

Marion County, Inc., licensee of Station WLSK(FM), Channel 265C3, Lebanon, Kentucky. See Supplementary Information.

**DATES:** Comments must be filed on or before March 21, 2004, and reply comments on or before April 5, 2005.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: Mark N. Lipp, Esq., J. Thomas Nolan, Esq., Scott Woodworth, Esq., Counsel, Rodgers Broadcasting Corporation, Vinson & Elkins, LLP, 1455 Pennsylvania Avenue, NW., Suite 600, Washington, DC 20004 and John F. Garziglia, Esq., Howard Barr, Esq., Counsel for Washington County CBC, Inc., Elizabethtown CBC, Inc., and CBC of Marion County, Inc., Womble Carlyle Sandridge & Rice, PLLC, 1401 Eye Street, NW., Seventh Floor, Washington, DC 20005.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 05-17, adopted January 26, 2005 and released January 28, 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 first proposal, filed by Rodgers Broadcasting seeks the substitution of Channel 262A for Channel 262B at Connersville, Indiana, reallocation of Channel 262A from Connersville, Indiana to Norwood, Ohio, as its first local service and modification of Station WIFE(FM) license accordingly. Rodgers Broadcasting also requests the substitution of Channel \*265A for vacant Channel \*266A at Madison, Indiana; substitution of Channel 267B1 for Channel 267B at Richmond, Indiana and modification of the FM Station WFMG license; substitution of Channel 266A for Channel 265A at Erlanger, Kentucky and modification of the FM Station WIZF license; and substitution of Channel 265A for Channel 265C3 at Lebanon, Kentucky and modification of the WLSK(FM) license. Channel 262A

can be allotted to Norwood provided there is a site restriction of 9.4 kilometers (5.8 miles) southwest at coordinates 39-07-19 NL and 84-32-52 WL. Channel 266A can be allotted to Erlanger at Station's WIZF current license site at coordinates 39-06-18 NL and 84-33-24 WL. Channel 265A can be allotted to Madison at its current reference site at coordinates 38-49-15 NL and 85-18-46 WL. Channel 267B1 can be allotted to Richmond provided there is a site restriction of 11.6 kilometers (7.2 miles) northwest at coordinates 39-55-09 NL and 84-57-47 WL. Channel 265A can be allotted to Lebanon provided there is a site restriction 9.6 kilometers (6.0 miles) northeast at coordinates 37-38-50 NL and 85-11-50 WL.

The second proposal, jointly filed by Washington County CBC, Inc., licensee of Station WAKY-FM, Channel 274A, Springfield, Kentucky, Elizabethtown CBC, Inc. requests the reallocation of Channel 297A from Lebanon Junction to New Haven, Kentucky, as its first local service and modification of the Station WTHX(FM) license. To prevent removal of Lebanon Junction's sole local service, the Joint Petitioners proposes the reallocation of Channel 274A from Springfield to Lebanon Junction, Kentucky and modification of the Station WAKY-FM license. Moreover, to prevent removal of Springfield's sole local service, the Joint Petitioners requests the substitution of Channel 265A for Channel 265C3 at Lebanon, Kentucky, reallocation of Channel 265A from Lebanon to Springfield, Kentucky and modification of the Station WLSK(FM) license. Channel 297A can be reallocated to New Haven provided there is a site restriction 12.4 kilometers (7.7 miles) northwest at coordinates 37-43-00 NL and 85-42-38 WL. Channel 274A can be reallocated to Lebanon Junction provided there is a site restriction 13.8 kilometers (8.6 miles) southeast at coordinates 37-46-07 NL and 85-35-57 WL. Channel 265A can be reallocated to Springfield provided there is a site restriction 4.8 kilometers (3.0 miles) at coordinates 37-38-50 NL and 85-11-50 WL.

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]

2. Section 73.202(b), the Table of FM Allotments under Indiana, is amended by removing Connersville, Channel 262B, by removing Channel \*266A and adding Channel \*265A at Madison, by removing Channel 267B and by adding Channel 267B1 at Richmond.

3. Section 73.202(b), the Table of FM Allotments under Kentucky, is amended by removing Channel 265A and adding Channel 266A at Erlanger, by removing Lebanon, Channel 265C3, by removing Channel 297A and adding Channel 274A at Lebanon Junction, by adding New Haven, Channel 297A and by removing Channel 274A and adding Channel 265A at Springfield.

4. Section 73.202(b), the Table of FM Allotments under Ohio, is amended by adding Norwood, Channel 262A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 05-2705 Filed 2-10-05; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 05-76; MB Docket No. 05-16; RM-11143]

#### Radio Broadcasting Services; Richlands, Shallotte, Topsail Beach, and Wrightsville Beach, NC

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a Petition for Rule Making filed by Sea-Comm, Inc., ("Petitioner"), licensee of FM Stations WBNU, Shallotte, North Carolina; WWTB, Topsail Beach, North Carolina, and WBNE, Wrightsville Beach, North

Carolina. Petitioner proposes to upgrade Channel 279C3, Station WBNU, to Channel 279C2 and reallocate Channel 279C2 from Shallotte to Wrightsville Beach, North Carolina; to downgrade Channel 280C3, Station WWTB, to Channel 281A and to reallocate Channel 281A from Topsail Beach to Richlands, North Carolina; and to upgrade Station Channel 229A, Station WBNE, to Channel 229C3 and reallocate Channel 229C3 from Wrightsville Beach to Topsail Beach. The coordinates for proposed Channel 279C2 at Wrightsville Beach are 33-59-56 NL and 77-54-35 WL, with a site restriction of 25.4 kilometers (15.8 miles) southwest of Wrightsville Beach. The coordinates for proposed Channel 281A at Richlands are 34-49-40 NL and 77-27-30 WL, with a site restriction of 12.9 kilometers (8.0 miles) southeast of Richlands. The coordinates for proposed Channel 229C3 at Topsail Beach are 34-25-37 NL and 77-38-33 WL, with a site restriction of 7.0 kilometers (4.3 miles) north of Topsail Beach.

Since Petitioner's reallocation proposals comply with the provisions of Section 1.420(i) of the Commission's rules, the Commission will not accept competing expressions of interest in the use of Channel 279C2 at Wrightsville Beach, the use of Channel 281A at Richlands, or the use of Channel 229C3 at Topsail Beach, or require the Petitioner to demonstrate the availability of additional equivalent class channels in those communities.

**DATES:** Comments must be filed on or before March 21, 2005, and reply comments on or before April 5, 2005.

**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 petitioner's counsel, as follows: John Griffith Johnson, Jr., Esq.; Paul, Hastings, Janofsky & Walker, LLP; 1299 Pennsylvania Avenue, NW., Tenth Floor; Washington, DC 20004-2400.

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 05-16, adopted January 26, 2005, and released January 28, 2005. 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, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.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 North Carolina, is amended by adding Richlands, Channel 281A, by removing Channel 279C3 at Shallotte; by removing Channel 280C3 and adding Channel 229C3 at Topsail Beach; and by removing Channel 229A and adding Channel 279C2 at Wrightsville Beach.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 05-2704 Filed 2-10-05; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 05-73; MB Docket No. 05-13, RM-11078; MB Docket No. 05-14; RM 11088; MB Docket No. 05-15, RM-11148]

### Radio Broadcasting Services; Groveland, CA and Powers, OR; Zapata, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Audio Division requests comments on a petition filed by 105 Mountain Air, Inc., proposing the allotment of Channel 264A at Groveland, California, as the community's first local commercial FM transmission service. Channel 264A can be allotted to Groveland in compliance with the Commission's minimum distance city reference coordinates. The coordinates for Channel 264A at Groveland are 37-50-45 North Latitude and 120-12-00 West Longitude.

The Audio Division requests comments on a petition filed by Mike Chavez proposing the allotment of Channel 293C2 at Powers, Oregon, as the community's first local aural transmission service. Channel 293C2 can be allotted to Powers in compliance with the Commission's minimum distance separation requirements at city reference coordinates. The coordinates for Channel 293C2 at Powers are 42-53-01 North Latitude and 124-04-19 West Longitude. See Supplementary Information, *infra*.

**DATES:** Comments must be filed on or before March 21, 2005, reply comments on or before April 5, 2005.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Robert Eurich, President, 105 Mountain Air, Inc., 7179 N. Van Ness, Fresno, California 93711 (Petitioner); and Mikel Chavez, P.O. Box 400, Coquille, Oregon 97423 (Petitioner); Jeraldine Anderson, 1702 Cypress Drive, Irving, Texas 75061 (Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Sharon P. McDonald, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 05-13, MB Docket No. 05-14, MB Docket No. 05-15, adopted January 26, 2005, and released January 28, 2005. The full text of this Commission