

**§ 142.16 [Amended]**

25. Section 142.16 is amended as follows:

a. In paragraph (l)(2) revise the citation “§ 142.16 (e)(5)” to read “§ 142.16 (e)(2)”;

b. Redesignate paragraph (j) which was added on January 14, 2002, at 67 FR 1812 as paragraph (p); and

c. In paragraph (p)(2)(ii) revise the citation “141.536” to read “141.535”.

26. Section 142.62(g)(2) is amended by revising the citation “103.35” to read “165.110”.

[FR Doc. 04-4464 Filed 3-1-04; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**
**47 CFR Part 73**

[DA 04-376, MB Docket No. 04-32, RM-10851]

**Digital Television Broadcast Service; Apalachicola, FL**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Liberty County Educational Foundation proposing the allotment of DTV channel 3 to Apalachicola, Florida, as the community's first local commercial television service. DTV Channel 3 can be allotted to Apalachicola, Florida, at reference coordinates 29-45-05 N. and 84-52-19 W.

**DATES:** Comments must be filed on or before April 12, 2004, and reply comments on or before April 27, 2004.

**ADDRESSES:** The Commission permits the electronic filing of all pleadings and comments in proceeding involving petitions for rule making (except in broadcast allotment proceedings). See *Electronic Filing of Documents in Rule Making Proceedings*, GC Docket No. 97-113 (rel. April 6, 1998). Filings by paper can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight 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, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Peter Tannenwald, Irwin, Campbell & Tannenwald, P.C., 1730 Rhode Island Avenue, NW., Suite 200, Washington, DC 20036-3101 (Counsel for Liberty County Educational Foundation).

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 04-32, adopted February 12, 2004, and released February 20, 2004. 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, 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).

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**

Digital television broadcasting, Television.

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.

**§ 73.622 [Amended]**

2. Section 73.622(b), the Table of Digital Television Allotments under Florida is amended by adding Apalachicola, DTV channel 3.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 04-4619 Filed 3-1-04; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**
**47 CFR Part 73**

[DA 04-231; MB Docket No. 04-20; RM-10842]

**Radio Broadcasting Services; Cambridge and St. Michaels, MD**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed by CWA Broadcasting, Inc., licensee of Station WINX-FM, Channel 232A, St. Michaels, Maryland. The petition proposes to upgrade Station WINX-FM from Channel 232A to Channel 232B1 and to reallocate Channel 232B1 from St. Michaels to Cambridge, Maryland, thus providing Cambridge with its third local aural transmission service. The coordinates for Channel 232B1 at Cambridge are 38-29-39 NL and 76-13-21 WL, with a site restriction of 15.1 kilometers (9.4 miles) southwest of Cambridge.

Petitioner's reallocation 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 Channel 232B1 at Cambridge, Maryland, or require the petitioner to demonstrate the availability of an additional equivalent class channel.

**DATES:** Comments must be filed on or before April 5, 2004, and reply comments on or before April 20, 2004.

**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