

are establishments primarily engaged in television broadcasting and that produce taped television program materials. Separate establishments primarily engaged in producing taped television program materials are classified under SIC 7812 (Motion Picture and Video Tape Production) and SIC 7922 (Theatrical Producers and Miscellaneous Theatrical Services (producers of live radio and television programs). There were 1,509 television broadcasting stations operating in the nation in 1992. That number has remained fairly constant as indicated by the approximately 1,579 operating full power television broadcasting stations in the nation as of May 31, 1998. In addition, as of October 31, 1997, there were 1,880 low power television broadcasting ("LPTV") broadcasting stations that may also be affected by our proposed rule changes. Given the nature of LPTV stations, we will presume that all LPTV's qualify as small entities. For 1992 the number of television broadcasting stations that produced less than \$10.0 million in revenue was 1,155 establishments.

Thus, the proposed action will affect many of the approximately 1,574 television broadcasting stations; approximately 1,200 of those stations are considered small businesses. Given the nature of LPTV stations, we will presume that all LPTV's qualify as small entities. These estimates may overstate the number of small entities because the revenue figures on which they are based do not include or aggregate revenues from non-television affiliated companies.

In addition to owners of operating television broadcasting stations, any entity who seeks or desires to obtain a television broadcasting license may be affected by the proposed action contained in this item. The number of entities that may seek to obtain a television broadcasting license is unknown. We invite comment as to such number.

#### DBS

The Commission has not developed a definition of small entities applicable to geostationary or non-geostationary orbit fixed-satellite or DBS service applicants or licensees. Therefore, the applicable definition of small entity is the definition under the SBA rules applicable to Communications Services, Not Elsewhere Classified. This definition provides that a small entity is one with \$11.0 million or less in annual receipts (SIC Code 4899). According to Census Bureau data, there are 848 firms that fall under the category of Communications Services, Not

Elsewhere Classified that could potentially fall into the DBS category. Of those, approximately 775 reported annual receipts of \$11 million or less and qualify as small entities. The proposed action in this NPRM applies to entities providing DBS service. Small businesses do not have the financial ability to become DBS licensees because of the high implementation costs associated with satellite services. Because this is an established service, however, with limited spectrum and orbital resources for assignment, we estimate that no more than fifteen entities will be Commission licensees providing these services. Therefore, because of the high implementation costs and the limited spectrum resources, we do not believe that small entities will be impacted by proposed action in this NPRM.

#### *D. Description of Projected Reporting, Record-keeping, and Other Compliance Requirements*

There may be reporting, record-keeping, and compliance requirements for television broadcasting stations and DBS operators in the form of testing, record-keeping, and reporting, if the Commission adopts any rule changes as a result of this NPRM. We solicit comments on how these projected requirements may be eliminated, reduced, or streamlined.

#### *E. Steps Taken to Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered*

In discussing the proposed action contained in this NPRM, we have attempted to minimize the burdens on all entities. We seek comment on the impact of our proposed action on small entities and on any possible alternatives that would minimize its impact on small entities.

#### *F. Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rule Changes*

None.

#### Ordering Clauses

It is ordered that, pursuant to sections 1, 4(i), 4(j) of the Communications Act of 1934, as amended, 47 CFR 151, 154(i), and 154(j); and section 119(d)(10)(a) of the Copyright Act, 17 CFR 119(d)(10)(a), notice is hereby given of proposed amendments to Part 73, in accordance with the proposals, discussions and statements of issues in this Notice of Proposed Rulemaking, and that comment is sought regarding such proposals, discussions and statements of issues. It is further ordered that the Commission's Office of Public

Affairs, Reference Operations Division, shall send a copy of this Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act, Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601 *et seq.* (1981).

Federal Communications Commission.

**Magalie Roman Salas,**  
*Secretary.*

[FR Doc. 98-32397 Filed 12-2-98; 12:21 pm]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 98-209; RM-9406]

### Radio Broadcasting Services; De Ridder, LA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed on behalf of Willis Broadcasting Corporation, licensee of Station KEAZ(FM), Channel 269A, De Ridder, Louisiana, proposing the substitution of Channel 250A for Channel 269A at De Ridder and modification of the license for Station KEAZ(FM) accordingly. Coordinates for Channel 250A at De Ridder 30-52-43 and 93-17-25.

As the petitioner's modification proposal seeks an equivalent channel substitution, we will not accept competing expressions of interest in the use of Channel 250A at De Ridder, Louisiana.

**DATES:** Comments must be filed on or before January 19, 1999, and reply comments on or before February 3, 1999.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: John C. Trent, Esq., Putbrey Hunsaker & Trent, P.C., 100 Carpenter Drive, Suite 100, P.O. Box 217, Sterling, VA 20167-0217.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-209, adopted November 18, 1998, and released November 27, 1998. The

full text of this Commission decision is available for inspection and copying during normal business hours in the FCC'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 contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (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* 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. 98-32365 Filed 12-4-98; 8:45 am]

BILLING CODE 6712-01-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[I.D. 113098B]

#### New England Fishery Management Council; Public Meeting

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce

**ACTION:** Public meeting.

**SUMMARY:** The New England Fishery Management Council (Council) has scheduled a 1-day meeting to take action on the Spiny Dogfish Fishery Management Plan (FMP).

**DATES:** The meeting will be held at 9:30 a.m. on Thursday, December 17, 1998.

**ADDRESSES:** The meeting will be held at the Sheraton Colonial Hotel, 427 Walnut Street, Wakefield, MA 01880; telephone (781) 245-9300. Requests for special accommodations should be addressed to the New England Fishery Management

Council, 5 Broadway, Saugus, MA 01906-1036; telephone (781) 231-0422.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Howard, Executive Director, New England Fishery Management Council; telephone (781) 231-0422.

**SUPPLEMENTARY INFORMATION:** The Council intends to discuss and approve the FMP, which has been prepared jointly with the Mid-Atlantic Fishery Management Council.

Although other issues not contained in this agenda may come before this Council for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this notice.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting date.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: December 1, 1998.

**Gary C. Matlock,**

*Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 98-32430 Filed 12-4-98; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[I.D. 111998A]

#### Fisheries of the Northeastern United States; Northeast Multispecies Fishery, Atlantic Sea Scallop Fishery, and Atlantic Salmon Fishery; Fishery Management Plan (FMP) Amendments

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Amendment to a notice of availability of an omnibus amendment to FMPs; request for comments.

**SUMMARY:** On December 1, 1998, NMFS published a notice of availability (NOA) of an omnibus amendment that included Amendment 11 to the Northeast Multispecies FMP, Amendment 9 to the Atlantic Sea Scallop FMP, and Amendment 1 to the Atlantic Salmon FMP. The NOA

described the Essential Fish Habitat (EFH) measures contained in the omnibus amendment. In addition to the EFH measures, Amendment 1 to the Atlantic Salmon FMP includes a discussion of an overfishing definition and an aquaculture framework adjustment process for Atlantic salmon. This notice informs the public that these additional measures are under review by the Secretary of Commerce (Secretary) and invites public comment.

**DATES:** Public comments must be received on or before February 1, 1999.

**ADDRESSES:** Comments on this amendment should be sent to Jon C. Rittgers, Acting Regional Administrator, One Blackburn Drive, Gloucester, MA 01930-2298. Please mark the outside of the envelope: "Comments on Essential Fish Habitat Amendment."

Copies of the amendment and the environmental assessment are available from Paul Howard, Executive Director, New England Fishery Management Council, 5 Broadway, Saugus, MA 01906-1036.

**FOR FURTHER INFORMATION CONTACT:** Jonathan M. Kurland, Assistant Habitat Program Coordinator, 978-281-9204.

**SUPPLEMENTARY INFORMATION:** On December 1, 1998, NMFS published a notification in the **Federal Register** (63 FR 66110) announcing that the New England Fishery Management Council submitted for review and approval by the Secretary an omnibus amendment containing EFH provisions that would implement the requirements of section 303(a)(7) of the Magnuson-Stevens Fishery Conservation and Management Act. The omnibus amendment describes and identifies EFH for specified fisheries, discusses measures to address the effects of fishing on EFH, and identifies other actions for the conservation and enhancement of EFH. The amendment includes no new fishery management measures, so no regulations are proposed.

In addition to EFH information, Amendment 1 to the Atlantic Salmon FMP also contains information related to the overfishing definition for Atlantic salmon and an aquaculture framework adjustment process for the Atlantic Salmon FMP. Because the December 1, 1998 notice did not specifically indicate that these measures were included in Amendment 1 to the Atlantic Salmon FMP, this notice informs the public that these additional measures are under Secretarial review for approval, disapproval, or partial approval, and invites public comment. To be considered, comments must be received by February 1, 1999.

**Authority:** 16 U.S.C. 1801 *et seq.*