

take proper action by continuing to rely upon part 15 of our rules and regulations to protect such alleged vital communications and that we should instead provide a primary allocation for PLC systems in this band. PLC systems have been operating successfully in this band for many years on an unlicensed basis pursuant to part 15 of our rules. The Commission acted responsibly in deciding not to modify the allocations for the band. As we noted in the R&O, the Commission considers the potential for interference conflicts between different types of operations, whether licensed or unlicensed, when it considers whether to make allocation changes to a band. That we found a potential threat to PLC operations in the licensing of a new service in the band is not to say that current operations are uncertain or insecure. The Commission concluded that it was better to maintain the *status quo* than to differentiate the status of one service *vis-à-vis* another in the band.

6. Finally, in the NPRM in the proceeding, the Commission did not propose to provide an allocation for PLC systems in this band, and thus the Petitioner's request that we do so on reconsideration is beyond the scope of this proceeding. Further, we will not initiate a proceeding to provide such an allocation, nor to provide technical and service rules for PLC systems as the Petitioner requests. We note that the petitioner raised similar arguments in comments filed in response to the NPRM, suggesting that if PLC systems used narrow-band channels, a portion of the band could be made available for an ARS allocation. The Commission determined in the R&O that although other techniques, could be used to control the power grid, these alternatives may not be as effective, would be costly to implement, and would be disruptive to the public. The Commission is not persuaded that it should revisit this issue at this time.

7. In conclusion, the petitioner alternately reiterates arguments and information already considered in the R&O, and requests action beyond the scope of this proceeding. Further, the Commission concludes that, on balance, our decision properly balances concerns for PLC use supporting the protection and control of the national power grid, without unduly constraining amateur use of the band. The Commission denies the Petition for Reconsideration.

Ordering Clauses

8. Pursuant to the authority contained in sections 4(i), 303(c), 303(f), 303(g), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i),

303(c), 303(f), 303(g), and 303(r), the Petition for Reconsideration filed by petitioner *is denied*.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 04-9169 Filed 4-21-04; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[MM Docket No. 93-25; FCC 03-78]

RIN 3060-AF39

Cable Television Consumer Protection and Competition Act of 1992; Direct Broadcast Satellite Public Interest Obligations

AGENCY: Federal Communications Commission.

ACTION: Final rule, denied.

SUMMARY: This document denies all Petitions for Reconsideration filed in this proceeding. This document has been superseded by a Sua Sponte Order on Reconsideration, FCC 04-44, adopted March 3, 2004 and released March 25, 2004. The new Order reflects changes in rules regarding children's advertising limits and clarification of rules regarding political broadcasting.

FOR FURTHER INFORMATION CONTACT: Rosalee Chiara, Policy Division, Media Bureau, (202) 418-0754.

SUPPLEMENTARY INFORMATION: The full text of this decision is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554, and may 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 or may be viewed via Internet at <http://www.fcc.gov/mb/>.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 04-9171 Filed 4-21-04; 8:45 am]

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Parts 1801, 1803 through 1809, 1811, and 1812

RIN 2700-AC65

Re-issuance of the NASA FAR Supplement Subchapters A and B Consistent With the Federal Acquisition Regulations System Guidance and Policy

AGENCY: National Aeronautics and Space Administration.

ACTION: Final rule.

SUMMARY: This rule adopts as final without change, the proposed rule published in the **Federal Register** on November 17, 2003 (68 FR 64847). This final rule amends the NASA FAR Supplement (NFS) by removing from the Code of Federal Regulations (CFR) those portions of the NFS containing information that consists of internal Agency administrative procedures and guidance that does not control the relationship between NASA and contractors or prospective contractors. This change is consistent with the guidance and policy in FAR Part 1 regarding what comprises the Federal Acquisition Regulations System and requires publication for public comment. The NFS document will continue to contain both information requiring codification in the CFR and internal Agency guidance in a single document that is available on the Internet. This change will reduce the administrative burden and time associated with maintaining the NFS by only publishing in the **Federal Register** for codification in the CFR material that is subject to public comment.

EFFECTIVE DATE: April 22, 2004.

FOR FURTHER INFORMATION CONTACT: Celeste Dalton, NASA, Office of Procurement, Contract Management Division (Code HK); (202) 358-1645; e-mail: Celeste.M.Dalton@nasa.gov.

SUPPLEMENTARY INFORMATION:

A. Background

Currently the NASA FAR Supplement (NFS) contains information to implement or supplement the FAR. This information contains NASA's policies, procedures, contract clauses, solicitation provisions, and forms that govern the contracting process or otherwise control the relationship between NASA and contractors or prospective contractors. The NFS also contains information that consists of internal Agency administrative procedures and guidance that does not