

## 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 California, is amended by adding Cedarville, Channel 260A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 05-9814 Filed 5-17-05; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 05-1150; MB Docket No. 04-329, RM-11050; MB Docket No. 04-332, RM-11054; MB Docket No. 04-333, RM-11055; MB Docket No. 04-334, RM-11056; MB Docket No. 04-335, RM-11057; MB Docket No. 04-336, RM-11058; MB Docket No. 04-337, RM-11059]

**Radio Broadcasting Services; Cambria, CA; Carbon, TX; Coachella, CA; Dulac, LA; Fallon Station, NV; King City, CA; and Northport, AL**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In response to a multi-docket *Notice of Proposed Rulemaking*, 69 FR 54614 (September 9, 2004), this *Report and Order* allots new FM channels in seven different communities, including Cambria, California; Carbon, Texas; Coachella, California; Dulac, Louisiana; Fallon Station, Nevada; King City, California; and Northport, Alabama. The Audio Division, at the request of SSR Communications, Inc., allots Channel 242A at Dulac, Louisiana, as the community's first local aural transmission service. Channel 242A can be allotted to Dulac in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.0 kilometers (3.7 miles) southwest of Dulac. The reference coordinates for Channel 242A at Dulac are 29-21-09 North Latitude and 90-45-36 West Longitude. *See SUPPLEMENTARY INFORMATION, infra.*

**DATES:** Effective June 13, 2005. The window period for filing applications for these allotments will not be opened at this time. Instead, the issue of opening these allotments for auction

will be addressed by the Commission in a subsequent order.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** R. Barthen Gorman, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MB Docket Nos. 04-329, 04-332, 04-333, 04-334, 04-335, 04-336, and 04-337, adopted April 25, 2005, and released April 27, 2005. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC's Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20054, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

The Audio Division, at the request of Daniel R. Feely, allots Channel 275A at King City, California, as the community's fourth local aural transmission service. Channel 275A can be allotted to King City in compliance with the Commission's minimum distance separation requirements with a site restriction of 0.3 kilometers (0.2 miles) southwest of King City. The reference coordinates for Channel 275A at King City are 36-12-40 North Latitude and 121-07-40 West Longitude.

The Audio Division, at the request of Linda A. Davison, allots Channel 287C at Fallon Station, Nevada, as the community's first local aural transmission service. Channel 287C can be allotted to Fallon Station in compliance with the Commission's minimum distance separation requirements with a site restriction of 20.1 kilometers (12.5 miles) north of Fallon Station. The reference coordinates for Channel 287C at Fallon Station are 39-36-00 North Latitude and 118-43-12 West Longitude.

The Audio Division, at the request of Dana J. Puopolo, allots Channel 278A at Coachella, California, as the community's third local aural transmission service. Channel 278A can be allotted to Coachella in compliance with the Commission's minimum

distance separation requirements at the city reference coordinates, and therefore this allotment requires no site restrictions. The reference coordinates for Channel 278 at Coachella are 33-40-49 North Latitude and 116-10-23 West Longitude. The Mexican government has concurred with this allotment.

The Audio Division, at the request of Linda A. Davidson, allots Channel 293A at Cambria, California, as the community's fourth local aural transmission service. Channel 293A can be allotted to Cambria in compliance with the Commission's minimum distance separation requirements with a site restriction of 5.4 kilometers (3.4 miles) north of Cambria. The reference coordinates for Channel 293A at Cambria are 35-36-36 North Latitude and 121-06-00 West Longitude.

The Audio Division, at the request of Charles Crawford, allots Channel 238A at Carbon, Texas, as the community's first local aural transmission service. Channel 238A can be allotted to Carbon in compliance with the Commission's minimum distance separation requirements at the city's reference coordinates and therefore this allotment requires no site restrictions. The reference coordinates for Channel 238A at Carbon are 32-16-14 North Latitude and 98-49-42 West Longitude.

The Audio Division, at the request of TTI, Inc., allots Channel 286A at Northport, as the community's second local aural transmission service, with a site restriction of 8.6 kilometers (5.4 miles) southwest of Northport. The reference coordinates for Channel 286A are 33-11-02 North Latitude and 87-39-10 West Longitude.

### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

## 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 Alabama, is amended by adding Channel 286A at Northport.
- 3. Section 73.202(b), the Table of FM Allotments under California, is amended by adding Channel 293A at Cambria, Channel 278A at Coachella, and Channel 275A at King City.
- 4. Section 73.202(b), the Table of FM Allotments under Louisiana, is amended by adding Dulac, Channel 242A.
- 5. Section 73.202(b), the Table of FM Allotments under Nevada, is amended by adding Fallon Station, Channel 287C.

■ 6. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Carbon, Channel 238A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 05-9813 Filed 5-17-05; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 05-1185, MB Docket No. 01-325, RM-10136]

#### Television Broadcast Service; Green Bay, WI

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Green Bay 44, L.L.C., substitutes channel 50+ for channel 44+ at Green Bay, Wisconsin. See 66 FR 63209, December 5, 2001. TV channel 50 can be allotted to Green Bay, Wisconsin, with a plus offset at coordinates 44-30-48 N. and 88-00-24 W. with reduced ERP of 802 kW. Since the community of Green Bay is located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government was obtained for this allotment. With this action, this proceeding is terminated.

**DATES:** Effective June 20, 2005.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MB Docket No. 01-325, adopted April 27, 2005, and released May 6, 2005. 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, 20554. This document may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 301-816-2820, facsimile 301-816-0169, or via e-mail [joshir@erols.com](mailto:joshir@erols.com).

This document does not contain [new or modified] information collection requirements subject to the Paperwork Reduction Act of 1995 (PRA), Pub. L. 104-13. In addition, therefore, it does not contain any new or modified

"information collection burden for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Pub. L. 107-198, see 44 U.S.C. 3506(c)(4).

The Commission will send a copy of this Report & Order, etc. in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

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

Television broadcasting.

■ 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.

#### § 73.606 [Amended]

■ 2. Section 73.606(b), the Table of Television Allotments under Wisconsin, is amended by removing TV channel 44+ and adding TV channel 50+ at Green Bay.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 05-9812 Filed 5-17-05; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 90

[WT Docket No. 00-32; FCC 04-265]

#### The 4.9 GHz Band Transferred From Federal Government Use

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In this document the Commission considers a petition for reconsideration filed on July 30, 2003, by the National Public Safety Telecommunications Council (NPSTC). NPSTC requests the Commission to reconsider certain technical rules in which the Commission adopted licensing and service rules for the 4940-4990 MHz (4.9 GHz) band. The Commission endeavors to provide 4.9 GHz band licensees with the maximum operational flexibility practicable and to encourage effective and efficient utilization of the spectrum. The document makes significant strides towards ensuring that agencies involved in the protection of life and property

possess the communications resources needed to successfully carry out their mission.

**DATES:** Effective July 18, 2005.

**FOR FURTHER INFORMATION CONTACT:** Tim Maguire, [tmaguire@fcc.gov](mailto:tmaguire@fcc.gov), Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau, (202) 418-0680, or TTY (202) 418-7233.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Federal Communications Commission's *Memorandum Opinion and Order*, FCC 04-265, adopted on November 9, 2004, and released on November 12, 2004. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW., Washington, DC 20554. The complete text may be purchased from the FCC's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20554. The full text may also be downloaded at: <http://www.fcc.gov>. Alternative formats are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 or TTY (202) 418-7365 or at [bmillin@fcc.gov](mailto:bmillin@fcc.gov).

1. The 4.9 GHz band was transferred from Federal Government to non-Federal Government use in 1999, in accordance with the provisions of the Omnibus Budget Reconciliation Act. In 2000, the Commission released a *Notice of Proposed Rulemaking* (65 FR 14230, March 16, 2000) proposing to allocate the 4.9 GHz band to non-Government fixed and mobile services, and to allow flexible use of this band. In 2002, the Commission adopted the fixed and mobile allocation, designated the band for use in support of public safety, and sought comment on the establishment of licensing and service rules for the 4.9 GHz band. In the *Third Report and Order*, the Commission adopted service rules for use of this band and addressed petitions for reconsideration of its decision to prohibit aeronautical mobile operations in this band.

2. The current NPSTC petition urges us to adopt two different emission masks, one mask for low power operations, the other for high power operations. NPSTC also proposes a technology standard for general and interoperability use in the 4.9 GHz band, and seeks mandatory regional planning and the inclusion of a conflict resolution process in regional plans. We received comments on the NPSTC proposals from equipment manufacturers, standards organizations, public safety licensees and others.