

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[DA 02-61]

Radio Broadcasting Services; Various Locations**AGENCY:** Federal Communications Commission.**ACTION:** Final rule.

SUMMARY: The Commission, on its own motion, editorially amends the Table of FM Allotments to specify the actual classes of channels allotted to various communities. The changes in channel classifications have been authorized in response to applications filed by licensees and permittees operating on these channels. This action is taken pursuant to *Revision of Section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989), and the *Amendment of the Commission's Rules to permit FM Channel and Class Modifications [Upgrades] by Applications*, 8 FCC Rcd 4735 (1993).

DATES: Effective February 14, 2002.**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, adopted January 2, 2002, and released January 11, 2002. The full text of this Commission decision is available for inspection and copying during regular business hours at 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, 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.

List of Subjects in 47 CFR Part 73

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 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 Arkansas, is amended

by removing Channel 293A and adding Channel 293C3 at Horseshoe Bend.

3. Section 73.202(b), the Table of FM Allotments under Illinois, is amended by removing Channel 258B and adding Channel 258C1 at Quincy.

4. Section 73.202(b), the Table of FM Allotments under New York, is amended by removing Channel 292C3 and adding Channel 292C2 at Saranac Lake.

5. Section 73.202(b), the Table of FM Allotments under Oregon, is amended by removing Channel 259C3 and adding Channel 259C2 at Bend.

6. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 263C2 and adding Channel 236C2 at College Station.¹

7. Section 73.202(b), the Table of FM Allotments under Utah, is amended by removing Channel 244C1 and adding Channel 244C at Levan.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 02-3622 Filed 2-13-02; 8:45 am]

BILLING CODE 6712-01-P**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 648**

[Docket No. 011129286-2022-02; I.D. 110601B]

RIN 0648-AP65**Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass; Quota Counting Procedures**

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule and technical amendment.

SUMMARY: NMFS issues this final rule to establish cut-off dates for using landings data from the commercial summer flounder, scup, and black sea bass fisheries to calculate quota overages. The establishment of landings cut-off dates for these fisheries will enable NMFS to establish final adjusted quotas before the beginning of each fishing year

¹ This action corrects the FM Table of Allotments to show the allotment of Channel 236C2 at College Station in lieu of Channel 263C2. MM Docket No. 91-58 substituted Channel 236C2 for Channel 297C3 at College Station. See 60 FR 35512, July 10, 1995.

on January 1. This final rule also removes regulatory language that specifies publication dates for proposed annual summer flounder, scup, and black sea bass fishing measures and makes a technical change to the regulations to clarify the annual exploitation target for scup.

DATES: Effective February 14, 2002.

ADDRESSES: Copies of the Environmental Assessment (EA) and Regulatory Impact Review (RIR) are available at the following address: National Marine Fisheries Service, One Blackburn Drive, Gloucester, MA 01930-2298. This document is also accessible via the Internet at <http://www.nero.nmfs.gov>.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:**Background**

The Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries (FMP) requires that NMFS compile all landings information on summer flounder, scup, and black sea bass and compare these landings to the quotas allocated to those fisheries. Landings in excess of quota allocations (overages) are required to be deducted from the quota allocations for the following year. The annual quota allocations are specified through a process that culminates in the publication of final specifications, which are to be published prior to January 1 each year. However, because the fishing year for these fisheries does not end until December 31, it is impossible to have a final accounting of annual landings at the time the annual specifications are published for the fishing year beginning January 1. As a result, NMFS has had to make overage adjustments during the fishing year, when overages were identified.

This regulatory amendment to the FMP resolves the timing problems associated with the overage provisions of the FMP by establishing a cut-off date of October 31 for commercial summer flounder, scup, and black sea bass landings data to be used in setting quotas for the upcoming fishing year. Therefore, this final rule will enable NMFS to compile landings information, determine quota overages, and publish final adjusted annual fishing quotas for these fisheries prior to January 1. If, during the fishing year, NMFS discovers that any overage deduction was made in error, e.g., based on calculated landings that exceeded actual landings for the period concerned, NMFS will restore all