

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 00-2017, MM Docket No. 00-158, RM-9921]

#### Radio Broadcasting Services; Alamo, NM

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Alamo Navajo School Board, Inc., seeking the allotment of Channel 298A, as a noncommercial educational channel, to Alamo community, NM. Channel 298A can be allotted to Alamo Community at coordinates 34-25-01 NL; 107-30-04 WL. Mexican concurrence in the allotment must be obtained since Alamo Community is located within 320 kilometers (199 miles) of the U.S.-Mexican border. Petitioner is requested to provide further information concerning Alamo Community's center city reference coordinates in order to determine whether the proposed allotment would comply with the signal coverage requirements contained in Section 73.315 of the Commission's Rules. In addition, petitioner is requested to provide further information concerning the reservation of the channel for noncommercial educational use.

**DATES:** Comments must be filed on or before October 23, 2000, and reply comments on or before November 7, 2000.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Burton Apache, President, The Alamo Navajo School Board, Inc., P.O. Box 907, Magdalena, NM 87825 (Petitioner) and Don Davis, 800 Wellesley N.E., Albuquerque, NM 87106 (Technical Consultant to petitioner).

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 00-158, 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 Center, 445 12th Street,

SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC. 20036, (202) 857-3800, facsimile (202) 857-3805.

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* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 00-23693 Filed 9-14-00; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 00-2018; MM Docket No. 00-159, RM-9889; MM Docket No. 00-160; RM-9928; MM Docket No. 00-161; RM-9929]

#### Radio Broadcasting Services; Thermopolis and Story, WY; Pana, Taylorville and Macon, IL; Fort Bridger, WY and Woodruff, UT

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes three reallocations. The Commission requests comments on a petition filed by Legend Communications for Wyoming, L.L.C., proposing the substitution of Channel 252C1 for Channel 252C2 at Thermopolis, Wyoming, the reallocation of Channel 252C1 from Thermopolis to Story, Wyoming, and the modification of petitioner's construction permit (File No BPH-19971021MC) accordingly. Channel 251C1 can be reallocated to Story in compliance with the Commission's minimum distance separation requirements with a site restriction of 1.2 kilometers (0.8 miles) east at petitioner's requested site. The coordinates for Channel 252C1 at Story are 44-34-28 North Latitude and 106-52-14 West Longitude. In accordance with Section 1.420(i) of Commission's

Rules, we will not accept competing expressions of interest for the use of Channel 252C1 at Story, Wyoming, or require petitioner to demonstrate the availability of an equivalent class channel for use by such parties. See **SUPPLEMENTARY INFORMATION, infra.**

**DATES:** Comments must be filed on or before October 23, 2000, and reply comments on or before November 7, 2000.

**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: Lee W. Shubert, Esq., Rosenman & Colin, LLP, 805 15th Street, NW, Washington, DC 20005-2212 (Counsel for Legend Communications for Wyoming, L.L.C.); Patricia M. Chuh, Pepper & Corazzini, L.L.P., 1176 K Street, NW, Suite 200, Washington, DC 20006 (Counsel for Kaskaskia Broadcasting, Inc. and Miller Communications, Inc.); and Ellen Masters, Shaw Pittman, 2300 N Street, NW, Washington, DC 20037 (Counsel for M. Kent Frendsen).

#### 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. 00-159 and MM Docket No. 00-160, and MM Docket No. 00-161, 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 also requests comments on a petition filed jointly by Kaskaskia Broadcasting, Inc. and Miller Communications, Inc., proposing the reallocation of Channel 265A from Pana to Macon, Illinois, and the modification of Station WEGY(FM)'s license accordingly. Additionally, petitioners propose the reallocation of Channel 232A from Taylorville to Pana, Illinois, and the modification of Station WMKR(FM)'s license accordingly. Channel 265A can be reallocated to Macon in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.9 kilometers (4.3 miles) south at Station WEGY(FM)'s requested

site. The coordinates for Channel 265A at Macon are 39–41–08 North Latitude and 88–55–29 West Longitude. Additionally, Channel 232A can be reallocated to Pana in compliance with the minimum distance separation requirements with a site restriction of 11.7 kilometers (7.3 miles) west at Station WMKR(FM)'s requested site. The coordinates for Channel 262A at Pana 39–22–56 North Latitude and 89–12–56 West Longitude. In accordance with Section 1.420(i) of the Commission's Rules, we will not accept competing expressions of interest for the use of Channel 232A at Pana, Illinois or for Channel 265A at Macon, Illinois.

The Commission requests comments on a petition filed by M. Kent Frandsen proposing the reallocation of Channel 256C1 from Fort Bridger, Wyoming to Woodruff, Utah, and the modification of Station KNYN(FM)'s construction permit accordingly. Channel 256C1 can be reallocated to Woodruff in compliance with the Commission's minimum distance separation requirements with a site restriction of 28.2 kilometers (17.5 miles) southeast at petitioner's presently authorized site. The coordinates for Channel 256C1 at Woodruff are 41–21–10 North Latitude and 110–54–26 West Longitude. In accordance with Section 1.420(i) of the Commission's Rules, we will not accept competing expressions of interest in the use of Channel 256C1 at Woodruff, Utah.

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.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 00–23697 Filed 9–14–00; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 90

[WT Docket No. 98–182; RM–9222; PR Docket No. 92–235; FCC 00–235]

### 1998 Biennial Regulatory Review—Private Land Mobile Radio Services

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission has adopted a *Further Notice of Proposed Rule Making, (FNPRM)* which seeks comment on whether certain rule changes would be in the public interest. Specifically, the Commission seeks comment on whether it should modify the eligibility criteria to operate in the Public Safety Pool for parks and schools; the eligibility criteria for highway maintenance frequencies; and the power limits for certain dockside channels.

**DATES:** Interested parties may file comments on or before November 14, 2000 and reply comments on or before December 14, 2000.

**FOR FURTHER INFORMATION CONTACT:** Guy Benson (202) 418–2946 <gbenson@fcc.gov> or Ghassen Khalek (202) 418–2771 <gkhalek@fcc.gov>, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau, or Les Smith, AMD–PERM, Office of Managing Director at (202) 418–0217.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *FNPRM* in the *Report and Order and FNPRM*, FCC 00–235 in WT Docket No. 98–182 and PR Docket No. 92–235, adopted on June 28, 2000 and released on July 12, 2000. The full text of this *FNPRM* is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY–A257, 445 12th Street, SW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC. 20037. The full text may also be downloaded at: [www.fcc.gov](http://www.fcc.gov). Alternative formats are available to persons with disabilities by contacting Martha Contee at (202) 418–0260 or TTY (202) 418–2555.

### Summary of the Proposed Rule

1. The Commission initiated the instant proceeding in conjunction with the Commission's 1998 biennial regulatory review under Section 11 of the Communications Act of 1934, 47 U.S.C. 161. Section 11 requires us to

review all our regulations applicable to providers of telecommunications service and determine whether any rule is no longer in the public interest as a result of meaningful economic competition between providers of telecommunications service, and whether such regulations should be deleted or modified. As part of the biennial review of regulations required under section 11, however, the Commission has reviewed all of its regulations relating to administering wireless services, not just those pertaining to providers of a telecommunications service, to determine which regulations can be streamlined or eliminated. The Commission concluded in the *FNPRM* that it was in the public interest to continue to streamline the part 90 Rules and to reduce regulatory requirements on licensees.

2. First, the Commission proposes to eliminate the restriction found in 47 CFR 90.20(a)(1)(i) that excludes school districts and authorities and park districts and authorities from eligibility in the Public Safety Pool. The Commission believes that there are sufficient frequencies available in the Public Safety Pool to accommodate school and park districts. Because school districts and authorities will be eligible to hold authorizations in the Public Safety Pool with this change, the Commission also proposes to eliminate their eligibility for the Industrial/Business Pool.

3. Second, the Commission proposes to eliminate the restriction found in 47 CFR 90.20(43), reserving certain public safety frequencies for non-State highway maintenance use. The proposal allows any public safety user to share these frequencies. The intended result is more efficient use of the spectrum.

4. Finally, the Commission seeks comment on the American Automobile Association's (AAA) proposal that the Commission assign eight of the thirty dockside frequencies to the Emergency Road Service. AAA also proposes to act as the sole frequency coordinator on those channels and asks that the 2-watt power limitations for these frequencies be eliminated. The Commission seeks comment on all of these proposals.

### Initial Regulatory Flexibility Analysis

5. As required by section 603 of the Regulatory Flexibility Act, 5 U.S.C. 603, the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) of the expected impact on small entities of the policies and rules proposed in the *FNPRM*. Written public comments are requested on the IRFA. Comments must be identified as responses to the IRFA