

by radio to the public. Included in this industry are commercial religious, educational, and other radio stations. Radio broadcasting stations which primarily are engaged in radio broadcasting and which produce radio program materials are similarly included. However, radio stations which are separate establishments and are primarily engaged in producing radio program material are classified under another SIC number. The 1992 Census indicates that 96 percent (5,861 of 6,127) radio station establishments produced less than \$5 million in revenue in 1992. Official Commission records indicate that 11,334 individual radio stations were operating in 1992. As of May 31, 1997, official Commission records indicate that 12,156 radio stations were operating, of which 7,342 were FM stations.

Thus, the proposed rules will affect many of the approximately 1,558 television stations; approximately 1,200 of those stations are considered small businesses. Additionally, the proposed rules will affect some of the 12,156 radio stations, approximately 11,670 of which are small businesses. These estimates may overstate the number of small entities since the revenue figures on which they are based do not include or aggregate revenues from non-television or non-radio affiliated companies.

In addition to owners of operating radio and television stations, any entity who seeks or desires to obtain a television or radio broadcast license may be affected by the proposals contained in this item.

The number of entities that may seek to obtain a television or radio broadcast license is unknown. We invite comment on this number.

#### **Any Significant Alternatives Minimizing the Impact on Small Entities and Consistent with the Stated Objectives**

This NPRM solicits comment on a variety of alternatives discussed herein. Any significant alternatives presented in the comments will be considered. The Commission believes that the proposed rules and policies may be necessary to promote the speedy deployment of digital television service and the prompt recovery of broadcast frequency spectrum for reallocation. We seek comment on this belief.

#### **Report to Small Business Administration**

The Commission shall send a copy of this Initial Regulatory Flexibility Analysis along with this Notice to the

Small Business Administration pursuant to the RFA.

#### **List of Subjects in 47 CFR Part 1**

Television, Radio broadcasting.  
Federal Communications Commission.

**Roy J. Stewart,**

*Chief, Mass Media Bureau.*

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BILLING CODE 6712-01-P

### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 73**

[MM Docket No. 98-33; RM-9232]

#### **Radio Broadcasting Services; Richwood, WV**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by J&B Broadcasting, Inc., proposing the allotment of Channel 288A at Richwood, West Virginia, as the community's first local FM transmission service. Channel 288A can be allotted to Richwood in compliance with the Commission's minimum distance separation requirements at city reference coordinates. The coordinates for Channel 288A at Richwood are North Latitude 38-13-42 and West Longitude 80-31-48.

**DATES:** Comments must be filed on or before May 4, 1998, and reply comments on or before May 19, 1998.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: Timothy E. Welch, Esq., Hill & Welch, 1330 New Hampshire, Ave., NW., Suite 113, Washington, DC 20036 (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. 98-33, adopted March 4, 1998, and released March 13, 1998. 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, 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.

#### **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. 98-7320 Filed 3-19-98; 4:55 am]

BILLING CODE 6712-01-P

### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 73**

[MM Docket No. 96-95, RM-8787; RM-8838]

#### **Radio Broadcasting Services; Plattsmouth and Papillion, NE, and Osceola, IA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; Order to show cause.

**SUMMARY:** The Commission, in response to a counterproposal filed by LifeStyle Communications Corporation, proposes the allotment of Channel 295A to Papillion, Nebraska, as the community's first local aural transmission service, and the substitution of Channel 299A for Channel 295A at Plattsmouth, Nebraska. An Order to Show Cause is directed to Platte Broadcasting Company, Inc., licensee of Station KOTD-FM, as to why its license should not be modified to specify the alternate Class A channel. Channel 299A can be allotted at Plattsmouth at Station KOTD-FM's licensed transmitter site, at coordinates 41-05-28 North Latitude and 95-48-15 West Longitude. Channel 295A can be allotted to Papillion with a site restriction of 11.5 kilometers (7.1 miles) northeast, at coordinates 41-12-08; 95-55-35, to avoid a short-spacing to Stations KEZG, Channel 297C1, Lincoln, Nebraska, KEXL, Channel

294C, Norfolk, Nebraska, and KEFM, Channel 241C, Omaha, Nebraska.

**DATES:** Comments must be filed on or before May 4, 1998.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Order to Show Cause, MM Docket No. 96-95, March 4, 1998, and released March 13, 1998. 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, 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.

#### **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.*

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