

the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by December 23, 2008. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this action for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (see section 307(b)(2)).

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: September 2, 2008.

**Jane Diamond**,

*Acting Regional Administrator, Region IX.*

■ Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

#### PART 52—[AMENDED]

■ 1. The authority citation for Part 52 continues to read as follows:

**Authority:** 42 U.S.C. 7401 *et seq.*

#### Subpart F—California

■ 2. Section 52.220 is amended by adding paragraphs (c)(197)(i)(C)(6), (241)(i)(A)(6), and (345)(i)(C) to read as follows:

##### § 52.220 Identification of plan.

\* \* \* \* \*

(c) \* \* \*  
(197) \* \* \*  
(i) \* \* \*  
(C) \* \* \*

(6) Rule 2050, "Cancellation of Application," adopted on May 21, 1992 and amended on December 16, 1993.

\* \* \* \* \*

(241) \* \* \*  
(i) \* \* \*  
(A) \* \* \*

(6) Rule 24, "Temporary Permit to Operate," adopted on March 20, 1996.

\* \* \* \* \*

(345) \* \* \*

(i) \* \* \*

(C) Ventura County Air Pollution Control District.

(1) Rule 11, "Definitions for Regulation II," and Rule 29, "Conditions on Permits," adopted on June 13, 1995 and May 23, 1972, respectively, and revised on March 14, 2006.

\* \* \* \* \*

[FR Doc. E8-25310 Filed 10-23-08; 8:45 am]

**BILLING CODE 6560-50-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 08-2257; MB Docket No. 07-226; RM-11406]

### Radio Broadcasting Service; Tecopa, CA

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This *Report and Order* grants a petition for rulemaking filed by Shamrock Communications, Inc. ("Petitioner") to allot Channel 288A at Tecopa, California. Petitioner proposed the foregoing channel allotment to maintain a first local service allotment at Tecopa and to accommodate its construction permit application to substitute Channel 290C1 for Channel 291A at Tecopa, and change the community of license from Tecopa, California, to Amargosa Valley, Nevada. Channel 288A can be allotted at Tecopa, California, in compliance with the Commission's technical engineering requirements, at geographical coordinates of 35-50-48 North Latitude and 116-13-24 West Longitude with a site restriction of 0.3 kilometers (0.2 miles) southeast of Tecopa.

**DATES:** Effective November 24, 2008.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** R. Barthen Gorman, Media Bureau, (202) 418-2187.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket No. 07-226, adopted October 8, 2008, and released October 10, 2008. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC's Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY-A257, 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.

■ As stated in the preamble, the Federal Communications Commission amends 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, 336.

#### § 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under California, is amended by adding Tecopa, Channel 288A.

Federal Communications Commission.

**John A. Karousos**,

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. E8-25458 Filed 10-23-08; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 08-2272; MB Docket No. 07-210; RM-11399]

### Radio Broadcasting Services; Butte Falls and Netarts, OR

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Audio Division grants a Petition for Rule Making issued at the request of Oregon Radio Partners, proposing the allotments of Channel 290A at Butte Falls, Oregon and Channel 232C3 at Netarts, Oregon, as first local services. Channel 290A at Butte Falls can be allotted, consistent with the minimum distance separation requirements of the Commission's Rules, at reference coordinates 42-36-19 NL and 122-24-38 WL with a site restriction of 14.7 kilometers (9.1 miles) northeast of Butte Falls. Moreover, Channel 232C3 can be allotted to Netarts, consistent with the minimum

distance separation requirements of the Commission's Rules, at reference coordinates 45–27–56 NL and 123–58–11 WL with a site restriction of 4 kilometers (2.5 miles) northwest of Netarts. The coordinates for Channel 232C3 at Netarts are located 320 kilometers from the Canadian border. As such, Canadian concurrence has been requested. Canada has approved the allotment, not specially negotiated, on Channel 232B1, the international class for this vacant facility. *See*

**SUPPLEMENTARY INFORMATION**, *supra*.

**DATES**: Effective November 24, 2008.

**ADDRESSES**: Secretary, Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT**:

Rolanda F. Smith, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION**: This is a summary of the Commission's *Report and Order*, MB Docket No. 07–210, adopted October 8, 2008, and released October 10, 2008. The *Notice of Proposed Rule Making* proposed the allotment of Channel 290A at Butte Falls and Channel 232C3 at Netarts. *See* 72 FR 59507, published October 22, 2007. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Information Center, 445 Twelfth 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).

The new Butte Falls and Netarts vacant allotments accommodates two hybrid communities of license applications involving Station KTLF–FM, Channel 232C3, Tillamook, Oregon and new FM station, Channel 225A, Butte Falls, Oregon. *See* File Nos. BPH–20070125ADO and BNPH–20060310ACD, respectively. *See* also 72 FR 14554, published March 28, 2007 and 72 FR 7032, published February 14, 2007.

The hybrid community of license application, File No. BPH–20070125ADO proposes the reallocation of Channel 232C3 at Tillamook to Channel 232C2 at Government Camp, Oregon, and modification of the Station KTLF–FM license to reflect the change.

To accommodate the Station KTLF–FM application, we issued *Orders to Show Cause* (“OTSC”) directed to the licensees of Station KXIX, Channel 231C0, Bend, Oregon and Station KRXF, Channel 224C2, Sunriver, Oregon. *See Letter to GCC bend, LLC*, Ref. No. 1800B3–HC (MB May 23, 2007) (OTSC to Station KXIX licensee) and *Letter to Fields Pond Group*, Ref. No. 1800B3–HC (MB May 23, 2007) (OTSC to Station KRXF licensee). No responses were received. Therefore, the licensees of Stations KXIX and KRXF are deemed to have consented to the channel substitutions with respect to Channel 225C0 at Bend, Oregon for Station KXIX and Channel 231C2 at Sunriver, Oregon for Station KRXF, respectively. *See* 47 CFR Section 1.87. *See also Circleville, Ohio*, Second Report and Order, 8 FCC 2d 159 (1967). Additionally, the hybrid community of license application, File No. BNPH–20060310ACD, proposes the reallocation of Channel 225A from Butte Falls to Talent, Oregon, and modification of the new FM station license to specify operation at Talent. The applications, File Nos. BPH–20070125ADO and BNPH–20060310ACD were granted simultaneously with the release of the aforementioned *Report and Order*.

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

Radio, Radio broadcasting.

■ As stated in the preamble, the Federal Communications Commission amends 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, 336.

**§ 73.202 [Amended]**

■ 2. Section 73.202(b), the Table of FM Allotments under Oregon, is amended by adding Butte Falls, Channel 290A and by adding Netarts, Channel 232C3.

Federal Communications Commission.

**John A. Karousos**,

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. E8–25466 Filed 10–23–08; 8:45 am]

**BILLING CODE 6712–01–P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[DA 08–2256; MB Docket No. 07–281; RM–11408]

**Radio Broadcasting Services; Elko, NV**

**AGENCY**: Federal Communications Commission.

**ACTION**: Final rule.

**SUMMARY**: At the request of L. Topaz Enterprises, Inc., Channels 274C3 and 284C3 at Elko, Nevada, are allotted as the community's fifth and sixth local aural transmission services. Channels 274C3 and 284C3 can be allotted at Elko, Nevada without a site restriction at coordinates 40–49–57 NL and 115–45–44 WL. Opposing comments filed by Ralph J. Carlson, President of Stations KRJC(FM) and KTSN(AM), Elko, Nevada are denied.

**DATES**: Effective November 24, 2008.

**ADDRESSES**: Secretary, Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT**:

Victoria McCauley, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION**: This is a synopsis of the Commission's *Report and Order*, MB Docket No. 07–281, adopted October 08, 2008, and released October 10, 2008. This proceeding was initiated by a petition for rulemaking filed by L. Topaz Enterprises, Inc. and proposed in a Notice of Proposed Rule Making, 73 FR 1577 (January 9, 2008). 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 20554. This document 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 [www.BCPIWEB.com](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.

■ As stated in the preamble, the Federal Communications Commission amends 47 CFR part 73 as follows: