

and qualify as small entities. The options proposed in this *NPRM* apply only to entities providing Big LEO MSS. Small businesses may not have the financial ability to become MSS system operators because of the high implementation costs associated with satellite systems and services. At least one of the Big LEO licensees may be considered a small business at this time. We expect, however, that by the time of implementation they will no longer be considered small businesses due to the capital requirements for launching and operating their proposed systems. Therefore, because of the high implementation costs and the limited spectrum resources, we do not believe that small entities will be impacted by this rulemaking to a great extent.

#### **Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements**

The proposed action in this *NPRM* would affect those entities applying for Big LEO MSS space station authorizations and those applying to participate in assignment of Big LEO MSS spectrum, including through potential re-allocation. In this *NPRM*, we tentatively conclude that a re-balancing of the Big LEO MSS band will serve the public interest. We seek comment on the current use of the Big LEO MSS uplink band (1610–1626.5 MHz) by the current licensees, Iridium and Globalstar, any potential impact on GLONASS, the Russian Global Navigation Satellite System, and radioastronomy, and Big LEO MSS service downlink (2483.5–2500 MHz) spectrum uses. We also seek comment on the possibility of making Big LEO MSS spectrum available in a second Big LEO processing round, re-allocating a portion of the Big LEO spectrum for other uses, including unlicensed devices, site-based or critical infrastructure licensees, or assignment to terrestrial commercial mobile radio service licensees. We do not propose any other reporting, recordkeeping or compliance requirements in the *NPRM*.

#### **Steps Taken To Minimize Significant Economic Impact on Small Entities and Significant Alternatives Considered**

The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives: (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or

reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities.

In developing the tentative conclusion and the proposals contained in this *NPRM*, we have attempted to allow flexibility for efficient operations in the Big LEO MSS market, regardless of size, consistent with our other objectives. We have also sought comment on other uses of the spectrum that may enhance service to the public. We believe that our tentative conclusion that the Big LEO MSS band should be re-balanced, our request for comment on the current use of the band by the Big LEO licensees, and our request for comment on other uses of the band will not impose a significant economic impact on small entities because: (1) The information sought is reasonable and not overly burdensome; and (2) as mentioned above, we do not expect small entities to be impacted by this *NPRM* due to the substantial implementation costs involved to use the spectrum at issue in this *NPRM*. Nonetheless, we seek comment on the impact of our proposals on small entities and on any possible alternatives that could minimize any such impact.

#### **Federal Rules and May Duplicate, Overlap, or Conflict With Proposed Rules**

None.

#### **Ordering Clauses**

It is ordered that, pursuant to sections 1.4(i)–4(j), 201–205, 214, 303(r), and 309 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i)–154(j), 201–205, 214, 303(r), 309, this notice of proposed rulemaking is hereby adopted.

It is ordered that, the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center shall send a copy of this notice of proposed rulemaking, including the initial regulatory flexibility analysis, to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with section 603(a) of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* (1981).

Federal Communications Commission.

**Marlene H. Dortch,**  
*Secretary.*

[FR Doc. 03–14082 Filed 6–4–03; 8:45 am]

**BILLING CODE 6712–01–P**

## **FEDERAL COMMUNICATIONS COMMISSION**

### **47 CFR Part 73**

[DA 03–1707; MB Docket No. 03–119; RM–10694]

#### **Radio Broadcasting Services; Savannah, Springfield and Tybee Island, GA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed by Cumulus Licensing Corp. (“Petitioner”), requesting the substitution of Channel 280C2 for 280C3 at Springfield, Georgia, reallocation of Channel 280C2 to Tybee Island, Georgia, and modification of the license for Station WEAS accordingly. The coordinates for Channel 280C2 at Tybee Island are 32–00–45 and 80–50–44. The license for Station WSIS, Springfield, Georgia, was modified from Channel 280A to Channel 280C3 in a one-step application (BPH–19990325IE) which has not been reflected in the FM Table of Allotments. Upon termination of this proceeding, we shall correct the FM Table of Allotments to reflect the correct class of channel. Petitioner further requests the reallocation of Channel 226C1, Station WSIS from Savannah, Georgia, to Springfield, Georgia, as a replacement service for Station WEAS. The coordinates for Channel 226C1 at Springfield are 32–02–48 and 81–20–27. Petitioner is the licensee for Station WEAS and WSIS. The proposal complies with the provisions of Section 1.420(i) of the Commission's Rules, and therefore, the Commission will not accept competing expressions of interest in the use of Channels 280C2 at Tybee Island and 226C1 at Savannah.

**DATES:** Comments must be filed on or before July 11, 2003, and reply comments on or before July 28, 2003.

**ADDRESSES:** Secretary, Federal Communications Commission, 445 12th Street, SW., Room TW–A325, Washington, DC 20554. In addition to filing comments with the FCC, Interested parties should serve the petitioners' counsel, as follows: Mark N. Lipp, Shook, Hardy & Bacon, 600 14th Street, NW., Suite 800, Washington, DC 20005–2004.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No.

03-119, adopted May 16, 2003, and released May 20, 2003. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC's Reference Information Center at Portals II, 445 12th Street, SW., CY-A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractors, 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).

The 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 Georgia, is amended by removing Channel 226C1 at Savannah, by removing Channel 280A and adding Channel 226C1 at Springfield, and by adding Tybee Island, Channel 280C2.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 03-14092 Filed 6-4-03; 8:45 am]

BILLING CODE 6712-01-P

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 03-1708; MB Docket No. 03-120, RM-10591]

##### Radio Broadcasting Services; Chattanooga and Lake City, TN

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document sets forth a proposal to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules, 47 CFR 73.202(b). The Commission requests comment on a petition filed by Ronald C. Meredith ("petitioner") to allot Channel 244A to Lake City, Tennessee, as that community's first local aural transmission service. To accommodate this proposal, petitioner requests substitution of Channel 243C0 for Channel 243C at Chattanooga, Tennessee. WDOF of Chattanooga, Inc., the licensee of WDOF-FM operating on Channel 243C at Chattanooga, has stated, in response to an order to show cause, that it does not intend to seek authority to modify WDOF-FM's technical facilities to minimum Class C standards. Channel 243C0 can be allotted at Chattanooga, Tennessee, at the current coordinates for Channel 243C. If Channel 243C0 is substituted for Channel 243C at Chattanooga, Tennessee, Channel 244A can be allotted to Lake City, Tennessee, in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.7 km (4.2 miles) west of Lake City. The coordinates for Channel 244A at Lake City are 36-12-08 North Latitude and 84-13-36 West Longitude.

**DATES:** Comments must be filed on or before July 11, 2003, and reply comments on or before July 28, 2003.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the petitioner as follows: Vincent Pepper, Womble, Carlyle, Sandridge & Rice, PLLC, 1401 Eye Street, NW., Washington 20005; and Coe W. Ramsey, Brooks Pierce McLendon, Post Office Box 1800, Raleigh, NC 27602.

**FOR FURTHER INFORMATION CONTACT:** Deborah A. Dupont, Media Bureau (202) 418-7072.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No.

03-120; adopted May 16, 2003 and released May 20, 2003. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC Reference Information Center (Room 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.

The 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 Tennessee, is amended by removing Channel 243C and by adding Channel 243C0 at Chattanooga, and by adding Lake City, Channel 244A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 03-14090 Filed 6-4-03; 8:45 am]

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