

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 Audio Division, at the request of Plan 9 Broadcasting, allots Channel 229A at Port Angeles, Washington, as that community's fifth local aural transmission service. The reference coordinates for Channel 229A at Port Angeles are 48-06-54 North Latitude and 123-26-36 West Longitude. This allotment is at city reference coordinates and requires no site restriction. Port Angeles is located within 320 kilometers (199 miles) of the U.S.-Canadian border. Canadian concurrence has been requested for this allotment, as a specially negotiated short-spaced allotment because the proposed Port Angeles allotment is short-spaced to Canadian Station CJJR-FM, Channel 229C, Vancouver, BC and vacant Channel 230A at Port Renfrew, BC. However, notification from Canada has not been received. Therefore, if a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Canadian government, the construction permit will include the following condition: "Operation with the facilities specified for Port Angeles herein is subject to modification, suspension or, termination without right to hearing, if found by the Commission to be necessary in order to conform to the USA-Canadian FM Broadcast Agreement."

The Audio Division, at the request of Sutton Communications Company, allots Channel 249A at Ty Ty, Georgia, as that community's first local aural transmission service. The reference coordinates for Channel 249A at Ty Ty are 31-34-01 North Latitude and 83-40-07 West Longitude. This allotment requires a site restriction of 10.8 kilometers (6.7 miles) north to avoid short-spacing to the application site of Station WDMG-FM, Channel 250A, Ambrose, Georgia and license site of Station WRAK-FM, Channel 247C, Bainbridge, Georgia.

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

Radio, Radio broadcasting.

■ Accordingly, part 73 is amended 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 Georgia, is amended by adding Ty Ty, Channel 249A.

■ 3. Section 73.202(b), the Table of FM Allotments under Washington, is amended by adding Channel 240A at Goldendale; and by adding Port Angeles, Channel 229A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

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### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[FCC 05-175, MB Docket No. 04-312, RM-11049]

#### Television Broadcast Service; Phoenix and Holbrook, AZ

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of NBC Telemundo Phoenix, Inc. (Telemundo) and Community Television Educators, Inc. (CTE) has amended the Television Table of Allotments to remove the noncommercial reservation of analog Channel \*39 at Phoenix, Arizona, and reserve analog Channel 11 for noncommercial educational use at Holbrook, Arizona. The Commission has also modified the license of Telemundo's station KPHZ(TV) to specify Channel 39, Phoenix, and the license of CTE's station KDTP(TV) to specify Channel \*11, Holbrook. With this action, this proceeding is terminated.

**DATES:** Effective November 28, 2005.

**FOR FURTHER INFORMATION CONTACT:** Shaun Maher, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Memorandum Opinion and Order, MB Docket No. 04-312, adopted October 5, 2005, and released October 13, 2005. 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](mailto: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 Memorandum Opinion and Order in a report 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

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.

#### § 73.606 [Amended]

■ 2. Section 73.606(b), the Table of Television Allotments under Arizona, is amended by removing TV channel 11+ and adding TV channel \*11+ at Holbrook.

■ 3. Section 73.606(b), the Table of Television Allotments under Arizona, is amended by removing TV channel \*39 at Phoenix and adding TV channel 39, Phoenix.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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### DEPARTMENT OF TRANSPORTATION

#### Federal Railroad Administration

#### 49 CFR Part 213

[Docket No. FRA 2005-22522]

**RIN 2130-AB71**

#### Track Safety Standards; Inspection of Joints in Continuous Welded Rail (CWR)

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).