

§ 54.307 [Amended]

- 2. Amend § 54.307 by removing paragraph (a)(4).

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 04-14119 Filed 6-21-04; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[DA 04-1542; MB Docket No. 03-208, RM-10793]

Radio Broadcasting Services; Arthur and Hazelton, ND

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Audio Division, at the request of Vision Media Incorporated, substitutes Channel 280C1 for Channel 280C3 at Arthur, North Dakota, and the modifies Station DVMI(FM)'s license accordingly. To accommodate the upgrade, we also substitute Channel 277C for vacant Channel 280C at Hazelton, North Dakota. See 68 FR 60074, October 21, 2003. Channel 280C1 can be substituted at Arthur in compliance with the Commission's minimum distance separation requirements with a site restriction of 48.5 kilometers (30.1 miles) northwest at petitioner's requested site. The coordinates for Channel 280C1 at Arthur are 47-19-35 North Latitude and 97-26-15 West Longitude. Additionally, Channel 277C can be substituted at Hazelton with a site restriction of 51.6 kilometers (32.0 miles) west at the authorized allotment site. The coordinates for Channel 277C at Hazelton are 46-22-06 North Latitude and 100-55-49 West Longitude.

DATES: Effective August 2, 2004. A filing window for Channel 277C at Hazelton, North Dakota, will not be opened at this time. Instead, Channel 277C will be substituted for Channel 280C (FM197) at Hazelton on Auction No. 37, rescheduled for November 3, 2004.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MB Docket No. 03-208, adopted May 26, 2004, and released May 28, 2004. The full text of this

Commission decision is available for inspection and copying during normal 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 20054.

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. The Audio Division granted Station KVMI a license to specify operation on Channel 280C3 in lieu of Channel 280A at Arthur, North Dakota on May 21, 2003. See BLH-20030303ACH. The FM Table of Allotment does not reflect this change.

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.

- Part 73 of title 47 of the Code of Federal Regulations is amended 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, 336.

§ 73.202 [Amended]

- 2. Section 73.202(b), the Table of FM Allotments under North Dakota, is amended by removing Channel 280A and adding Channel 280C1 at Arthur; and by removing Channel 280C and adding Channel 277C at Hazelton.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 04-13993 Filed 6-21-04; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[DA 04-1285, MB Docket No. 03-232, RM-10819]

Radio Broadcasting Services; Ahoskie, NC, Chase City, VA, Creedmoor, Gatesville, and Nashville, NC

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Audio Division, at the request of Joyner Radio, Inc, licensee of Station WFXQ(FM), reallots Channel 260C3 from Chase City, Virginia to Creedmoor, North Carolina, as the community's first local aural transmission service, and modifies Station WFXQ(FM) license accordingly. Channel 260C3 can be allotted to Creedmoor in compliance with the Commission's minimum distance separation requirements provided there is a site restriction of 16.3 kilometers (10.1 miles) east of the community. The reference coordinates for Channel 260C3 at Creedmoor are 36-06-56 North Latitude and 78-30-22 West Longitude. This document also substitutes Channel 257A for Channel 259A at Nashville and modifies the license of Station WZAX(FM) accordingly; and reallots Channel 257A from Ahoskie to Gatesville, North Carolina and modifies the license of FM Station WQDK accordingly. Channel 257A can be allotted to Nashville at the current license site of Station WZAX(FM). The license coordinates for Channel 257A at Nashville are 35-57-01 North Latitude and 77-57-26 West Longitude. Channel 257A can be allotted to Gatesville in compliance with the Commission's minimum distance separation requirements provided there is a site restriction of 12.9 kilometers (8.0 miles) south of the community. The reference coordinates for Channel 257A at Gatesville, North Carolina are 36-17-02 North Latitude and 76-43-40 West Longitude.

DATES: Effective August 2, 2004.

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

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

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Report and Order*, MB Docket No. 03-232 adopted May 19, 2004, and released May 21, 2004. The full text of this Commission decision is available for

inspection and copying during normal business hours in the Commission's Reference Center 445 Twelfth Street, SW., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating 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.

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 North Carolina, is amended by removing Ahsokie, Channel 257A, by adding Creedmoor, Channel 260C3, by adding Gatesville, Channel 257A, by removing Channel 259A and by adding Channel 257A at Nashville.

■ 3. Section 73.202(b), the Table of FM Allotments under Virginia, is amended by removing Chase City, Channel 260C3.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 04-13992 Filed 6-21-04; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 04-1283; MB Docket No.04-42; RM-10850]

Radio Broadcasting Services; Bowling Green and Glasgow, KY

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document reallots Channel 236C0 from Glasgow, Kentucky to Bowling Green, Kentucky, and modifies the license for Station WGGC to specify operation Channel 236C0 at Bowling Green, Kentucky, in response to a petition filed by Heritage Communications, Inc. See 69 FR 12296, March 16, 2004. The license for Station WGGC was previously modified to specify operation on Channel 236C0 in lieu of Channel 236C at Glasgow, Kentucky. See BMLH-19990728KA.

This change is not reflected in the FM Table of Allotments. Channel 236C0 can be reallocated to Bowling Green in compliance with the Commission's minimum distance separation requirements at petitioner's presently licensed site. The coordinates for Channel 236C0 at Bowling Green are 36-54-43 and 86-11-21.

DATES: Effective July 6, 2004.

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

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MB Docket No. 04-42, adopted May 19, 2004, and released May 21, 2004. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC's Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-863-2893.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

■ Part 73 of title 47 of the Code of Federal Regulations is amended 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 Kentucky, is amended by removing Channel 236C at Glasgow and by adding Channel 236C0 at Bowling Green.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 04-14116 Filed 6-21-04; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[FCC 04-118; MM Docket Nos. 96-7, 96-12, RM-8732, RM-8845, RM-8741; File No. BPH-960206IE]

Radio Broadcasting Services; Banks, Corvallis, Redmond, Sunriver, The Dalles, OR

AGENCY: Federal Communications Commission.

ACTION: Final rule; application for review, denied.

SUMMARY: This document denies an Application for Review of a *Memorandum Opinion and Order*, 66 FR 9676 (February 9, 2001), filed jointly by Madgekal Broadcasting, Inc. and Jacor Licensee of Louisville, Inc., former and current licensee, respectively, of Station KFLY (FM), Corvallis, Oregon. That *Memorandum Opinion and Order* denied reconsideration of a *Report and Order* 63 FR 19663 (April 21, 1998) that denied a settlement agreement providing for a \$950,000 payment, denied a one-step upgrade application for Station KFLY(FM) at Corvallis from Channel 268C2 to Channel 268C, and granted two petitions for rulemaking: one proposing the upgrade of Station KVMX(FM), Banks, Oregon, from Channel 298C2 to Channel 298C1, the substitution of Channel 269C2 for Channel 298C2 at Redmond, Oregon, and one proposing the allotment of Channel *268C3 at The Dalles. The document also revises the site for the allotment of Channel *268C3 at The Dalles to ensure that the community will receive city-grade coverage. The coordinates for that site are: 45-31-28 NL and 121-07-22 WL. The document also rejected two other arguments as untimely.

FOR FURTHER INFORMATION CONTACT: Victoria M. McCauley, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Memorandum Opinion and Order* in MM Docket Nos. 96-7, and 96-12, adopted May 25, 2004 and released May 27, 2004. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW., Washington, DC. This document may also be purchased from the Commission's duplicating contractors, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room