

on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

#### Environment

We have analyzed this proposed rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this proposed rule is categorically excluded, under figure 2–1, paragraph (32)(e), of the Instruction, from further environment documentation because it has been determined that the promulgation of operating regulations or procedures for drawbridges are categorically excluded.

#### List of Subjects in 33 CFR Part 117

Bridges.

#### Regulations

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; Department of Homeland Security Delegation No. 0170.1; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. From March 1, 2005, through November 30, 2005, § 117.T536 is temporarily added to read as follows:

#### § 117.T536 Townsend Gut.

The draw of the SR 27 Bridge, mile 0.7, across Townsend Gut shall operate as follows:

(a) From March 1, 2005 through May 26, 2005, and from September 6, 2005 through November 30, 2005, the draw shall open on signal at 6 a.m., 9 a.m., 12 p.m., 3 p.m., and 6 p.m., daily. From 6 p.m. through 6 a.m., and on Federal holidays, the draw shall open on signal.

(b) From May 27, 2005 through September 5, 2005, the draw shall open on signal at 6 a.m., 8 a.m., 10 a.m., 12 p.m., 2 p.m., 4 p.m., and 6 p.m., daily. From 6 p.m. through 6 a.m., and on Federal holidays, the draw shall open on signal.

(c) Between March 1, 2005 and May 26, 2005, the bridge may remain in the closed position for four periods of four days each [dates to be inserted at final rule].

Dated: December 3, 2004.

**David P. Pekoske,**

*Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.*

[FR Doc. 05–262 Filed 1–4–05; 8:45 am]

**BILLING CODE 4910–15–P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 04–3877; MB Docket No. 04–436; RM–11112]

#### Radio Broadcasting Services; Cannelton and Tell City, Indiana

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a Petition for Rule Making filed by Hancock Communications, Inc. (“Petitioner”), licensee of Station WLME(FM), Channel 275C3, Cannelton, Indiana, and Station WTCJ–FM, Channel 289A, Tell City, Indiana. Petitioner requests that Channel 275C3 be reallocated from Cannelton to Tell City and that Station WLME(FM)’s license be modified accordingly. Petitioner also requests that Channel 289A be reallocated from Tell City to Cannelton, Indiana, and that Station WTCJ–FM’s license be modified accordingly. The coordinates for proposed Channel 289A at Cannelton are 37–48–13 NL and 86–48–57 WL, with a site restriction of 13.5 kilometers (8.4 miles) southwest of

Cannelton. The coordinates for proposed Channel 275C3 at Tell City are 37–50–52 NL and 86–36–18 WL, with a site restriction of 18.4 kilometers (11.4 miles) southeast of Tell City.

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 289A at Cannelton, Indiana, or the use of Channel 275C3 at Tell City, Indiana, or require the Petitioner to demonstrate the availability of additional equivalent class channels in those communities.

**DATES:** Comments must be filed on or before February 10, 2005, and reply comments on or before February 25, 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 F. Garziglia, Esq. and Howard J. Barr, Esq., Womble Carlyle Sandridge & Rice, PLLC; 1401 Eye Street, NW., Seventh Floor; Washington, DC 20005.

**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. 04–436, adopted December 15, 2004, and released December 20, 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 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 Indiana, is amended by removing Channel 275C3 and adding Channel 289A at Cannelton and by removing Channel 289A and adding Channel 275C3 at Tell City.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 05-117 Filed 1-4-05; 8:45 am]

**BILLING CODE 6712-01-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****50 CFR Part 229**

[Docket No. 041108310-4362-02; I.D. 100104H]

**RIN 0648-AS78**

**List of Fisheries for 2005**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Proposed rule; extension of public comment period.

**SUMMARY:** On December 2, 2004, the proposed List of Fisheries (LOF) for

2005 under the Marine Mammal Protection Act (MMPA) was published in the Federal Register. NMFS is extending the comment period on this proposed LOF to March 4, 2005.

**DATES:** Comments must be received by March 4, 2005.

**ADDRESSES:** Send comments to Chief, Marine Mammal Conservation Division, Attn: List of Fisheries, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Comments may also be sent via email to [2005LOF.comments@noaa.gov](mailto:2005LOF.comments@noaa.gov) or the Federal eRulemaking portal: <http://www.regulations.gov> (Follow instructions for submitting comments).

Comments regarding the burden-hour estimates, or any other aspect of the collection of information requirements contained in the proposed rule, should be submitted in writing to the Chief, Marine Mammal Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910 and to David Rostker, OMB, by e-mail at [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov) or by fax to 202-395-7285.

**FOR FURTHER INFORMATION CONTACT:**

Kristy Long, Office of Protected Resources, 301-713-1401; Kim Thounhurst, Northeast Region, 978-281-9328; Juan Levesque, Southeast Region, 727-570-5312; Cathy Campbell, Southwest Region, 562-980-4060; Brent Norberg, Northwest Region, 206-526-6733; Bridget Mansfield, Alaska Region, 907-586-7642. Individuals who use a telecommunications device for the hearing impaired may call the Federal Information Relay Service at 1-800-877-8339 between 8 a.m. and 4 p.m. Eastern time, Monday through Friday, excluding Federal holidays.

**SUPPLEMENTARY INFORMATION:** On December 2, 2004, the proposed List of Fisheries for 2005 under the Marine Mammal Protection Act was published in the **Federal Register** (69 FR 70094).

NMFS must categorize each commercial fishery on the LOF into one of three categories under the MMPA based on the level of serious injury and mortality of marine mammals that occurs incidental to the fishery. NMFS must publish in the **Federal Register** any necessary changes to the LOF after notice and opportunity for public comment. In the proposed LOF for 2005, NMFS proposed several fishery classification, fishery name, and organizational changes. In particular, NMFS proposed to reclassify the California/Oregon thresher shark/swordfish drift gillnet (≥14 in. mesh) from Category II (occasional incidental mortality and serious injury) to Category I (frequent incidental mortality and serious injury) and to reclassify the Northeast bottom trawl, Mid-Atlantic bottom trawl, and five Alaska fisheries from Category III (remote likelihood of or no known incidental mortality and serious injury) to Category II. The five Alaska fisheries include the following: Bering Sea and Aleutian Islands (BSAI) flatfish trawl, BSAI Greenland turbot longline, BSAI pollock trawl, Bering Sea sablefish pot, and Gulf of Alaska Pacific cod longline. Because the comment period coincides with the holiday season, several commenters have already requested an extension of the comment period to adequately review NMFS' proposed changes to the LOF. In addition, NMFS intends to prepare an environmental assessment on the LOF. Therefore, NMFS is extending the public comment period on the proposed LOF for 2005 from January 3, 2005, to March 4, 2005.

Dated: December 29, 2004.

**John Oliver,**

*Deputy Assistant Administrator for Operations, National Marine Fisheries Service.*

[FR Doc. 05-214 Filed 1-4-05; 8:45 am]

**BILLING CODE 3510-22-S**