

2003. Comments should address: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. Written comments on the proposed information collection requirement should be filed with the Commission's Secretary, and a copy should be submitted to Judy Boley Herman, Federal Communications Commission, Room 1-C804, 445 12th Street, SW., Washington, DC 20554, or via the Internet to [jbHerman@fcc.gov](mailto:jbHerman@fcc.gov), and Jeanette Thornton, OMB Desk Officer, 10236 NEOB, 725 17th Street NW., Washington DC 20503, or via the Internet to [jthornto@mp.eop.gov](mailto:jthornto@mp.eop.gov).

#### *Initial Regulatory Flexibility Analysis*

As required by the Regulatory Flexibility Act of 1980, 5 U.S.C. 603. Members of the public may file written comments on the IRFA within the deadline for comments on the FNPRM. The Commission requested comments on the number and identity of small entities that would be significantly impacted by the proposed rule changes in this further notice of proposed rulemaking.

#### *Procedures for Filing Comments on the Further Notice of Proposed Rulemaking*

Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415 and 1.419, interested parties may file comments on or before March 10, 2003, and reply comments on or before April 8, 2003. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (April 6, 1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking

number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appear in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistrionix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Parties who choose to file by paper should also submit their comments on diskette. The diskettes should be submitted to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, Portals II, 445 12th Street, SW., Washington, DC. The Commission's contractor, Vistrionix, Inc., will receive hand-delivered diskette filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Compton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street,

SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. Such a submission should be on a 3.5-inch diskette formatted in an IBM compatible format using Word for Windows or compatible software. The diskette should be accompanied by a cover letter and should be submitted in "read only" mode. The diskettes should be clearly labeled with the commenter's name, the docket number of this proceeding, type of pleading (comment or reply comment), date of submission, and the name of the electronic file on the diskette. The label should also include the following phrase "Disk Copy—Not an Original." Each diskette should contain only one party's pleading, preferably in a single electronic file. In addition, commenters must send diskette copies to the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402 Washington, DC 20554.

#### **List of Subjects in 47 CFR Part 25**

Satellite communications.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 02-32294 Filed 12-23-02; 8:45 am]

**BILLING CODE 6712-01-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 73**

[DA 02-3362; MM Docket No. 01-291; RM-10301]

#### **Radio Broadcasting Services; Cherokee, OK**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; dismissal.

**SUMMARY:** Maurice Salsa ("Salsa") filed a petition for rule making requesting the allotment of FM Channel 237C2 to Cherokee, Oklahoma, as that community's first local aural transmission service. *See* 66 FR 53755, October 24, 2001. Robert Fabian ("Fabian") filed a counterproposal regarding the communities of Cherokee and Ft. Supply, Oklahoma. Subsequently, Salsa and Fabian each withdrew their interests in this proceeding. A showing of continuing interest is required before a channel will be allotted to a community. Further, Commission policy refrains from making an allotment in the absence of an expression of interest. Therefore,

since we have no continuing interest by either party, we dismiss Salsa's petition regarding Cherokee, Oklahoma, and grant Fabian's request to withdraw his counterproposal.

**FOR FURTHER INFORMATION CONTACT:**

Nancy Joyner, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 01-291, adopted December 4, 2002, and released December 9, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center (Room CY-A257), 445 Twelfth Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualtex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

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**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 02-3361; MB Docket No. 02-376, RM-10617]

#### Radio Broadcasting Services; Sells, AZ

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** At the request of Rural Pima Broadcasting, this document proposes the allotment of Channel 285A at Sells, Arizona, as the community's first local aural transmission service at a site 9.3 kilometers (5.8 miles) south of the community at coordinates 31-49-44 NL and 111-53-28 WL.

**DATES:** Comments must be filed on or before January 30, 2003, and reply comments must be filed on or before February 14, 2003.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioners as follows: Scott Cinnamon, Esq., Law Offices of Scott Cinnamon, PC, 1090 Vermont Ave., NW., Suite 800, #144, Washington, DC 20005.

**FOR FURTHER INFORMATION CONTACT:**

Victoria M. McCauley, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 02-376, adopted December 4, 2002, and released, December 9, 2002. The full text of this document is available for public 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](mailto:qualexint@aol.com).

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.

#### 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.

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Sells, Channel 285A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division Media Bureau.*

[FR Doc. 02-32292 Filed 12-23-02; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 02-3360; MB Docket No. 02-374; RM-10598]

#### Radio Broadcasting Services; Douglas, AZ, Santa Clara, NM and Tombstone, AZ

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed on behalf of Cochise Broadcasting LLC, licensee of Station KCDQ, Channel 237A, Douglas, Arizona, requesting the substitution of Channel 237C for Channel 237A, the reallocation of Channel 237C to Tombstone, Arizona, and modification of its authorization accordingly. Additionally, to accommodate the requested allotment of Channel 237C to Tombstone, Cochise Broadcasting LLC requests the substitution of Channel 236C1 for Channel 237C1 at Santa Clara, New Mexico, and modification of the license for Station KNUW(FM) at its current transmitter site. An Order to Show Cause is issued to Mel-Mike Enterprises, Inc., licensee of Station KNUW(FM), as requested.

The petitioner's modification proposal complies with the provisions of section 1.420(i) of the Commission's Rules and therefore, we will not accept competing expressions of interest in the use of Channel 237C at Tombstone, Arizona. Coordinates used for Channel 237C at Tombstone are 31-49-00 NL and 110-05-30 WL. Coordinates used for proposed Channel 236C1 at Santa Clara, New Mexico, are those at the currently licensed site for Station KNUW(FM) at 32-51-47 NL and 108-14-28 WL.

**DATES:** Comments must be filed on or before January 30, 2003, and reply comments on or before February 14, 2003.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Mark N. Lipp, Esq., Shook, Hardy & Bacon, 600 14th Street, NW., Suite 800, Washington, DC 20005.

**FOR FURTHER INFORMATION CONTACT:**

Nancy Joyner, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of