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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

Digital television broadcasting, Television.

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.

§ 73.622 [Amended]

2. Section 73.622(b), the Table of Digital Television Allotments under Puerto Rico is amended by removing DTV channel 66 and adding DTV channel 8c at Ponce.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Division, Media Bureau.

[FR Doc. 04-8331 Filed 4-12-04; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 04-781, MB Docket No. 02-126, RM-10448]

Radio Broadcasting Services; Wynnewood, OK

AGENCY: Federal Communications Commission.

ACTION: Proposed rule, dismissal.

SUMMARY: This document dismisses a pending petition for rulemaking to add an FM allotment in Wynnewood, Oklahoma. The Commission had requested comment on a petition filed by David Garland, proposing the allotment of Channel 266A at Wynnewood, Oklahoma. *Wynnewood, Oklahoma*, 17 FCC Rcd 9557 (MB 2002). The petitioner filed comments in support of the proposal. In addition, a counterproposal was filed by DFWU, Inc., proposing the alternative allotment of Channel 265A at Konawa, Oklahoma. Both the original proposal in this proceeding and the counterproposal were determined to be in conflict with, and outside the comment period for, proposals under consideration in MM Docket No. 01-180. *Holdenville, Oklahoma*, 16 FCC Rcd 14,912 (MM 2001). This document therefore dismisses the petition and counterproposal in this proceeding and terminates the proceeding.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MB Docket No. 02-126, adopted March 24, 2004, and released March 26, 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.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 04-8332 Filed 4-12-04; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AT44

Endangered and Threatened Wildlife and Plants; Proposed Designation of Critical Habitat for the Santa Barbara County Distinct Population Segment of the California Tiger Salamander

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; reopening of comment period and public hearing announcement.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service) give notice of reopening the public comment period and scheduling one public hearing on the proposed critical habitat designation for the Santa Barbara County Distinct Vertebrate Population Segment (DPS) of the California tiger salamander (*Ambystoma californiense*).

DATES: The comment period for this proposal now closes on May 28, 2004. Any comments received by the closing date will be considered in the final decision on this proposal. One public hearing will be held on May 11, 2004, in Santa Maria from 1 p.m. to 3 p.m., and from 6 p.m. to 8 p.m.

ADDRESSES: The public hearing in Santa Maria will be held at the Radisson Hotel, 3455 Skyway Drive, Santa Maria CA 93455.

Written comments and materials may be submitted to us by any one of the following methods:

1. You may submit written comments and information to the Field Supervisor, U.S. Fish and Wildlife Service, Ventura Fish and Wildlife Office, 2493 Portola Road, Suite B, Ventura, CA 93003, or by facsimile 805/644-3958.

2. You may hand-deliver written comments to our Ventura Office, at the address given above.

3. You may send comments by electronic mail (e-mail) to fw1CTSCH@r1.fws.gov.

Comments and materials received, as well as supporting documentation used in the preparation of this proposed rule, will be available for public inspection, by appointment, during normal business hours at the Ventura Fish and Wildlife Office, at address given above (telephone 805/644-1766).

FOR FURTHER INFORMATION CONTACT: Carl Benz, at the above address (telephone 805/644-1766; facsimile 805/644-3958).

SUPPLEMENTARY INFORMATION: