

*Number of Respondents:* 10.

*Estimated Time Per Response:* 3.5 hours (These hours include the contracting hour costs to the respondents and the respondents hour burden).

*Frequency of Response:* On occasion.

*Total Annual Burden:* 15 hours.

*Estimated Annual Reporting and Recordkeeping Cost Burden:* \$4,000.

*Needs and Uses:* Section 74.992 requires that requests by ITFS entities for access to wireless cable facilities licensed on ITFS frequencies be made by filing FCC Form 330 (OMB Control No. 3060-0062), Section I (Identity of Applicant, Requested Facilities), Section II (Legal Qualifications of Applicant), Section III (Financial Qualifications of Applicant) and Section IV (ITFS Service Proposal). The application must include a cover letter clearly indicating that the application is for ITFS access to a wireless cable entity's facilities on ITFS channels. Section 74.992(d) requires an ITFS user to provide a wireless cable licensee with its planned schedule of use four months in advance of accessing the channels. This notice is completed before the filing of the application and the burden is included with the application. The data is used by FCC staff to determine eligibility of an educational institution or entity demanding access for ITFS use on a wireless cable facility. The four month advance notice is used by the wireless cable licensee to allow it to move programming to other channels.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 97-28362 Filed 10-24-97; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Submitted to OMB for Review and Approval

October 21, 1997.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to

any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before November 26, 1997. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Judy Boley, Federal Communications Commission, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to jboley@fcc.gov.

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s) contact Judy Boley at 202-418-0214 or via internet at jboley@fcc.gov.

#### SUPPLEMENTARY INFORMATION:

*OMB Control Number:* 3060-0029.

*Title:* Application for TV Broadcast Station License.

*Form Number:* FCC Form 302-TV.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit; not-for-profit institutions.

*Number of Respondents:* 83.

*Estimated Time Per Response:* 18-25 hours (avg.).

*Cost to Respondents:* \$207,309.

*Total Annual Burden:* 210 hours.

*Needs and Uses:* FCC Form 302-TV is used by licensees and permittees of TV broadcast stations to obtain a new or modified station license, and/or to notify the Commission of certain changes in the licensed facilities. The Office of Management and Budget (OMB) approved a Notice of Proposed Rulemaking (NPRM) which proposed to eliminate the present requirement for a construction permit (FCC Forms 301/340) for a broadcast station in certain instances where the changed facilities would not have an adverse impact on other broadcast facilities or on the public. In these instances, the

Commission would permit the broadcast licensee or permittee to make changes without prior authority from the Commission and file a license application (FCC Forms 302-AM/302-FM/302-TV) with specified exhibits to reflect the change afterwards.

On 8/14/97, the Commission adopted a Report and Order in MM Docket 96-58 which adopted these changes. Additionally, the Commission adopted revisions to the FCC Forms 302-FM and 302-TV. Until such times as the forms are revised to incorporate this information, applicants using the one-step licensing process must file this supplement with the FCC Form 302-TV.

The data is used by FCC staff to confirm that the station has been built to terms specified in the outstanding construction permit and to ensure that any changes made to the station will not have any impact on other stations and the public. Data is extracted from FCC Form 302-TV for inclusion in the license to operate the station.

*OMB Control Number:* 3060-0506.

*Title:* Application for FM Broadcast Station License.

*Form Number:* FCC Form 302-FM.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit; not-for-profit institutions.

*Number of Respondents:* 757.

*Estimated Time Per Response:* 3-25 hours (avg.).

*Cost to Respondents:* \$597,600.

*Total Annual Burden:* 2,082 hours.

*Needs and Uses:* FCC Form 302-FM is used by licensees and permittees of FM broadcast stations to obtain a new or modified station license, and/or to notify the Commission of certain changes in the licensed facilities. The Office of Management and Budget (OMB) approved a Notice of Proposed Rulemaking (NPRM) which proposed to eliminate the present requirement for a construction permit (FCC Forms 301/340) for a broadcast station in certain instances where the changed facilities would not have an adverse impact on other broadcast facilities or on the public. In these instances, the Commission would permit the broadcast licensee or permittee to make changes without prior authority from the Commission and file a license application (FCC Forms 302-AM/302-FM/302-TV) with specified exhibits to reflect the change afterwards.

On 8/14/97, the Commission adopted a Report and Order in MM Docket 96-58 which adopted these changes. Additionally, the Commission adopted revisions to the FCC Forms 302-FM and 302-TV. Until such times as the forms

are revised to incorporate this information, applicants using the one-step licensing process must file this supplement with the FCC Form 302-FM.

The data is used by FCC staff to confirm that the station has been built to terms specified in the outstanding construction permit and to ensure that any changes made to the station will not have any impact on other stations and the public. Data is extracted from FCC Form 302-FM for inclusion in the license to operate the station.

*OMB Control Number:* 3060-0171.

*Title:* Section 73.1125, Station main studio location.

*Form Number:* N/A.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit.

*Number of Respondents:* 155.

*Estimated Time Per Response:* 0.5 hours (this hour is split between cost and burden, 15 minutes burden for the licensee and 30 minutes cost for a communications attorney).

*Cost to Respondents:* \$22,800.

*Total Annual Burden:* 108 hours.

*Needs and Uses:* Section 73.1125 requires licensees of AM, FM or TV broadcasting stations to notify the FCC when stations relocated their main studios. This data is used by FCC staff to assure that stations are located within the principal community contours and serves to notify FCC of changes in mailing addresses. The data received as justification for waiver of Section 73.1125 will enable the FCC staff to determine whether the circumstances are sufficient to warrant waiver of the main studio rules.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

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## FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 92-297; DA 97-2224]

### Comment Sought on Reserve Prices or Minimum Opening Bids for LMDS Auction: LMDS Auction Formula Proposed [Report No. AUC-17-B (Auction No. 17)]

**AGENCY:** Federal Communications Commission.

**ACTION:** Public notice seeking comment.

**SUMMARY:** The Commission is proposing a formula for calculating minimum opening bids in the auction of licenses for the Local Multipoint Distribution Service, Auction No. 17, and invites public comment on its proposal.

**DATES:** Comments are due November 5, 1997. Reply comments are due November 10, 1997.

**FOR FURTHER INFORMATION CONTACT:** Brett Tarnutzer, Auctions and Industry Analysis Division, Wireless Telecommunications Bureau, at (202) 418-0660.

**SUPPLEMENTARY INFORMATION:** This public notice was released on October 17, 1997, and is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C., and also may be purchased from the Commission's copy contractor, International Transcription Services, (202) 857-3800, Fax (202) 857-3805, 1231 20th Street, N.W., Washington, D.C. 20036.

### Synopsis of the Public Notice

#### Background

1. When FCC licenses are subject to auction (*i.e.*, because they are mutually exclusive) the recently enacted Balanced Budget Act of 1997 calls upon the Commission to prescribe methods by which a reasonable reserve price will be required or a minimum opening bid established, unless the Commission determines that a reserve price or

minimum bid is not in the public interest. Section 3002(a), Balanced Budget Act of 1997, Public Law 105-33, 111 Stat. 251 (1997); 47 U.S.C. 309(j)(4)(F). The Commission's authority to establish a reserve price or minimum opening bid is set forth in 47 CFR 1.2104(c) and (d). Normally, a reserve price is an absolute minimum price below which an item will not be sold in a given auction. Reserve prices can be either published or unpublished. A minimum opening bid, on the other hand, is the minimum bid price set at the beginning of the auction below which no bids are accepted. In a minimum opening bid scenario, the auctioneer generally has the discretion to lower it later in the auction.

2. The Wireless Telecommunications Bureau recently announced the auction of 986 licenses for the Local Multipoint Distribution Service ("LMDS"), which is to begin December 10, 1997. See *Public Notice*, "Auction of Local Multipoint Distribution Service: Auction Notice and Filing Requirements for 986 Basic Trading Area ("BTA") Licenses in the 28 GHz and 31 GHz Bands, Scheduled for December 10, 1997," DA 97-2081 (62 FR 53629, October 15, 1997).

#### Discussion

3. The Commission believes a minimum opening bid is more appropriate for the LMDS auction than a reserve price because firm reserve prices would not give the Commission flexibility to adjust to information learned during the auction and react to changing market conditions. Minimum bids, on the other hand, can serve the same revenue raising objective that reserve prices would serve, and in addition preserve for the Commission freedom to reduce the selected levels as the bidding unfolds. Further, a minimum opening bid will help to regulate the pace of the auction.

4. Specifically, the Commission proposes the following formula for calculating minimum opening bids in Auction No. 17:

Population of license area	A block min. opening bid (in dollars)	B block min. opening bid
Less than 100,000 .....	0.75 x population .....	10% of A Block.
100,000-1,000,000 .....	1.50 x population .....	10% of A Block.
More than 1,000,000 .....	2.25 x population .....	10% of A Block.