

Digital Television Broadcasting.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Services Division, Mass Media Bureau.*

[FR Doc. 99-28411 Filed 11-1-99; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 99-2292, MM Docket No. 99-317, RM-9743]

#### Digital Television Broadcast Service; Baton Rouge, LA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Louisiana Television Broadcasting Corporation, licensee of station WBRZ, NTSC Channel 2, Baton Rouge, Louisiana, requesting the substitution of DTV Channel 13 for station WBRZ's assigned DTV Channel 42. DTV Channel 13 can be substituted and allotted to Baton Rouge, Louisiana, as proposed, in compliance with the principle community requirements of Section 73.625(a) at coordinates 30-17-49 N. and 91-11-40 W. DTV Channel 13 can be allotted to Baton Rouge with a power of 30 (kW) and a height above average terrain (HAAT) of 515 meters.

**DATES:** Comments must be filed on or before December 20, 1999, and reply comments on or before January 4, 2000.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Robert B. Jacobi, Cohn and Marks, 1920 N Street, NW, Suite 300, Washington, DC 20036-1622 (Counsel for Louisiana Television Broadcasting Corporation).

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 99-317, adopted October 27, 1999, and released October 28, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center 445 12th Street, SW., 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, 1231 20th Street, NW., Washington, DC 20036.

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.

**Barbara A. Kreisman,**

*Chief, Video Services Division, Mass Media Bureau.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 99-2246; MM Docket No. 99-156; RM-9613]

#### Radio Broadcasting Services; Pleasant Dale, NE

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule, denial of.

**SUMMARY:** The Commission denies the request of Mountain West Broadcasting to allot Channel 256A to Pleasant Dale, NE, as its first local aural service. See 64 FR 28131, May 25, 1999. The Commission found that Pleasant Dale does not qualify as a community for allotment purposes. With this action, this proceeding is terminated.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 99-156, adopted October 13, 1999, and released October 22, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 445 12th Street, SW, 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, 1231 20th Street, NW, Washington, DC 20036.

## 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. 99-28410 Filed 11-1-99; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 90

[DA 99-2244]

#### Medical Telemetry Equipment Operating in the 450-460 MHz Band

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Federal Communications Commission released a Public Notice on October 20, 1999, asking parties operating medical telemetry equipment in the 450-460 MHz band to assist the Commission by providing certain information on their operation. It is requested that users of wireless medical telemetry equipment operating in this band provide information on the numbers, types, locations, and frequencies of equipment presently in use. The requested information will aid the Commission in determining whether it is feasible to lift the currently effective freeze on the filing of part 90 applications for high-power operation in the 450-460 MHz band on the 12.5 kHz offset channels without adversely affecting existing medical telemetry operations.

**DATES:** Comments are due by January 31, 2000.

#### FOR FURTHER INFORMATION CONTACT:

Hugh L. Van Tuyl (202) 418-7506, email: [hvantuyl@fcc.gov](mailto:hvantuyl@fcc.gov). Office of Engineering and Technology.

**SUPPLEMENTARY INFORMATION:** This is the text of the Commission's *Public Notice*, DA 99-2244, released October 20, 1999. This document is available for inspection and copying during regular business hours in the FCC Reference Information Center, Room CY-A257, 445 12th Street, SW, Washington, DC, and is available on the FCC's Internet site at [www.fcc.gov/Bureaus/Engineering\\_Technology/Public\\_Notices/1999/](http://www.fcc.gov/Bureaus/Engineering_Technology/Public_Notices/1999/). This document may also be purchased from the Commission's duplication contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

## Summary of Public Notice

1. The Office of Engineering and Technology is asking parties operating medical telemetry equipment in the 450–460 MHz band to assist the Commission by providing certain information on their operation. It is requested that users of wireless medical telemetry equipment operating in this band provide information on the numbers, types, locations, and frequencies of equipment presently in use. Parties are asked to submit this information to the Chief, Office of Engineering and Technology by January 31, 2000. The requested information will aid the Commission in determining whether it is feasible to lift the currently effective freeze on the filing of part 90 applications for high-power operation in the 450–460 MHz band on the 12.5 kHz offset channels without adversely affecting existing medical telemetry operations.

2. Medical telemetry equipment is used in hospitals and health care facilities to transmit patient measurement data, such as pulse and respiration rates, to a nearby receiver. Part 90 of the Commission's rules permits medical telemetry equipment to operate on a secondary basis to land mobile users in the 450–470 MHz band. Hospitals and health care facilities holding a valid license to operate a radio station under part 90 may operate medical telemetry equipment without any specific authorization from the Commission (see 47 CFR 90.267). As a consequence, the Commission does not have any records concerning the locations of medical telemetry operations in the 450–470 MHz band.

3. In 1995, the Commission adopted changes to part 90 of the rules to allow more efficient use of the spectrum for land mobile services. The *Report and Order and Further Notice of Proposed Rule Making* in PR Docket 92–235, 60 FR 37152, July 9, 1995 established a new channeling plan for private land mobile radio services (PLMRS). This *Order* adopted a channel spacing plan for PLMRS in the 450–470 MHz band based on 6.25 kHz.

4. Medical telemetry equipment operates in the 450–470 MHz band on channels offset 12.5 kHz from regularly assignable channels under the old channelization plan ("12.5 kHz offset channels"). The maximum operating power for this equipment is substantially less than that authorized for primary users of the band. The channel separation and low-power operation minimize the possibility of interference received from, or caused to, primary users of the band. However,

under the new channeling scheme, high-power primary users of the band would be able to operate on the same frequencies used for medical telemetry equipment. This could possibly result in interference to medical telemetry equipment. For this reason, on August 11, 1995, the Commission placed a freeze on the filing of applications for high power operation in the 450–470 MHz band on the 12.5 kHz offset channels. See the *Public Notice, "Freeze on the Filing of High Power Applications for 12.5 kHz Offset Channels in the 450–470 MHz Band,"* DA 95–1171, 60 FR 43720, August 23, 1995. The freeze remains in effect pending the development of a channel utilization plan that will protect low power operation on the 12.5 kHz offset channels.

5. The Commission expects medical telemetry equipment ultimately to migrate out of the PLMRS bands and into new bands allocated for medical telemetry. The Commission recently proposed rules to allocate frequencies where medical telemetry equipment can operate on a primary basis. See the *Notice of Proposed Rule Making* in ET Docket 99–255, FCC 99–182, 64 FR 41891, August 2, 1999. While this would be a long term solution to the problem of PLMRS interference to medical telemetry equipment, the Commission may be able take action in the near term to partially lift the freeze on high power applications on the offset channels.

6. The Commission's records of manufacturers' equipment authorizations show that the majority of medical telemetry equipment authorized for use under part 90 (47 CFR part 90) is authorized only for the 460–470 MHz portion of the 450–470 MHz band. Further, prior to the radio service consolidation in the *Second Report and Order* in PR Docket 92–235, 62 FR 18834, April 17, 1999, the only "Industrial Radio Services" spectrum available to hospitals and health care facilities were frequencies allocated to the old Business Radio Service. There were very few frequencies in the 450–460 MHz band allocated to that service. For these reasons, it may be possible to lift the freeze on applications for high power operation on the 12.5 kHz offset channels in the 450–460 MHz band. Before doing so, however, the Commission wants to ensure that interference will not be caused to medical telemetry equipment in that band. Accordingly, we are requesting that parties operating medical telemetry equipment in the 450–460 MHz band provide certain information on their operation to the Commission's Office of

Engineering and Technology. The filing of this information is strictly voluntary, but parties should note that providing it could help prevent serious interference problems in the future. Parties may want to check with the manufacturer of their equipment to determine the operating frequency.

7. We are asking for the following information:

(1) The name and address of the institution operating the equipment, along with the name, telephone number and e-mail address of a contact person there.

(2) The number and types of devices being operated in the 450–460 MHz band, including the make, model number, FCC identification number, age, and type of equipment (e.g., heart rate monitor), and total number of channels of medical telemetry used in the facility.

(3) The operating frequencies and RF output power of these devices.

(4) The geographic coordinates of the institution, if known.

(5) Whether the equipment could be re-tuned to operate in the 460–470 MHz band and, if so, the time period required for such re-tuning and the estimated expense of re-tuning that would be incurred by the institution operating the equipment.

Parties are asked to respond to the following address by January 31, 2000. Chief, Office of Engineering and Technology, Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554.

For further information about this notice, please contact Hugh L. Van Tuyl at: (202) 418–7506, email: hvantuyll@fcc.gov. Federal Communications Commission.

**Magalie Roman Salas,**

*Secretary.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 16

[1018–AE34]

#### Listing of the Brush-tailed Possum as Injurious

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** The Fish and Wildlife Service (Service or we) published a notice on January 24, 1996, soliciting information relative to the threat that *Trichosurus*