

report to Congress pursuant to the Congressional Review Act. In addition, the Order and this final certification will be sent to the Chief Counsel for Advocacy of the SBA, and will be published in the **Federal Register**.

#### Final Paperwork Reduction Act Analysis

12. This Report and Order does not contain information collection(s) subject to the Paperwork Reduction Act of 1995 (PRA), Pub. L. 104-13.

#### Ordering Clauses

13. Pursuant to sections 2, 4(i)-(j), 272, and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 152, 154(i)-(j), 272, 303(r), the Report and Order *is adopted*.

14. Pursuant to sections 1.103(a) and 1.427(b) of the Commission's rules, 47 CFR 1.103(a), 1.427(b), that this Report and Order and Memorandum Opinion and Order *shall be effective* upon publication of the Report and Order in the **Federal Register**.

15. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this Order, including the Final Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

#### List of Subjects in 47 CFR Part 53

Telecommunications, Special Provisions concerning Bell operating companies.

Federal Communications Commission.

**Marlene H. Dortch**,  
Secretary.

#### Final Rules

■ For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 53 as follows:

#### PART 53—SPECIAL PROVISIONS CONCERNING BELL OPERATING COMPANIES

■ 1. The authority citation for part 53 continues to read as follows:

**Authority:** Sections 1-5, 7, 201-05, 218, 251, 253, 271-75, 48 Stat. 1070, as amended, 1077; 47 U.S.C. 151-55, 157, 201-05, 218, 251, 253, 271-75, unless otherwise noted.

■ 2. In § 53.203, revise paragraph (a)(1) to read as follows:

#### § 53.203 Structural and transactional requirements.

(a) \* \* \* (1) A section 272 affiliate and the BOC of which it is an affiliate shall not jointly own transmission and switching facilities or the land and

buildings where those facilities are located.

\* \* \* \* \*

[FR Doc. 04-6946 Filed 3-29-04; 8:45 am]

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#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 04-655, MM Docket No. 01-54, RM-9918]

#### Digital Television Broadcast Service; Nampa, ID

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Idaho Independent Television, Inc., substitutes DTV channel 13c for DTV channel 44 at Nampa, Idaho. *See* 66 FR 12752, February 28, 2001. DTV channel 13c can be allotted to Nampa, Idaho, in compliance with the principle community coverage requirements of § 73.625(a) at reference coordinates 43-45-18 N. and 116-05-52 W. with a power of 17, HAAT of 829 meters and with a DTV service population of 391 thousand. With this action, this proceeding is terminated.

**DATES:** Effective May 3, 2004.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 01-54, adopted March 9, 2004, and released March 19, 2004. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., CY-B402, Washington, DC 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

#### List of Subjects in 47 CFR Part 73

Digital television broadcasting, Television.

■ 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 and 336.

#### § 73.622 [Amended]

■ 2. Section 73.622(b), the Table of Digital Television Allotments under Idaho, is amended by removing DTV channel 44 and adding DTV channel 13c at Nampa.

Federal Communications Commission.

**Barbara A. Kreisman**,

Chief, Video Division, Media Bureau.

[FR Doc. 04-7103 Filed 3-29-04; 8:45 am]

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#### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 04-676; MB Docket No. 03-163; RM-10734]

#### Radio Broadcasting Services; Fortuna Foothills and Wellton, AZ

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; denial of petition for reconsideration.

**SUMMARY:** This document denies a Petition for Reconsideration filed by Dana J. Puopolo directed at the *Report and Order* in this proceeding, which dismissed the Petition for Rulemaking requesting the allotment of Channel 240A to Fortuna Foothills, and substituting Channel 248A for vacant Channel 240A at Wellton, Arizona to accommodate the allotment at Fortuna Foothills. *See* 68 FR 61788, published October 30, 2003. With this action, the proceeding is terminated.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Memorandum Opinion and Order*, adopted March 12, 2004, and released March 15, 2004. The full text of this decision is available for inspection and copying during normal business hours in the FCC Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).