Services; Arcadia, Desert Hot Springs, Fallbrook, Murrieta, and Yucca Valley, CA

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; denial of application for review.

**SUMMARY:** The Commission denied an application for review filed by the

licensee of Stations KSSE(FM), Arcadia, CA, and KSSD(FM), Fallbrook, CA, of a *Report and Order* in this proceeding, which had denied its rulemaking petition to upgrade the class of Station KSSE(FM) from Channel 296A to Channel 296B1. The Commission determined that the rulemaking proposal could not be implemented because the licensee of Station KDGL(FM), Yucca Valley, CA, had withdrawn its consent to a downgrade in channel class and a site relocation, which is necessary to effectuate the upgrade. See **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Andrew J. Rhodes, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Memorandum Opinion and Order*, MM Docket No. 01-11, adopted August 10, 2006, and released August 17, 2006. 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 20554. The complete text of this decision may also be purchased from the Commission's copy 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 also clarified the scope of permissible facility changes for pre-1964, grandfathered short-spaced stations under Section 73.213(a)(4) such as KSSE(FM). Although these stations are exempt from the second-adjacent and third-adjacent channel separation requirements set forth in Section 73.207, they are not permitted to upgrade their facilities beyond class maximums. See 67 FR 65721 (October 28, 2002).

This document is not subject to the Congressional Review Act. (The Commission is, therefore, not required to submit a copy of this *Memorandum Opinion and Order* to GAO, pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A) because the application for review was denied.)

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E6-15533 Filed 9-19-06; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 06-1761; MB Docket No. 05-147; RM-10823]

#### Radio Broadcasting Services; Fort Lauderdale and Lake Park, FL

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Audio Division, at the request of Charles Crawford, allots Channel 262A to Lake Park, Florida, as its first local service. To accommodate the proposal consistent with the minimum distance separation requirements of the Commission's rules, this document also grants the reclassification of WHYI-FM, Fort Lauderdale, Florida, to specify operation on Channel 264C0 in lieu of Channel 264C. No response was filed to the *Order to Show Cause* issued to Clear Channel Broadcasting Licenses, Inc., licensee of Station WHYI-FM, Fort Lauderdale, Florida. Channel 262A at Lake Park can be allotted consistent with the minimum distance separation requirements of the Commission's Rules with a site restriction of 4.7 kilometers (2.9 miles) south of the community. The reference coordinates for Channel 262A at Lake Park are 26-45-29 NL and 80-03-28 WL.

**DATES:** Effective October 20, 2006.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket No. 05-147, adopted August 31, 2006, and released September 5, 2006. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room 239), 445 12th Street, SW., Washington, DC 20554. The complete text of this decision 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 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.