

became effective on February 2, 2004, following approval by the Office of Management and Budget (OMB).

FOR FURTHER INFORMATION CONTACT: Paul Murray, Wireless Telecommunications Bureau, at (202) 418-7240, or via the Internet at Paul.Murray@fcc.gov; for additional information concerning the information collections contained in this document, contact Judith-B.Herman at (202) 418-0214, or via the Internet at Judith.B-Herman@fcc.gov.

Announcement of Effective Date of Certain Commission Rules

1. In the February 2, 2004 *Public Notice*, DA 04-252, 19 FCC Rcd 1911, the Wireless Telecommunications Bureau announced the availability of FCC Form 603-T for use by spectrum leasing parties filing spectrum leasing notifications and applications with the Commission, and the rules requiring use of FCC Form 603-T became effective as of that date. FCC Form 603-T contain information collection necessary for the implementation of certain spectrum leasing rules adopted by the Commission in 2003 in the *Secondary Markets First Report and Order*, published at 68 Fed. Reg. 66252 (Nov. 25, 2003). As noted therein, the effective date of certain of the Commission's spectrum leasing rules adopted in the *Secondary Markets First Report and Order*—specifically sections 1.913(a), 1.913(a)(3), 1.2002(d), 1.2003, 1.9003, 1.9020(e), 1.9030(e), and 1.9035(e)—would not become effective until the information collection requirements contained in those rules were approved by the Office of Management and Budget (OMB). The Bureau reiterated this discussion regarding the effective date of certain spectrum leasing rules in its *Memorandum Opinion and Order*, DA 04-239, 19 FCC Rcd 1542, January 30, 2004.

2. On January 29, 2004, OMB approved of the use of Form 603-T on an interim basis. Accordingly, the revisions to sections 1.913(a), 1.913(a)(3), 1.2002(d), 1.2003, and the new rules involving use of certain forms

of information collection as set forth of 1.9003, 1.9020(e), 1.9030(e), and 1.9035(e) of the Commission's spectrum leasing rules, 47 CFR 1.913(a), 1.913(a)(3), 1.2002(d), 1.2003, 1.9003, 1.9020(e), 1.9030(e), and 1.9035(e), became effective with the issuance of FCC Form 603-T on February 2, 2004.

Federal Communications Commission.

Marlene H. Dortch,
Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 04-3482, MB Docket No. 04-236, RM-11001]

Digital Television Broadcast Service; Fresno, CA.

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of KSEE License, Inc., substitutes DTV channel 38 for DTV channel 16 at Fresno, California. *See* 69 FR 41444, July 9, 2004. DTV channel 38 can be allotted to Fresno, California, in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates 37-04-19 N. and 119-25-48 W. with a power of 326, HAAT of 601 meters and with a DTV service population of 1224 thousand. With this action, this proceeding is terminated.

DATES: Effective December 20, 2004.

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Media Bureau, (202) 418-1600.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MB Docket No. 04-236, adopted October 29, 2004, and released November 5, 2004. The full text of this document is available for public inspection and copying during regular

business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC. This document 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 301-816-2820, facsimile 301-816-0169, or via e-mail joshir@erols.com.

This document does not contain [new or modified] information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. In addition, therefore, it does not contain any new or modified "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).

The Commission will send a copy of this [Report & Order *etc.*] in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR Part 73

Digital television broadcasting, Television.

■ Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

■ 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 California, is amended by removing DTV channel 16 and adding DTV channel 38 at Fresno.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Division, Media Bureau.

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