

a Commission ruling concerning section 73.658(b) of the Commission's Rules (47 CFR 73.658(b)), the "territorial exclusivity" rule. The territorial exclusivity rule, in part, provides that, "No license shall be granted to a television broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization \* \* \* which prevents or hinders another broadcast station located in a different community from broadcasting any program of the network organization."

Max Media contends that the NBC television network and Sunbelt Communications Company and companies it controls ("Sunbelt") have an agreement under which NBC will not renew its current NBC affiliation with Max Media's KTGF-TV in Great Falls, Montana, when that affiliation agreement expires in 2005. Under this arrangement, Max Media alleges, NBC will, instead, give the affiliation to Sunbelt, which has NBC-affiliated stations in nearby communities. Sunbelt does not have a station licensed to Great Falls, Montana, but would allegedly provide coverage of Great Falls using stations it controls in nearby communities and through booster, translator and low-power television stations that it has applied for in Great Falls. Max Media has filed pleadings in opposition to those license applications.

Max Media contends that the alleged agreement constitutes an arrangement between Sunbelt and a network organization (*i.e.*, NBC) with regard to Sunbelt's stations in communities other than Great Falls, Montana, which "prevents or hinders another broadcast station located in a different community (*i.e.*, Max Media's station in Great Falls) from broadcasting any program of the network organization," in violation of the territorial exclusivity rule. It requests an expedited declaratory ruling pursuant to § 1.2 of the Commission's rules, 47 CFR 1.2, and section 5(d) of the Administrative Procedure Act, 5 U.S.C. 554(e), in order to terminate this controversy and to resolve a dispute concerning the territorial exclusivity rule.

On March 10, 2004, Sunbelt filed an "Opposition of Sunbelt Communications Company to Request for Expedited Declaratory Ruling" ("Opposition"). In the Opposition, Sunbelt asserts that a declaratory ruling is inappropriate in this case because there is no controversy to terminate or uncertainty to remove. Additionally, it asserts that there is no merit to Max Media's complaint that the territorial exclusivity rule is being violated by Sunbelt or NBC. Rather, it contends, all that is present in this matter is the

exercise of normal business judgments by the parties.

We invite comment on the Max Media petition.

*Ex parte status:* In order to permit a full exchange of views on the issues raised in the Request, and Max Media's indication that it is seeking a declaratory ruling rather than specific enforcement action, we have concluded that the public interest would be served by classifying this proceeding, as well as the related pending application proceedings, as permit-but-disclose under the *ex parte* rules notwithstanding the existence of related applications and oppositions. Accordingly, by the Public Notice, and pursuant to § 1.1200(a) of the Commission's Rules, 47 CFR 1.1200(a), we announce that these proceedings will be governed by permit-but-disclose *ex parte* procedures that are applicable to nonrestricted proceedings under section 1.1206 of the Commission's rules, 47 CFR 1.1206.

Permit-but-disclose *ex parte* procedures permit interested parties to make *ex parte* presentations to the Commissioners and Commission employees and require that these presentations be disclosed in the record of the relevant proceeding. Persons making a written *ex parte* presentation to the Commissioners or Commission employees must file the written presentation with the Commission, as set forth below, no later than the next business day after the presentation. 47 CFR 1.1206(b)(1). Persons making oral *ex parte* presentations must file a summary of the presentation, as set forth below, and deliver copies to the Commissioners or Commission employees involved with the presentation no later than the next business day after the presentation. 47 CFR 1.1206(b)(2). All *ex parte* filings must be clearly labeled as such and must reference the Public Notice, DA 04-747, as well as any other applicable docket or file numbers.

Comments must be filed on or before April 28, 2004; and reply comments must be filed on or before May 10, 2004. Comments and reply comments may be filed using the Commission's Electronic Filing System (ECFS) or by filing paper copies (an original and four copies). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (May 1, 1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing

address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. In addition, parties should serve one copy of each filing via e-mail, or five paper copies, on Jane Gross, [Jane.Gross@fcc.gov](mailto:Jane.Gross@fcc.gov), Federal Communications Commission, Media Bureau, Policy Division, 445 12th Street, SW., 3-A832, Washington, DC 20554.

Federal Communications Commission.

**William H. Johnson,**

*Deputy Chief, Media Bureau.*

[FR Doc. 04-7373 Filed 3-31-04; 8:45 am]

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## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or

the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 26, 2004.

**A. Federal Reserve Bank of St. Louis** (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. *Alliance Bancshares, Inc.*, Cape Girardeau, Missouri; to become a bank holding company by acquiring 100 percent of the voting shares of Alliance Bank, Cape Girardeau, Missouri.

**B. Federal Reserve Bank of Dallas** (W. Arthur Tribble, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. *First Financial Bancshares, Inc.*, Abilene, Texas; to acquire 100 percent of the voting shares of Liberty National Bank, Granbury, Texas.

Board of Governors of the Federal Reserve System, March 26, 2004.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 04-7279 Filed 3-31-04; 8:45 am]

**BILLING CODE 6210-01-S**

## FEDERAL RESERVE SYSTEM

### Sunshine Act Meeting; Correction

This notice corrects a notice (FR Doc. 04-7278) published on page 16541 of the issue for March 30, 2004.

The entry for the Sunshine Act Meeting Notice for April 5, 2004, is revised to read as follows:

**AGENCY HOLDING THE MEETING:** Board of Governors of the Federal Reserve System.

**TIME AND DATE:** 11:30 a.m., Monday, April 5, 2004.

**PLACE:** Marriner S. Eccles Federal Reserve Board Building, 20th and C Streets, NW., Washington, DC 20551.

**STATUS:** Closed.

#### MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any items carried forward from a previously announced meeting.

#### FOR FURTHER INFORMATION CONTACT:

Michelle A. Smith, Director, Office of Board Members; 202-452-2955.

**SUPPLEMENTARY INFORMATION:** You may call 202-452-3206 beginning at approximately 5 p.m. two business days before the meeting for a recorded announcement of bank and bank holding company applications scheduled for the meeting; or you may contact the Board's Web site at <http://www.federalreserve.gov> for an electronic announcement that not only lists applications, but also indicates procedural and other information about the meeting.

Board of Governors of the Federal Reserve System, March 30, 2004.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 04-7525 Filed 3-30-04; 2:46 pm]

**BILLING CODE 6210-01-S**

## FEDERAL TRADE COMMISSION

### Public Workshop: Monitoring Software on Your PC: Spyware, Adware, and Other Software

**AGENCY:** Federal Trade Commission (FTC).

**ACTION:** Extension of Public Comment Period Until May 21, 2004.

**SUMMARY:** The FTC announces that the time period during which persons may submit written comments on the issues to be addressed by the public workshop has been extended.

**DATES:** Comments must be received by May 21, 2004.

**ADDRESSES:** Interested parties are invited to submit written comments. Comments should refer to "Spyware Workshop—Comment, P044509," to facilitate the organization of comments. A comment filed in paper form should include this reference both in the text and on the envelope, and should be

mailed or delivered, with two complete copies, to the following address: Federal Trade Commission/Office of the Secretary, Room 159-H (Annex B), 600 Pennsylvania Avenue, NW., Washington, DC 20580. Comments containing confidential material must be filed in paper form, as explained in the Supplementary Information section. The FTC is requesting that any comment filed in paper form be sent by courier or overnight service, if possible, because U.S. postal mail in the Washington area and at the Commission is subject to delay due to heightened security precautions. Comments filed in electronic form should be sent to the following e-mail box: [spywareworkshop2004@ftc.gov](mailto:spywareworkshop2004@ftc.gov).

#### FOR FURTHER INFORMATION CONTACT:

Beverly Thomas, 202-326-2938, Dean Forbes, 202-326-2831, or David Koehler, 202-326-3627, Division of Advertising Practices, Federal Trade Commission. The above staff can be reached by mail at: Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580. To read the Commission's policy on how it handles the information you may submit, please visit <http://www.ftc.gov/ftc/privacy.htm>.

#### SUPPLEMENTARY INFORMATION:

##### Background on Workshop Goals

On April 19, 2004, the FTC is planning to host a public workshop, "Monitoring Software on Your PC: Spyware, Adware, and Other Software," to explore the issues associated with the distribution and effects of software that aids in gathering information about a person or organization without their knowledge and which may send such information to another entity without the consumer's consent, or asserts control over a computer without the consumer's knowledge. Questions to be addressed at the workshops are set forth in the Commission's Notice Announcing Public Workshop and Requesting Public Comment, published in the **Federal Register** on February 24, 2004.

##### Form and Availability of Comments

The time period during which public comments may be submitted has been extended. Interested parties may submit written comments on the questions and issues addressed by the workshop until May 21, 2004. Especially useful are any studies, surveys, research, and empirical data. Comments should refer to "Spyware Workshop—Comment, P044509," to facilitate the organization of comments. A comment filed in paper form should include this reference both in the text and on the envelope, and