

FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Dawn M. Sciarrino, Fisher, Wayland, Cooper, Leader & Zaragoza, L.L.P., 2001 Pennsylvania Ave., NW., Suite 400, Washington, DC 20006-1851 (Counsel for Petitioner).

FOR FURTHER INFORMATION CONTACT:

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-130, adopted May 7, 1997, and released May 16, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

Additionally, the reference coordinates for vacant Channel 224C3 at Ottumwa, Iowa, can be modified consistent with the Commission's spacing requirements with a site restriction of 12.2 kilometers (7.6 miles) west. The modified coordinates for Channel 224C3 at Ottumwa are North Latitude 41-00-00 and West Longitude 92-33-10. In accordance with Section 1.420(g)(3) of the Commission's Rules, we will not accept competing expressions of interest in the use of Channel 224B1 at Galesburg, Illinois, or require the petitioner to demonstrate the availability of an additional equivalent class channel for use by such parties.

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 broadcasting.

Federal Communications Commission

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97-13291 Filed 5-20-97; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97-132, RM-9081]

Radio Broadcasting Services; Mesquite, NV

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Will Kemp to allot Channel 244C to Mesquite, NV, as the community's second local and first competitive FM service. Channel 244C can be allotted to Mesquite in compliance with the Commission's minimum distance separation requirements with a site restriction of 5.4 kilometers (3.4 miles) north, at coordinates 36-51-15 North Latitude and 114-03-30 West Longitude, to avoid a short-spacing to the outstanding construction permit (BMPH-960607IH) of Station KTVF, Channel 244C2, Williams, AZ, and to a pending application (ARN-950825MB) for Channel 244C2 at Lake Havasu City, AZ.

DATES: Comments must be filed on or before July 7, 1997, and reply comments on or before July 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: James A. Koerner, Baraff, Koerner & Olender, P.C., Three Bethesda Metro Center, Suite 640, Bethesda, MD 20814-5392 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-132, adopted May 7, 1997, and released May 16, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857-3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

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 broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97-13292 Filed 5-20-97; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97-133, RM-9086]

Radio Broadcasting Services; Lake City, MN

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Phoenix Media Group, Inc., proposing the allotment of Channel 235A at Lake City, Minnesota, as that community's second FM broadcast service. The coordinates for Channel 235A at Lake City are 44-22-58 and 92-21-45. There is a site restriction 10.6 kilometers (6.6 miles) southwest of the community.

DATES: Comments must be filed on or before July 7, 1997, and reply comments on or before July 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Steven T. Moravec, President, Phoenix Media Group, Inc., 1407 Sumner Street, Suite 200, St. Paul, Minnesota 55116-2645.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-133, adopted May 7, 1997, and released May 16, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room

239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC. 20037, (202) 857-3800.

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 broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97-13297 Filed 5-20-97; 8:45 am]

BILLING CODE 6712-01-P

ENVIRONMENTAL PROTECTION AGENCY

48 CFR Part 1515

[FRL-5827-3]

Acquisition Regulation

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This document proposes to revise the EPA Acquisition Regulation (EPAAR) on calculation of profit or fee. This action is the result of an Agency reassessment of its regulatory guidelines for determination of contractor profit or fee. A significant policy change will be for the contracting officer not to consider the profit/fee of any subcontractor in determining the Government's profit/fee objective. In addition, several changes are proposed to update, to streamline and to make the guidelines more closely address acquisitions for professional and technical services.

DATES: Comments should be submitted not later than July 21, 1997.

ADDRESSES: Environmental Protection Agency, Office of Acquisition Management (3802F), 401 M Street SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Larry Wyborski, Telephone: (202) 260-6482.

SUPPLEMENTARY INFORMATION:

I. Executive Order 12866

This is not a significant regulatory action under Executive Order 12866; therefore, no review is required at the Office of Information and Regulatory Affairs within OMB.

II. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this rule does not contain information collection requirements for the approval of the Office of Management and Budget (OMB) under 44 U.S.C. 3501, *et seq.*

III. Regulatory Flexibility Act

The EPA certifies that this rule does not exert a significant economic impact on a substantial number of small entities. There are no requirements for contractor compliance under the proposed rule.

IV. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) Public Law 104-4, establishes requirements for Federal agencies to assess their regulatory actions on State, local, and tribal governments, and the private sector.

EPA has determined that this rule does not contain a Federal mandate that may result in expenditures of \$100 million or more for State, local, and tribal governments, in the aggregate, or the private sector in any one year. Any private sector costs for this action relate to paperwork requirements and associated expenditures that are far below the level established for UMRA applicability. Thus, the rule is not subject to the requirements of sections 202 and 205 of the UMRA.

V. Regulated Entities

EPA contractors are entities potentially regulated by this action.

Category	Regulated entity
Industry	EPA Contractors.

List of Subjects in 48 CFR Part 1515

Government procurement.

For the reasons set forth in the preamble, Chapter 15 of Title 48 Code of Federal Regulations 1515 is proposed to be amended as follows:

1. The authority citation for 1515 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390 as amended, 40 U.S.C. 486(c).

2. Subpart 1515.9 is revised to read as follows:

Subpart 1515.9—Profit

- 1515.900 Scope of subpart.
- 1515.902 Policy.
- 1515.903 Cost realism.
- 1515.905 Profit-analysis factors.
- 1515.970 EPA structured approach for developing profit or fee objectives.
- 1515.970-1 General.
- 1515.970-2 EPA structured system.

Subpart 1515.9—Profit

1515.900 Scope of subpart.

This subpart implements FAR subpart 15.9, and prescribes the EPA structured approach for determining profit or fee prenegotiation objectives.

1515.902 Policy.

(a) *EPA structured approach.* The purpose of EPA's structured approach is:

- (1) To provide a standard method of evaluation;
- (2) To ensure consideration of all relevant factors;
- (3) To provide a basis for documentation and explanation of the profit or fee negotiation objective;
- (4) To allow contractors to earn profits commensurate with the assumption of risk; and
- (5) To reward contractors who undertake more difficult work requiring higher risks.

(b) *Other methods.* (1) Contracting officers may use methods other than those prescribed in 1515.970 for establishing profit or fee objectives under the following types of contracts and circumstances:

- (i) Architect-engineering contracts;
- (ii) Personal service contracts;
- (iii) Management contracts, e.g., for maintenance or operation of Government facilities;
- (iv) Termination settlements;
- (v) Professional/technical services under labor-hour and time and material contracts which provide for payment on an hourly, daily, or monthly basis, and where the contractor's contribution constitutes the furnishing of personnel.
- (vi) Construction contracts; and
- (vii) Cost-plus-award-fee contracts.

(2) Generally, it is expected that such methods will:

(i) Provide the contracting officer with a technique that will ensure consideration of the relative value of the appropriate profit factors described under "Profit Factors," in 1515.970-2, and

(ii) Serve as a basis for documentation of the profit or fee objective.

(c) Under unusual circumstances, the CCO may specifically waive the