

| Source of flooding | Location | # Depth in feet above ground. * Elevation in feet (NGVD) • Elevation in feet (NAVD) | | Communities affected |
|---|--|---|----------|--|
| | | Existing | Modified | |
| WEST VIRGINIA Jackson County | | | | |
| Ohio River | At the downstream county boundary | None | *586 | Jackson County (Unincorporated Areas), City of Ravenswood. |
| | At at the upstream county boundary | None | *598 | |
| Mill Creek | At confluence with Ohio River | None | *587 | Jackson County (Unincorporated Areas), City of Ripley. |
| | Approximately 1.84 miles upstream of entrance to Cedar Lakes. | None | *602 | |
| Sandy Creek | At confluence with Ohio River | None | *592 | Jackson County (Unincorporated Areas), City of Ravenswood. |
| | Approximately 2,530 feet upstream of S.R. 13 | None | *598 | |
| Grasslick Creek | Approximately 2,200 feet downstream of Interstate 77 | None | *692 | Jackson County (Unincorporated Areas). |
| | Approximately 0.85 mile upstream of the most upstream crossing of County Route 21. | None | *830 | |
| Pocatalico Creek | Approximately 1,210 feet downstream of Interstate 77 | None | *642 | Jackson County (Unincorporated Areas). |
| | Approximately 640 feet upstream of County Route 21 | None | *746 | |

Jackson County (Unincorporated Areas)

Maps available for inspection at the Jackson County Courthouse, Ripley, West Virginia.

Send comments to Mr. James Waybright, Chairman of the Jackson County Board of Commissioners, Jackson County Courthouse, Ripley, West Virginia 25271.

City of Ripley

Maps available for inspection at the Ripley City Hall, 113 South Church Street, Ripley, West Virginia.

Send comments to The Honorable Roy Guthrie, Mayor of the City of Ripley, 113 South Church Street, Ripley, West Virginia 25271.

City of Ravenswood

Maps available for inspection at the City of Ravenswood City Hall, 212 Walnut Street, Ravenswood, West Virginia.

Send comments to The Honorable William Ritchie, Mayor of the City of Ravenswood, 212 Walnut Street, Ravenswood, West Virginia 26164.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: May 21, 2003.

Anthony S. Lowe,

Mitigation Division Director, Emergency Preparedness and Response Directorate.

[FR Doc. 03-13641 Filed 5-30-03; 8:45 am]

BILLING CODE 6718-04-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 67

[Docket No. FEMA-D-7564]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Mary Jean Pajak, P.E., FEMA, 500 C

Street SW., Washington, DC 20472, (202) 646-2831.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or Agency) proposes to make determinations of base flood elevations and modified base flood elevations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified base flood elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also

used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

National Environmental Policy Act

This proposed rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act

The Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104,

and are required to establish and maintain community eligibility in the NFIP. As a result, a regulatory flexibility analysis has not been prepared.

Regulatory Classification

This proposed rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism

This proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform

This proposed rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, flood insurance, reporting and recordkeeping requirements.

Accordingly, 44 CFR Part 67 is proposed to be amended as follows:

PART 67—[AMENDED]

1. The authority citation for Part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD) | |
|----------------|-----------------------------------|---------------------|---|--|----------|
| | | | | Existing | Modified |
| Illinois | Albers (Village), Clinton County. | Grassy Branch | Upstream side of County Road 8 | None | *421 |
| | | | Approximately 0.64 mile upstream of County Road 800. | None | *421 |
| | | Sugar Creek | Approximately 200 feet upstream of Southern Railway. | None | *422 |
| | | | Approximately 1,550 feet upstream of State Route 161. | None | *425 |

Maps available for inspection at the Albers Village Hall, 206 West Dwight, Albers, Illinois.
Send comments to The Honorable Rick Casson, Mayor of the Village of Albers, P.O. Box 132, Albers, Illinois 62215.

| | | | | | |
|----------------|---------------------------------|--------------------|---|------|------|
| Illinois | Carlyle (City), Clinton County. | Carlyle Lake | Approximately 0.7 mile northeast of the intersection of 12th Street and Eula Mae Parkway. | None | *463 |
|----------------|---------------------------------|--------------------|---|------|------|

Maps available for inspection at the Carlyle City Hall, 850 Franklin Street, Carlyle, Illinois.
Send comments to The Honorable Don Schmitz, Mayor of the City of Carlyle, 850 Franklin Street, Carlyle, Illinois 62231.

| | | | | | |
|----------------|--|---|---|------|------|
| Illinois | Clinton County (Unincorporated Areas). | Grassy Branch | At confluence with Sugar Creek | None | *421 |
| | | | Approximately 0.91 mile upstream of County Road 800. | None | *422 |
| | | Kaskaskia River | At downstream county boundary | None | *402 |
| | | | Approximately 5.45 miles upstream of confluence of Shoal Creek. | None | *413 |
| | | Shoal Creek | At confluence with Kaskaskia River | None | *411 |
| | | | Approximately 0.5 mile upstream of Southern Railway bridge. | None | *423 |
| | | Sugar Creek | At confluence with Kaskaskia River | None | *409 |
| | | | Approximately 0.3 mile upstream of State Route 161. | None | *425 |
| | Lake Branch | At Alberson Road | None | *428 | |
| | | Approximately 1.2 miles upstream of Wayne Road. | None | *500 | |
| | Carlyle Lake | Entire shoreline | None | *463 | |

Maps available for inspection at the Clinton County Courthouse, 850 Fairfax, Carlyle, Illinois.
Send comments to Mr. Ronald C. Mitchell, Clinton County Engineer, P.O. Box 188, Carlyle, Illinois 62231.

| | | | | | |
|----------------|---|-------------------|--|------|------|
| Illinois | Damiansville (Village), Clinton County. | Sugar Creek | Upstream side of Interstate Route 64 | None | *417 |
|----------------|---|-------------------|--|------|------|

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD) | |
|-------|------------------|--------------------|----------|--|----------|
| | | | | Existing | Modified |

Approximately 4,000 feet upstream of Interstate Route 64. None *419

Maps available for inspection at the Damiansville Village Hall, 225 East Main, Damiansville, Illinois.

Send comments to Mr. Herman Jansen, Jr., Damiansville Village President, 225 East Main, Damiansville, Illinois 62215.

| | | | | | |
|----------------|---------------------------------------|-------------------|--|------|------|
| Illinois | Germantown (Village), Clinton County. | Shoal Creek | Approximately 0.02 mile downstream of State Route 161. | None | *420 |
| | | | At Southern Railway | None | *422 |

Maps available for inspection at the Germantown Village Hall, 306 Prairie, Germantown, Illinois.

Send comments to The Honorable Gerald Kohnen, Mayor of the Village of Germantown, P.O. Box 310, Germantown, Illinois 62245.

| | | | | | |
|-----------------|----------------------------------|---|--|--------|--------|
| Tennessee | Bristol (City), Sullivan County. | Beaver Creek | Approximately 70 feet downstream of State Route 37. | •1,435 | •1,436 |
| | | | Approximately 25 feet downstream of Moore Street. | •1,675 | •1,674 |
| | | Back Creek | At the confluence with Beaver Creek | •1,448 | •1,450 |
| | | | Approximately 0.28 mile upstream of Sperry Road. | •1,448 | •1,450 |
| | | Cedar Creek | At the confluence with Beaver Creek | •1,457 | •1,458 |
| | | Approximately 0.24 mile downstream of Cedar Creek Road. | •1,457 | •1,458 | |
| | | Whitetop Creek | At the confluence with Beaver Creek | •1,446 | •1,448 |
| | | | Approximately 1.15 miles upstream of the confluence with Beaver Creek. | •1,447 | •1,448 |

Maps available for inspection at the City of Bristol Department of Development Services, Easley Annex Building, 104 8th Street, Bristol, Tennessee.

Send comments to Mr. Anthony Massey, Bristol City Manager, P.O. Box 1189, Bristol, Tennessee 37621-1189.

| | | | | | |
|----------------|-----------------------------------|--|--|--------|--------|
| Virginia | Bristol (City), Independent City. | Beaver Creek | Approximately 0.05 mile upstream of the State boundary. | •1,673 | •1,672 |
| | | | Approximately 0.4 mile upstream of Forsythe Road. | None | •1,813 |
| | | Susong Branch | Just upstream of the first crossing of Bob Morrison Boulevard. | •1,673 | •1,672 |
| | | | Approximately 170 feet upstream of Euclid Avenue. | •1,684 | •1,683 |
| | | Little Creek | Just downstream of State Street | •1,670 | •1,672 |
| | | Approximately 0.76 mile upstream of the 2nd crossing of Commonwealth Avenue. | •1,721 | •1,722 | |
| | | Mumpower Creek | Approximately 0.107 mile upstream of the confluence with Beaver Creek. | •1,689 | •1,688 |
| | | | Approximately 0.035 mile upstream of East Valley Drive. | •1,734 | •1,733 |

Maps available for inspection at the Bristol City Engineer's Office, 41 Piedmont, Bristol, Virginia.

Send comments to Mr. Paul Spangler, Bristol City Manager, 497 Cumberland Street, Bristol, Virginia 24201.

| | | | | | |
|---------------------|-----------------------------|------------------------------------|---|------|------|
| West Virginia | Reedy (Town), Roane County. | Reedy Creek | Approximately 650 feet downstream of State Route 14. | *678 | *679 |
| | | | Approximately 170 feet downstream of the confluence of Left Fork Reedy Creek. | *679 | *680 |
| | | Left Fork Reedy Creek | At the confluence with Reedy Creek | *679 | *681 |
| | | | Approximately 1,600 feet upstream of confluence with Reedy Creek. | *679 | *681 |
| | | Right Fork Reedy Creek ... | At confluence with Reedy Creek | *679 | *680 |
| | | At upstream corporate limits | *679 | *680 | |

Maps available for inspection at Reedy Town Water Office, 118 Main Street, Reedy, West Virginia.

Send comments to The Honorable Sam Salvucci, Mayor of the Town of Reedy, 54 Locust Street, Reedy, West Virginia 25270.

| | | | | | |
|---------------------|--|--------------------|---|--------|--------|
| West Virginia | White Sulphur Springs (City), Greenbrier County. | Howard Creek | Approximately 850 feet downstream of Greenbrier Avenue. | *1,840 | *1,839 |
| | | | At upstream corporate limits | None | *1,887 |
| | | Dry Creek | At the confluence with Howard Creek | *1,850 | *1,848 |

| State | City/town/county | Source of flooding | Location | #Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD) | |
|-------|------------------|--------------------|--|--|----------|
| | | | | Existing | Modified |
| | | | Approximately 0.45 mile upstream of Interstate Route 64. | *1,885 | *1,883 |

Maps available for inspection at the White Sulphur Springs City Hall, 34 West Main Street, White Sulphur Springs, West Virginia.

Send comments to The Honorable Debra Fogus, Mayor of the City of White Sulphur Springs, City Hall, 34 West Main Street, White Sulphur Springs, West Virginia 24986.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: May 21, 2003.

Anthony S. Lowe,

Mitigation Division Director, Emergency Preparedness and Response Directorate.

[FR Doc. 03-13640 Filed 5-30-03; 8:45 am]

BILLING CODE 6718-04-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 15

[ET Docket No. 03-104; FCC 03-100]

Broadband Power Line Systems

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; correction.

SUMMARY: On May 23, 2003 (68 FR 28182), the Commission published proposed rules in the **Federal Register**, which requested comments from the public on the current state of Broadband Power Line technology. This document contains a correction to the comments and reply comments date of the rules which was inadvertently published incorrectly.

DATES: Written comments are due on or before July 7, 2003, and reply comments are due on or before August 6, 2003.

FOR FURTHER INFORMATION CONTACT: Anh Wride, Office of Engineering and Technology, (202) 418-0577, TTY (202) 418-2989, e-mail: awride@fcc.gov.

SUPPLEMENTARY INFORMATION: The Federal Communications Commission published a document proposing to amend part 15 in the **Federal Register** of May 23, 2003, (68 FR 28182). This document corrects the **Federal Register** as it appeared. In FR Doc. 03-12914 published on May 23, 2003 (68 FR 28182), the Commission is correcting the "**DATES:** Written comments are due on or before August 6, 2003, and reply comments are due on or before September 5, 2003", of the Commission's rules to reflect the correct "**DATES:** Written comments are due on

or before July 7, 2003, and reply comments are due on or before August 6, 2003". In rule FR Doc. 02-12914 published on May 23, 2003 (68 FR 28182) make the following correction:

On page 28182, in the second column correct "**DATES:** Written comments are due on or before August 6, 2003, and reply comments are due on or before September 5, 2003", to read as "**DATES:** Written comments are due on or before July 7, 2003, and reply comments are due on or before August 6, 2003".

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 03-13590 Filed 5-30-03; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CC Docket No. 96-128; FCC 03-119]

Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document seeks comment on whether the Commission needs to amend its payphone compensation rules, which are designed to provide fair per-call compensation, pursuant to section 276 of the Act, to payphone service providers (PSPs). On a petition for review, the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit), on January 21, 2003, remanded the *Second Order on Reconsideration*, 66 FR 21105-01 (2001) in this proceeding. The *Second Order on Reconsideration* had amended the Commission's payphone compensation rules. The D.C. Circuit, however, held that the Commission violated the Administrative Procedure Act (APA) when it modified its rules pursuant to a Common Carrier Bureau—

issued notice that was not published in the **Federal Register**. The D.C. Circuit held that the Commission should have issued a *Notice of Proposed Rulemaking (NPRM)*. The D.C. Circuit vacated the Commission's order, but stayed its mandate and its vacatur of the *Second Order on Reconsideration* through September 30, 2003. As a result, the rules promulgated in the *Second Order on Reconsideration* remain in effect through September 30, 2003.

Accordingly, the Commission adopts this *Further Notice of Proposed Rulemaking* seeking comment on whether to retain the rules or to adopt alternative ones by this deadline.

DATES: Comments are due June 23, 2003, and Reply Comments are due July 3, 2003.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. See *Supplementary Information for further filing instructions*.

FOR FURTHER INFORMATION CONTACT: Darryl Cooper, Attorney-Advisor, Competition Policy Division, Wireline Competition Bureau, at (202) 418-7131, or via the Internet at dcooper@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Further Notice of Proposed Rulemaking (FNPRM)* in CC Docket No. 96-128, FCC 03-119, adopted May 23, 2003, and released May 28, 2003. The complete text of this *FNPRM* is available for inspection and copying during normal 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. It is also available on the Commission's Web site at <http://www.fcc.gov>.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper