

eligibility or use a remaining activity rule waiver.

iii. Declare that the auction will end after a specified number of additional rounds ("special stopping rule"). If the Bureaus invoke this special stopping rule, it will accept bids in the specified final round(s) and the auction will close.

41. The Bureaus propose to exercise these options only in certain circumstances, for example, where the auction is proceeding very slowly, there is minimal overall bidding activity, or it appears likely that the auction will not close within a reasonable period of time. Before exercising these options, the Bureaus are likely to attempt to increase the pace of the auction by, for example, increasing the number of bidding rounds per day, and/or increasing the minimum acceptable bid percentage for the limited number of construction permits on which there is still a high level of bidding activity. We seek comment on these proposals.

#### IV. Due Diligence

42. Potential bidders are solely responsible for investigating and evaluating all technical and market place factors that may have a bearing on the value of the broadcast facilities in this auction. The FCC makes no representations or warranties about the use of this spectrum for particular services. Applicants should be aware that an FCC auction represents an opportunity to become an FCC permittee in the broadcast service, subject to certain conditions and regulations. An FCC auction does not constitute an endorsement by the FCC of any particular service, technology, or product, nor does an FCC construction permit or license constitute a guarantee of business success. Applicants should perform their individual due diligence before proceeding as they would with any new business venture. In particular, potential bidders are strongly encouraged to review all underlying Commission orders, such as the specific *Report and Order* amending the FM Table of Allotments and allotting the FM channel(s) on which they plan to bid. *Reports and Orders* adopted in FM allotment rulemaking proceedings often include anomalies such as site restrictions or expense reimbursement requirements. Additionally, potential bidders should perform technical analyses sufficient to assure them that, should they prevail in competitive bidding for a given FM construction permit, they will be able to build and operate facilities that will fully comply with the Commission's technical and legal requirements. Applicants are

strongly encouraged to inspect any prospective transmitter sites located in, or near, the service area for which they plan to bid, and also to familiarize themselves with the Commission's rules regarding the National Environmental Policy Act.

43. Potential bidders are strongly encouraged to conduct their own research prior to Auction No. 62 in order to determine the existence of pending proceedings that might affect their decisions regarding participation in the auction. Participants in Auction No. 62 are strongly encouraged to continue such research during the auction.

#### V. Conclusion

44. Comments are due on or before April 29, 2005, and reply comments are due on or before May 6, 2005. All filings must be addressed to the Commission's Secretary, Attn: WTB/ASAD, Office of the Secretary, Federal Communications Commission. Parties who file by paper must file an original and four copies of each filing. U.S. Postal Service first-class, Express, and Priority mail should be addressed to Office of the Secretary, 445 12th Street, SW., Washington, DC 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. The Bureaus also require that all comments and reply comments be filed electronically to the following address: [auction62@fcc.gov](mailto:auction62@fcc.gov). The electronic mail containing the comments or reply comments must include a subject or caption referring to "Auction No. 62 Comments" and the name of the commenting party. The Bureaus request that parties format any attachments to electronic mail as Adobe® Acrobat® (pdf) or Microsoft® Word documents. Copies of comments and reply comments will be available for public inspection between 8 a.m. and 4:30 p.m. Monday through Thursday or 8 a.m. to 11:30 a.m. on Friday in the FCC Reference Information Center, Room CY-A257, 445 12th Street, SW., Washington, DC 20554, and will also be posted on the Web page for Auction No. 62 at <http://wireless.fcc.gov/auctions/62>.

45. This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally

required. Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in § 1.1206(b) of the Commission's rules.

Federal Communications Commission.

**Gary Michaels,**

*Deputy Chief, Auctions and Spectrum Access Division, WTB.*

[FR Doc. 05-8521 Filed 4-26-05; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

[DA 05-619]

### Basic Reconfiguration Schedule Put Forth in the Transition Administrator's 800 MHz Regional Prioritization Plan

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice.

**SUMMARY:** In July 2004, the Federal Communications Commission (FCC) adopted a *Report and Order*, in the 800 MHz Public Safety Proceeding establishing rules that reconfigure the 800 MHz band to eliminate interference to public safety and other 800 MHz land mobile communication systems. As specified in the Commission's *Report and Order*, the band reconfiguration process is being overseen by a Transition Administrator (TA) whose duties include providing the Commission with a plan detailing when band reconfiguration will commence in each of the fifty-five 800 MHz National Public Safety Planning Advisory Committee (NPSPAC) regions. On January 31, 2005, the TA filed the plan (Regional Prioritization Plan or RPP), containing a general schedule for implementing 800 MHz band reconfiguration.

#### FOR FURTHER INFORMATION CONTACT:

Roberto Mussenden,  
*Roberto.Mussenden@FCC.gov*, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau, (202) 418-0680, TTY (202) 418-7233.

**SUPPLEMENTARY INFORMATION:** This is a summary of a public notice released on March 11, 2005.

1. The TA plan assigns each of the fifty-five NPSPAC regions to one of four basic "prioritization waves" with staggered approximate starting dates. Under the RPP, the first wave commences on June 27, 2005, (Wave 1), the second wave on October 3, 2005 (Wave 2), the third wave on January 3, 2006 (Wave 3) and the fourth wave on

April 3, 2006 (Wave 4). The reconfiguration process for each wave begins with negotiations between affected licensees and Nextel for payment of relocation costs. Licensees may negotiate with Nextel directly or use the TA as an intermediary. There are separate six-month negotiation periods for non-NPSPAC and NPSPAC licensees. Consistent with the Commission's *Report and Order*, 69 FR 67823, November 22, 2004, released on August 6, 2004, the first three months of the negotiation period are voluntary, the last three months mandatory. Band reconfiguration will be completed within thirty-six months of the date on which official band reconfiguration commences, as required by the Commission's *Report and Order*.

2. By this notice, and as specified in the *Report and Order*, we approve the

RPP's basic 800 MHz band reconfiguration schedule, *i.e.*, the grouping of the NPSPAC regions into four waves and starting the reconfiguration process in each wave on the dates recommended by the TA. We believe this schedule comports with the population and interference-history considerations identified in the *Report and Order*. We also concur with the Transition Administrator's recommendation for separate negotiation periods for NPSPAC and non-NPSPAC licensees in each wave.

3. The Commission will release public notices establishing the start date for commencement of negotiations in each wave. These public notices will be released thirty days prior to the start dates. However, licensees may initiate negotiations before the start date, and we encourage them to do so, especially

in the case of complex systems such as those that span more than one NPSPAC region.

4. The Reconfiguration Plan filed by the TA is available on the Commission's 800 MHz band reconfiguration Web page at <http://www.800MHz.gov>. A summary of the schedule is listed in the attachment to this notice. Questions concerning the RPP, and other Transition Administrator matters, including whether your 800 MHz system must be relocated, should be directed to Brett Haan, BearingPoint, 1676 International Drive, McLean, VA 22102, [Brett.Haan@800ta.org](mailto:Brett.Haan@800ta.org).

Federal Communications Commission.

**Ramona Melson,**

*Chief of Staff, Public Safety and Critical Infrastructure Division, WTB.*

#### ATTACHMENT—800 MHZ BAND RECONFIGURATION IMPLEMENTATION SCHEDULE

NPSPAC region	Description of region	Wave	Approximate start date for each wave
1 .....	Alabama .....	3 .....	1/3/06
2 .....	Alaska .....	4 .....	4/3/06
3 .....	Arizona .....	4 .....	4/3/06
4 .....	Arkansas .....	2 .....	10/3/05
5 .....	California (Southern) .....	4 .....	4/3/06
6 .....	California (Northern) .....	1 .....	6/27/05
7 .....	Colorado .....	1 .....	6/27/05
8 .....	NY City area (NY, NJ, & CT) .....	1 .....	6/27/05
9 .....	Florida .....	3 .....	1/3/06
10 .....	Georgia .....	3 .....	1/3/06
11 .....	Hawaii .....	1 .....	6/27/05
12 .....	Idaho .....	2 .....	10/3/05
13 .....	Illinois (except Southern Lake Michigan counties) .....	1 .....	6/27/05
14 .....	Indiana (except Southern Lake Michigan counties) .....	1 .....	6/27/05
15 .....	Iowa .....	2 .....	10/3/05
16 .....	Kansas .....	2 .....	10/3/05
17 .....	Kentucky .....	2 .....	10/3/05
18 .....	Louisiana .....	2 .....	10/3/05
19 .....	New England .....	1 .....	6/27/05
20 .....	Maryland, Northern VA & DC .....	1 .....	6/27/05
21 .....	Michigan .....	4 .....	4/3/06
22 .....	Minnesota .....	2 .....	10/3/05
23 .....	Mississippi .....	3 .....	1/3/06
24 .....	Missouri .....	2 .....	10/3/05
25 .....	Montana .....	2 .....	10/3/05
26 .....	Nebraska .....	2 .....	10/3/05
27 .....	Nevada .....	1 .....	6/27/05
28 .....	Eastern PA, DE & Southern NJ .....	1 .....	6/27/05
29 .....	New Mexico .....	4 .....	4/3/06
30 .....	Eastern Upstate NY .....	4 .....	4/3/06
31 .....	North Carolina .....	3 .....	1/3/06
32 .....	North Dakota .....	2 .....	10/3/05
33 .....	Ohio .....	4 .....	4/3/06
34 .....	Oklahoma .....	2 .....	10/3/05
35 .....	Oregon .....	1 .....	6/27/05
36 .....	Western PA .....	4 .....	4/3/06
37 .....	South Carolina .....	3 .....	1/3/06
38 .....	South Dakota .....	2 .....	10/3/05
39 .....	Tennessee .....	2 .....	10/3/05
40 .....	Texas (Central & Northeast) .....	2 .....	10/3/05
41 .....	Utah .....	1 .....	6/27/05
42 .....	Virginia .....	1 .....	6/27/05
43 .....	Washington .....	4 .....	4/3/06
44 .....	West Virginia .....	2 .....	10/3/05

## ATTACHMENT—800 MHz BAND RECONFIGURATION IMPLEMENTATION SCHEDULE—Continued

NPSPAC region	Description of region	Wave	Approximate start date for each wave
45 .....	Wisconsin (except Southern Lake Michigan counties.	1 .....	6/27/05
46 .....	Wyoming .....	2 .....	10/3/05
47 .....	Puerto Rico .....	2 .....	10/3/05
48 .....	U.S. Virgin Islands .....	2 .....	10/3/05
49 .....	Texas (Central—Austin area) .....	2 .....	10/3/05
50 .....	Texas (West & Central—Midland area) .....	4 .....	4/3/06
51 .....	Texas (East—Houston area) .....	2 .....	10/3/05
52 .....	Texas (Panhandle, High Plains & Northwest—Lubbock Area).	2 .....	10/3/05
53 .....	Texas (Southern—San Antonio area) .....	4 .....	4/3/06
54 .....	Southern Lake Michigan (MI, WI, IL, & IN) .....	1, [The counties in MI will be in Wave 4 because of border area issues.]	6/27/05, [4/3/06 for Wave 4 systems]
55 .....	Western Upstate NY .....	4 .....	4/3/06
	Large non-public safety systems that cover multiple NPSPAC regions assigned to different waves.	Reconfiguration will begin in conjunction with the regions in the first wave in which the licensee has a system to be reconfigured.	

[FR Doc. 05–8209 Filed 4–26–05; 8:45 am]

BILLING CODE 6712–01–P

## FEDERAL MARITIME COMMISSION

## Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984.

Interested parties may obtain copies of agreements by contacting the Commission's Office of Agreements at (202) 523–5793 or via e-mail at [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov). Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days of the date this notice appears in the **Federal Register**.

*Agreement No.:* 010977–057.

*Title:* Hispaniola Discussion Agreement.

*Parties:* Crowley Liner Services; Seaboard Marine; Tropical Shipping and Construction Co. Ltd.; and Frontier Liner Services.

*Filing Party:* Wayne R. Rohde, Esq.; Sher & Blackwell; 1850 M Street, NW., Suite 900; Washington, DC 20036.

*Synopsis:* The amendment revises the amount of security required under the agreement.

*Agreement No.:* 011375–062.

*Title:* Trans-Atlantic Conference Agreement.

*Parties:* Atlantic Container Line AB; A. P. Moller-Maersk A/S; Hapag-Lloyd Container Linie GmbH; Mediterranean Shipping Company, S.A.; Nippon Yusen Kaisha; Orient Overseas Container Line Limited; and P&O Nedlloyd Limited.

*Filing Party:* Wayne R. Rohde, Esq.; Sher & Blackwell; 1850 M Street, NW., Suite 900; Washington, DC 20036.

*Synopsis:* The amendment deletes Ukraine from the geographic scope.

*Agreement No.:* 011587–011.

*Title:* United States South Europe Conference.

*Parties:* A.P. Moller-Maersk A/S; P&O Nedlloyd Limited; and Hapag-Lloyd Container Linie GmbH.

*Filing Party:* Wayne R. Rohde, Esq.; Sher & Blackwell; 1850 M Street, NW., Suite 900; Washington, DC 20036.

*Synopsis:* The amendment deletes Ukraine from the geographic scope.

*Agreement No.:* 011737–014.

*Title:* The MCA Agreement.

*Parties:* Atlantic Container Line AB; Alianca Navegacao e Logistica Ltda.; Antillean Marine Shipping Corporation; A.P. Moller-Maersk A/S; China Shipping Container Lines Co., Ltd.; CMA CGM S.A.; Companhia Libra de Navegacao; Companhia Sud Americana de Vapores S.A.; CP Ships (UK) Limited, d/b/a ANZDL and also as Contship Containerlines; CP Ships USA LLC, d/b/a Italia Di Navigazione LLC, Lykes Lines Limited LLC, and TMM Lines Limited LLC; Crowley Liner Services, Inc.; Dole Ocean Cargo Express, Inc.; Hamburg-Süd; Hapag-Lloyd Container Linie; HUAL AS; Montemar Maritima S.A.; Norasia Container Line Limited; Safmarine Container Lines N.V.; Tropical Shipping & Construction Co., Ltd.; Wallenius Wilhelmsen Lines AS.

*Filing Party:* James R. Halley, Esq.; Halley & Halley, P.A.; 328 Crandon Boulevard; Suite 224–225; Key Biscayne, Florida 33149.

*Synopsis:* The amendment removes Great White Fleet as a party to the agreement. It also merges Italia Di

Navigazione LLC, Lykes Lines Limited LLC, and TMM Lines Limited LLC under the name of CP Ships USA LLC.

*Agreement No.:* 011740–001.

*Title:* Maersk Sealand/CMA CGM Antilles Guyane/Marfret Mediterranean/Caribbean Vessel Sharing Agreement.

*Parties:* A.P. Moller-Maersk A/S; CMA CGM Antilles Guyane and Compagnie Maritime Marfret.

*Filing Party:* Wayne R. Rohde, Esq.; Sher & Blackwell; 1850 M Street, NW., Suite 900; Washington, DC 20036.

*Synopsis:* The amendment revises the names of Maersk Sealand and CMA CGM Antilles Guyane, deletes Nordana as a party to the agreement and revises the vessel contribution and allocation.

*Agreement No.:* 011913.

*Title:* King Ocean/Maersk Sealand Vessel Sharing Agreement.

*Parties:* King Ocean Services Limited and A.P. Moller-Maersk A.S.

*Filing Party:* Wayne R. Rohde, Esq.; Sher & Blackwell; 1850 M Street, NW., Suite 900; Washington, DC 20036.

*Synopsis:* The agreement authorizes King Ocean to charter space to Maersk Sealand in the trades between Port Everglades, Florida and Aruba, Curacao, and Venezuela.

By order of the Federal Maritime Commission.

Dated: April 22, 2005.

**Bryant L. VanBrakle,**  
Secretary.

[FR Doc. 05–8408 Filed 4–26–05; 8:45 am]

BILLING CODE 6730–01–P