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Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 05-13466 Filed 7-12-05; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 05-1779; MB Docket No. 05-219, RM-11249]

Radio Broadcasting Services; Brawley and Campo, CA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Audio Division seeks comment on a petition filed by CCR-Brawley IV, LLC, proposing the downgrade from Channel 241B to Channel 241B1 at Brawley, the reallocation of Channel 241B1 from Brawley to Campo, California, and the modification of Station KSIQ(FM)'s license accordingly. Channel 241B1 can be reallocated to Campo in compliance with the Commission's minimum distance separation with a site restriction of 3.9 kilometers (1.4 miles) north at petitioner's requested site. The coordinates for Channel 241B1 at Campo are 32-38-30 North Latitude and 116-28-05 West Longitude. Since Campo is located within 320 kilometers (199 miles) of the U.S.-Mexican border, concurrence of the Mexican government has been requested. In accordance with the provisions of Section 1.420(i) of the Commission's rules, we shall not accept competing expressions of interest for the use of Channel 241B1 at Campo, California.

DATES: Comments must be filed on or before August 18, 2005, and reply comments on or before September 2, 2005.

ADDRESSES: Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve Counsel for Petitioner as follows: Howard M. Liberman, Esq., Drinker, Biddle & Reath, LLP, 1500 K Street, NW., Suite 1100, Washington, DC 20005.

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

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MB Docket No. 05-219, adopted June 23, 2005, and released June 27, 2005. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference 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 20054, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed 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).

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* contact.

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 California, is amended by removing Channel 241B at Brawley; and by adding Campo, Channel 241B1.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 05-13465 Filed 7-12-05; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 05-1859; MB Docket No. 04-404, RM-11098, RM-11233]

Radio Broadcasting Services; Cromwell and Maysville, OK

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal.

SUMMARY: The Audio Division dismisses a Petition for Rule Making filed by Charles Crawford, requesting the allotment of Channel 251A at Maysville, Oklahoma, as its first local service. *See* 69 FR 65119, published November 10, 2004. The document also dismisses a counterproposal filed by Katherine Pyeatt, requesting the allotment of Channel 251A at Crowell, Oklahoma. The parties in this proceeding filed a withdrawal of their respective expression of interest pursuant to Section 1.420(j) of the Commission's rules. It is the Commission's policy to refrain from making a new allotment to a community absent a *bona fide* expression of interest.

ADDRESSES: 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 synopsis of the Commission's Report and Order, MB Docket No. 04-404, adopted June 29, 2005, and released July 1, 2005. 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 20054, 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 was dismissed.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 52

[FAR Case 2004-031]

RIN 9000-AK24

Federal Acquisition Regulation; Fast Payment Procedures

AGENCIES: Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Proposed rule.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) are proposing to amend the Federal Acquisition Regulation (FAR) by revising fast payment procedures. The proposed revision permits, but does not require, fast payment when invoices and/or outer shipping containers are not marked "Fast Pay" provided the contract includes the "Fast Payment Procedure" clause. As highlighted in the proposed clause, if the clause is in the contract, the invoices will no longer be rejected, as is the current practice. Instead, they will be paid using either fast payment or normal payment procedures. In addition, the proposed revision deletes the requirement for marking invoices "No Receiving Report Prepared."

DATES: Interested parties should submit comments in writing on or before

September 12, 2005, to be considered in the formulation of a final rule.

ADDRESSES: Submit comments identified by FAR case 2004-031 by any of the following methods:

- Federal eRulemaking Portal:
<http://www.regulations.gov>. Follow the instructions for submitting comments.
- Agency Web Site:
<http://www.acqnet.gov/far/ProposedRules/proposed.htm>. Click on the FAR case number to submit comments.
- E-mail: farcase.2004-031@gsa.gov. Include FAR case 2004-031 in the subject line of the message.
- Fax: 202-501-4067.
- Mail: General Services Administration, Regulatory Secretariat (VIR), 1800 F Street, NW, Room 4035, ATTN: Laurieann Duarte, Washington, DC 20405.

Instructions: Please submit comments only and cite FAR case 2004-031 in all correspondence related to this case. All comments received will be posted without change to <http://www.acqnet.gov/far/ProposedRules/proposed.htm>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT The FAR Secretariat at (202) 501-4755 for information pertaining to status or publication schedules. For clarification of content, contact Mr. Jeremy Olson, at (202) 501-3221. Please cite FAR case 2004-031.

SUPPLEMENTARY INFORMATION:

A. Background

This FAR case was initiated at the request of the DoD Acting Deputy Chief Financial Officer (CFO), OUSD (Comptroller), who believes FAR 52.213-1, Fast Payment Procedure, should be revised to correct a deficiency found during an internal review, namely, that many invoices were not prominently marked "FAST PAY." The CFO recommends that the FAR be revised to:

- Address both hard copy invoices and electronic invoices so that they may be accepted by the payment office if the "fast payment" clause is annotated manually or electronically in the contract record; and
- Delete the requirement for marking invoices "NO RECEIVING REPORT PREPARED."

Requirement to mark invoices and outer shipping containers "Fast Pay." The current requirement to display "Fast Pay" prominently on the invoices and outer shipping containers causes payment problems. This requirement forces payment offices to reject invoices

when the invoices and/or the outer shipping containers are not marked "Fast Pay," even though the contract contains the fast payment clause. The Councils believe that the FAR should be revised to provide the payment office flexibility to make fast payments when invoices and/or outer shipping containers are not marked "Fast Pay." The proposed language permits, but does not require, fast payment when invoices and/or outer shipping containers are not marked "Fast Pay" provided the contract includes the "Fast Payment Procedure" clause. Under the proposed language, when the payment office decides to not process invoices as "Fast Pay" because the proper markings were not present, the payment date will be the payment date that would have applied had the "Fast Pay Procedures" clause not been in the contract. In this manner, an unmarked invoice will not be rejected. It is important to note that this change does not eliminate the requirement for the contractor to annotate an invoice "Fast Pay;" the contractor remains at risk that fast payment procedures will not be applied unless the invoice is annotated accordingly.

Requirement to include the statement "No Receiving Report Prepared." The current requirement to mark invoices "No Receiving Report Prepared" also causes payment problems as discussed above. In addition, the marking is misleading. A receiving report may be prepared for the contract, but if so, under fast pay procedures it is normally still in processing channels when the invoice arrives at the payment office. However, if a receiving report is not prepared, it is still imperative that the invoice includes sufficient information to facilitate follow-up verification that the item was received. The current FAR and the proposed revision both include a requirement for such information on the invoice. The difference is simply that the proposed revision does not require the statement "No Receiving Report Prepared" on the invoice.

This is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

B. Regulatory Flexibility Act

The Councils do not expect this proposed rule to have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because it will have a beneficial, but small, impact.