

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 00-2015; Docket No. 00-60, RM-9827; MM Docket No. 00-61, RM-9840; MM Docket No. 00-62, RM-9846]

Radio Broadcasting Services; Sheffield, PA; Erie, IL; and Due West, SC

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document grants three proposals that allot new channels to Sheffield, Pennsylvania; Erie, Illinois; and Due West, South Carolina. Filing windows for Channel 286A at Sheffield, Pennsylvania; Channel 288A at Erie, Illinois; and Channel 237A at Due West, South Carolina, will not be opened at this time. Instead, the issue of opening a filing window for these channels will be addressed by the Commission in a subsequent order.

DATES: Effective October 16, 2000.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT:

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 00-60; MM Docket No. 00-61; and MM Docket No. 00-62, adopted August 23, 2000, and released September 1, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW., 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.

The Commission, at the request of Port Erie Communications, allots Channel 286A at Sheffield, Pennsylvania, as the community's first local aural transmission service. *See* 65 FR 20935, April 19, 2000. Channel 286A can be allotted at Sheffield in compliance with the Commission's minimum distance separation requirements with a site restriction of 1.9 kilometers (1.2 miles) northeast to avoid short-spacings to the licensed and application sites for Station WQXK(FM), Channel 286B, Salem, Ohio. The coordinates for Channel 286A at Sheffield are 41-42-42 North Latitude and 79-00-56 West Longitude. Since

Sheffield is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government was requested but not yet received. Therefore, if a construction permit is granted prior to the receipt of formal concurrence in the allotment by the Canadian government, the construction permit will include the following condition: "Operation with the facilities specified herein is subject to modification, suspension or termination without right to a hearing, if found by the Commission to be necessary in order to conform to the U.S.A.-Canadian Broadcast Agreement."

The Commission, at the request of Erie Foods International, Inc., allots Channel 288A at Erie, Illinois, as the community's first local aural transmission service. *See* 65 FR 20935, April 19, 2000. Channel 288A can be allotted to Erie in compliance with the Commission's minimum distance separation requirements with a site restriction of 0.6 kilometers (0.4 miles) east to avoid a short-spacing to the licensed site of Station KQLI(FM), Channel 285C3, DeWitt, Iowa. The coordinates for Channel 288A at Erie are 41-39-22 North Latitude and 90-04-23 West Longitude.

The Commission, at the request of Sutton Radiocasting Corporation, allots Channel 237A at Due West, South Carolina, as the community's first local aural transmission service. *See* 65 FR 20935, April 19, 2000. Channel 237A can be allotted at Due West in compliance with the Commission's minimum distance separation requirements with a site restriction of 5.5 kilometers (3.4 miles) south to avoid a short-spacing to the licensed site of Station WBTS(FM), Channel 238C1, Athens, Georgia. The coordinates for Channel 237A are 34-17-13 North Latitude and 82-24-23 West Longitude.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

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 Pennsylvania, is amended by adding Sheffield, Channel 286A.

3. Section 73.202(b), the Table of FM Allotments under Illinois, is amended by adding Erie, Channel 288A.

4. Section 73.202(b), the Table of FM Allotments under South Carolina, is amended by adding Due West, Channel 237A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 00-23806 Filed 9-14-00; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 000907254-0254-01; I.D. 082400A]

Fisheries of the Northeastern United States; Atlantic Mackerel, Squid and Butterfish Fisheries; Inseason Adjustment Procedures

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

ACTION: Final rule; technical amendment.

SUMMARY: NMFS corrects the regulations implementing the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan (FMP) by reinserting regulatory text that was incorrectly removed in the final rule that implemented measures contained in Amendment 12 to the Summer Flounder, Scup and Black Sea Bass FMP, Amendment 8 to the Atlantic Mackerel, Squid and Butterfish FMP, and Amendment 12 to the Atlantic Surf Clam and Ocean Quahog FMP, which was published on October 26, 1999.

DATES: Effective September 15, 2000.

FOR FURTHER INFORMATION CONTACT: Paul H. Jones, Fishery Policy Analyst, (978) 281-9273.

SUPPLEMENTARY INFORMATION:

Background

On October 26, 1999, NMFS published a final rule at 64 FR 57587 to implement management measures contained in Amendment 12 to the Summer Flounder, Scup and Black Sea Bass FMP, Amendment 8 to the Atlantic Mackerel, Squid and Butterfish FMP, and Amendment 12 to the Atlantic Surf Clam and Ocean Quahog FMP. However, the final rule incorrectly removed § 648.21 (e), because the measures were thought to be redundant with the inseason adjustment process established under the framework

provision in § 648.24, which allows the Mid-Atlantic Fishery Management Council (Council) to modify or add management measures through a streamlined public review process. The text previously codified at § 648.21 (e), allowed the Administrator, Northeast Region, NMFS, in consultation with the Council, to recommend inseason adjustments to the annual specifications during the fishing year by publishing notification in the Federal Register and providing a 30-day public comment period. This process is not redundant with the framework provision process that was established under § 648.24. Therefore, this technical amendment reinserts § 648.21 (e), that was incorrectly removed on October 26, 1999.

Classification

This technical amendment is issued under 50 CFR part 648. Because it only corrects an inadvertent deletion, the Assistant Administrator for Fisheries, NOAA, finds, under 5 U.S.C. 553(b)(B), that it is unnecessary to provide prior

notice and opportunity for public comment as such procedures would serve no useful purpose. This rule simply restores text that was inadvertently removed by a prior rule. Because this rule is not substantive, it is not subject to a 30-day delay in effective date. The provision is procedural in nature because it merely restores the process through which NMFS may make inseason adjustments to the annual specifications, and it does not impose any requirements with which the public must comply.

This rule is exempt from review under Executive Order 12866.

List of Subjects in 50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: September 11, 2000.

Bruce C. Morehead,

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

For the reasons set out in the preamble, 50 CFR part 648 is amended as follows:

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

1. The authority citation for part 648 continues to read as follows:

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

2. In § 648.21, redesignate paragraph (e) as paragraph (f) and add new paragraph (e) to read as follows:

§ 648.21 Procedures for determining initial annual amounts.

* * * * *

(e) Inseason adjustments. The specifications established pursuant to this section may be adjusted by the Regional Administrator, in consultation with the MAFMC, during the fishing year by publishing notification in the Federal Register stating the reasons for such an action and providing a 30-day public comment period.

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