

**§ 73.202 [Amended]**

- 2. Section 73.202(b), the Table of FM Allotments under Oregon, is amended by adding Powers, Channel 293C2.
- 3. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 228A, and adding Channels 228C3 and 292A at Zapata.

Federal Communications Commission.

**John A. Karousos,***Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. E6-18402 Filed 10-31-06; 8:45 am]

BILLING CODE 6712-01-P

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 06-2026]

**Radio Broadcasting Services; Various Locations**

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** The Commission, on its own motion, editorially amends the Table of FM Allotments to specify the actual classes of channels allotted to various communities. The changes in channel classifications have been authorized in response to applications filed by licensees and permittees operating on these channels. This action is taken pursuant to *Revision of Section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989), *Amendment of the Commission's Rules to permit FM Channel and Class Modifications by Applications*, 8 FCC Rcd 4735 (1993) and *Streamlining of Radio Technical Rules in Part 73 and 74 of the Commission's Rules*, 15 FCC Rcd 21649 (2000).

DATES: Effective November 1, 2006.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Report and Order*, adopted October 11, 2006, and released October 13, 2006. The full text of this Commission decision is available for 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. The complete text of this decision 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 1-800-378-3160 or <http://www.BCPIWEB.com>. The Commission will not send a copy of the *Report & Order* in this proceeding pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A), because the adopted rules are rules of particular applicability.

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

Radio, Radio broadcasting.

- As stated in the preamble, the Federal Communications Commission amends 47 CFR part as follows:

**PART 73—RADIO BROADCASTING SERVICES**

- 1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

**§ 73.202 [Amended]**

- 2. Section 73.202(b), the Table of FM Allotments under California, is amended by removing Channel 289A and adding Channel 289B1 at Lost Hills.
- 3. Section 73.202(b), the Table of FM Allotments under Louisiana, is amended by removing Channel 262C and adding Channel 262C0 at Alexandria and by removing Channel 281C and adding Channel 281C0 at Monroe.
- 4. Section 73.202(b), the Table of FM Allotments under Minnesota, is amended by removing Channel 223C3 and adding Channel 223C2 at Park Rapids.
- 5. Section 73.202(b), the Table of FM Allotments under Montana, is amended by removing Channel 286A and adding Channel 283C1 at Billings and by removing Channel 300A and adding Channel 300C2 at Darby.
- 6. Section 73.202(b), the Table of FM Allotments under Nebraska, is amended by removing Channel 224A and adding Channel 224C2 at Ainsworth.
- 7. Section 73.202(b), the Table of FM Allotments under North Dakota, is amended by removing Channel 239C and adding Channel 239C1 at New England and by removing Channel 290C and adding Channel 290C1 at Sarles.
- 8. Section 73.202(b), the Table of FM Allotments under Wyoming, is amended by removing Channel 222C1 and adding Channel 221C2 at Kayce and by removing Channel 298A and adding Channel 298C2 at Wheatland.

Federal Communications Commission.

**John A. Karousos,***Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. E6-18315 Filed 10-31-06; 8:45 am]

BILLING CODE 6712-01-P

**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 06-2022; MB Docket No. 04-409; RM-11108; RM-11234]

**Radio Broadcasting Services; Chester, VA; Fruitland, MD; Lakeside, VA; Port Norris, NJ; Warsaw, VA, and Willards, MD**

AGENCY: Federal Communications Commission.

ACTION: Final rule.

**SUMMARY:** The Audio Division grants a counterproposal filed by CXR Holdings, Inc., ("CXR") licensee of Station WDYL(FM), Chester, Virginia in response to a Notice of Proposed Rule Making issued at the request of Dana Puopolo proposing the allotment of Channel 299A at Port Norris, New Jersey. Channel 265B1 is substituted for Channel 266A at a new transmitter site, reallocated from Chester to Lakeside, Virginia as the community's first local aural service, and Station WDYL's license is modified to reflect the changes. Channel 298A is substituted for Channel 265A at Warsaw, Virginia, at a new transmitter site Station WNNT-FM's license is modified to reflect the channel substitution. Channel 299A is substituted for Channel 298B1 at a new site at Fruitland, Maryland and Station WKHI(FM)'s license is modified accordingly. Channel 265B1 is allotted at Lakeside, Virginia, at a site 9.6 kilometers (5.9 miles) east of the community at coordinates 37-36-08 NL and 77-22-09 WL. Channel 299A is allotted at Fruitland, Maryland at a site 13.2 kilometers (8.2 miles) northeast of the community at coordinates 38-22-55 NL and 75-29-25 WL. Channel 298A can be allotted at Warsaw, Virginia, at Station WNNT-FM's transmitter site located 1.7 kilometers (1.1 miles) south of the community at coordinates 37-56-39 NL and 76-45-05 WL.

DATES: Effective November 27, 2006.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Victoria M. McCauley, Media Bureau, (202) 418-2180.

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

and Order, MB Docket No. 04–409, adopted October 11, 2006, and released October 13, 2006. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC’s Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY–A257, Washington, DC 20554. The complete text of this decision 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 1–800–378–3160 or [www.BCPIWEB.com](http://www.BCPIWEB.com). The Commission 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).

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

Radio, Radio broadcasting.

■ As stated in the preamble, the Federal Communications Commission amends 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, 336.

#### § 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Maryland is amended by removing Channel 298B1 and by adding Channel 299A at Fruitland.

■ 3. Section 73.202(b), the Table of FM Allotments under Virginia is amended by removing Chester, Channel 266A, by adding Lakeside, Channel 265B1, and by moving Channel 265A and by adding Channel 298A at Warsaw.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. E6–18410 Filed 10–31–06; 8:45 am]

**BILLING CODE 6712–01–P**

#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Parts 73 and 76

[MM Docket No. 00–167; FCC 06–143]

#### Broadcast Services; Children’s Television; Cable Operators

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document resolves a number of issues regarding the obligation of television broadcasters to protect and serve children in their audience. The document addresses matters related to two areas: the obligation of television broadcast licensees to provide educational and informational programming for children and the requirement that television broadcast licensees protect children from excessive and inappropriate commercial messages. The item makes certain modifications to the rules and policies adopted in the Commission’s 2004 order in this proceeding. These modifications respond to petitions for reconsideration filed in response to the 2004 rules as well as a joint proposal recommending modifications to those rules filed by a group of cable and broadcast industry representatives and children’s television advocates, among others.

**DATES:** The stay is lifted on § 73.670 paragraphs (b), (c) and Note 1; § 73.671 paragraphs (e) and (f) and § 76.225 paragraphs (b), (c) and Note 1 effective January 2, 2007. The amendments in this final rule are effective January 2, 2007.

**FOR FURTHER INFORMATION CONTACT:** Kim Matthews, Media Bureau, (202) 418–2120.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Federal Communications Commission’s *Second Order on Reconsideration and Second Report and Order* in MM Docket No. 00–167, FCC 06–143, adopted September 26, 2006, and released September 29, 2006. The complete text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the Commission’s copy contractor, Qualex International, 445 12th Street, SW., Room CY–B402, Washington, DC 20554. The full text may also be downloaded at: [www.fcc.gov](http://www.fcc.gov). To request materials in accessible formats for people with disabilities (braille, large print, electronic file, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

#### Summary of the Second Order on Reconsideration and Second Report

1. In this *Second Order* on Reconsideration and *Second Report and Order* (“*Second Order*”) we resolve issues regarding the obligation of television broadcasters to protect and

serve children in their audience. We address matters related to two areas: the obligation of television broadcast licensees to provide educational and informational programming for children and the requirement that television broadcast licensees and cable operators protect children from excessive and inappropriate commercial messages. Some of the rules and policies adopted herein apply only to digital broadcasters, while others apply to both analog and digital broadcasters as well as cable operators. Our goals in resolving these issues are to provide television broadcasters with guidance regarding their obligation to serve children as we transition from an analog to a digital television environment, update our rules protecting children from overcommercialization in children’s programming, and improve our children’s programming rules and policies.

2. Specifically, this *Second Order* makes certain modifications to the rules and policies adopted in our September 9, 2004 Report and Order and Further Notice of Proposed Rule Making (70 FR 25 and 63, January 3, 2005) (“*2004 Order*”) in this proceeding. The modifications we make today respond to petitions for reconsideration filed in response to the rules as well as a Joint Proposal of Industry and Advocates on Reconsideration of Children’s Television Rules (“*Joint Proposal*”) filed by a group of cable and broadcast industry representatives and children’s television advocates, among others.

3. Our decision today does not alter the new children’s core programming “multicasting” rule adopted in the 2004 Order, but does clarify the way in which repeats of core programs will be counted under the new rule. We do not make substantial changes to the four-prong Web site rule adopted in the 2004 Order, but do amend the host selling restrictions adopted in the 2004 Order to apply those restrictions less broadly and to exempt certain third party Web sites from the host selling restriction. We also revise the definition of “commercial time” adopted in the 2004 Order to limit the kinds of promotions of children’s programs that must be counted under the advertising rules adopted in the 2004 Order. In addition, with regard to scheduling of core children’s programming, we vacate the percentage cap on the number of permissible core program preemptions adopted in the 2004 Order and return to our prior practice of addressing the number of preemptions and rescheduling of core programming on a case-by-case basis. These modifications will serve the public interest by