

Canadian government has been requested.

The Audio Division requests comments on a petition filed by Linda Davidson proposing the allotment of Channel 246C3 at Crested Butte, Colorado, as the community's second local aural transmission service. Channel 246C3 can be allotted to Crested Butte in compliance with the Commission's minimum distance separation requirements with a site restriction of 8.0 kilometers (5.0 miles) east of the community. The reference coordinates for Channel 246C3 at Crested Butte are 38-50-42 North Latitude and 106-54-00 West Longitude.

The Audio Division requests comment on a petition filed by Dana Puopolo proposing the allotment of Channel 224A at Lawrence Park, Pennsylvania, as the community's first local aural transmission service. Channel 224A can be allotted to Lawrence Park in compliance with the Commission's minimum distance separation requirements with a site restriction of 10.6 kilometers (6.6 miles) southwest of the community. The reference coordinates for Channel 224A at Lawrence Park are 42-06-00 North Latitude and 80-07-48 West Longitude.

The Audio Division requests comment on a petition filed by Dana Puopolo proposing the allotment of Channel 289C0 at Roswell, New Mexico, as the community's thirteenth local aural transmission service. A later filed minor change application filed by Rooney Moon Broadcasting, Inc., licensee of Station Channel KSEL-FM, which conflicts with this proposal will be treated as a counterproposal. Channel 289C0 can be allotted to Roswell in compliance with the Commission's minimum distance separation requirements with a site restriction of 13.4 kilometers (8.3 miles) north of Roswell. The reference coordinates for Channel 289C0 at Roswell are 33-30-50 North Latitude and 104-30-05 West Longitude.

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.

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

Radio, Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR Part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

##### § 73.202 [Amended]

1. Section 73.202(b), the Table of FM Allotments under Colorado is amended by adding Crested Butte, Channel 246C3.

2. Section 73.202(b), the Table of FM Allotments under Massachusetts, is amended by adding Adams, Channel 224A.

3. Section 73.202(b), the Table of FM Allotments under New Mexico, is amended by adding Channel 289C0 at Roswell.

4. Section 73.202(b), the Table of FM Allotments under Ohio, is amended by adding Channel 241A at Ashtabula.

5. Section 73.202(b), the Table of FM allotments under Pennsylvania, is amended by adding Lawrence Park, Channel 224A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

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#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 04-2914; MB Docket No. 04-362; RM-11066]

##### Radio Broadcasting Services; Olustee, OK

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rulemaking filed by Charles Crawford requesting the allotment of Channel 252A at Olustee, Oklahoma as that community's first local service. The coordinates for Channel 252A at Olustee are 34-33-00 NL and 99-24-00 WL. There is a site restriction 2.0 kilometers (1.3 miles) east of the community. To accommodate the proposal, petitioner requests that the coordinates for vacant Channel 253C3 at Wellington, Texas be modified to 34-

53-00 NL and 100-18-00 WL with a site restriction 8.5 kilometers (5.3 miles) west of the community. Petitioner also indicates that the required spacing separations are met due to the fact that Channel 253C is no longer allotted to Elk City, Oklahoma and Channel 251C1 is no longer allotted to Lawton, Oklahoma pursuant to *Crowell, Texas et al.*, 19 FCC Rcd 5347 (MB 2004).

**DATES:** Comments must be filed on or before November 8, 2004, and reply comments on or before November 23, 2004.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner as follows: Charles Crawford, 4553 Bordeaux Avenue, Dallas, Texas 75205.

**FOR FURTHER INFORMATION CONTACT:** Helen McLean, Media Bureau, (202) 418-2738.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MB Docket No. 04-362, adopted September 15, 2004, and released September 17, 2004. The full text of this Commission notice is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 Twelfth Street, SW., Washington, DC. This document may also be purchased from the Commission's duplicating contractors, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>.

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, Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR Part 73 as follows:

**PART 73—RADIO BROADCAST SERVICES**

1. The authority citation for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by adding Olustee, Channel 252A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 622**

[I.D. 091704A]

**South Atlantic Fishery Management Council; Informational Public Hearings**

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

**ACTION:** Notice of public hearings.

**SUMMARY:** The South Atlantic Fishery Management Council (Council) will hold a series of five public hearings for proposed actions specified in Draft Amendment 15 to the Fishery Management Plan (FMP) for Coastal Migratory Pelagic Resources in the Atlantic and Gulf of Mexico. The Amendment addresses the current moratorium for the commercial king mackerel fishery and changes in the fishing year for both king mackerel and Spanish mackerel in the Atlantic.

**DATES:** The hearings will be held in October 2004. See **SUPPLEMENTARY INFORMATION** for specific dates, locations, and times. Written comments, including e-mail comments, will be accepted until 5 p.m. on October 29, 2004.

**ADDRESSES:** See **SUPPLEMENTARY INFORMATION** for specific locations, times, and dates.

Written comments should be sent to Kathi R. Kitner, South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, SC 29407. Comments may also be submitted via e-mail to [mackerelcomments@safmc.net](mailto:mackerelcomments@safmc.net).

Copies of the public hearing document are available by contacting the South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, SC 29407-4699; telephone: 843-571-4366 or toll free 1-866-SAFMC-10; fax: 843-769-4520; or e-mail: [safmc@safmc.net](mailto:safmc@safmc.net). The public hearing document will also be available at the meetings.

**FOR FURTHER INFORMATION CONTACT:** Kim Iverson, Public Information Officer; telephone: 843-571-4366 or toll free 1-866-SAFMC-10; fax: 843-769-4520; e-mail: [kim.iverson@safmc.net](mailto:kim.iverson@safmc.net).

**SUPPLEMENTARY INFORMATION:** The Council has developed proposed actions specified in Draft Amendment 15 to the FMP for Coastal Migratory Pelagic Resources in the Atlantic and Gulf of Mexico. Draft Amendment 15 includes alternatives to limit entry and change the fishing year in the king mackerel fishery. Management alternatives include: a “no action” alternative that would allow the moratorium to expire; an extension of the existing moratorium for a designated time frame; and the establishment of some form of license limitation system. In terms of the fishing year (for king mackerel only), options include: beginning the fishing year on April 1 of each year (status quo);

changing the beginning of the fishing year to January 1 of each year; and other possible dates.

These alternatives are described in the Council’s public hearing document “Draft Amendment 15 to the Fishery Management Plan for Coastal Migratory Resources in the Atlantic and Gulf of Mexico” (see **ADDRESSES** for information on obtaining the public hearing document).

Public hearings will be held at the following dates and locations. All meetings are scheduled to begin at 6 p.m.

1. Wednesday, October 6, 2004, Holiday Inn, 3845 Veterans Memorial Highway, Ronkonkoma, NY 11779; telephone: 631-585-9500;

2. Monday, October 11, 2004, Crystal Coast Civic Center, 3505 Arendell Street, Morehead City, NC 28557; telephone: 252-247-3883;

3. Tuesday, October 12, 2004, Bay Watch Resort and Conference Center, (Center Tower, 2nd Floor), 2701 South Ocean Blvd., Myrtle Beach, SC 29584; telephone: 843-361-2110;

4. Wednesday, October 13, 2004, Comfort Inn Oceanfront, 1515 N. First Street, Jacksonville, FL 32250; telephone 904-241-0774; and

5. Thursday, October 14, 2004, Old City Hall, 315 Avenue A, Ft. Pierce, FL 34950; telephone: 772-466-3880.

These meetings will be physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see **ADDRESSES**) by October 8, 2004.

Dated: September 22, 2004.

**Alan D. Risenhoover,**

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

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