

(TTY). This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

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

Television, Television 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, 336.

##### § 73.622 [Amended]

2. Section 73.622(i), the Post-Transition Table of DTV Allotments under Texas, is amended by adding DTV channel 25 and removing DTV channel 44 at Waco.

Federal Communications Commission.

**Clay C. Pendarvis,**

*Associate Chief, Video Division, Media Bureau.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

RIN 0648-AW61

#### Atlantic Highly Migratory Species; Atlantic Swordfish Quotas

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

**ACTION:** Extension of comment period and change of public hearing date and time.

**SUMMARY:** In order to provide additional time and opportunities for highly migratory species (HMS) constituents, and other interested parties to comment on the proposed rule published on November 18, 2008 (73 FR 68398), to adjust the 2008 North and South Atlantic swordfish commercial quotas and modify the vessel chartering regulations, NMFS is extending the proposed rule comment period for this action from December 18, 2008, to January 16, 2009. NMFS is also changing the date and time of the December 16, 2008, public hearing scheduled for Gloucester, MA, to January 15, 2009.

**DATES:** Comments on the proposed rule must be received no later than 5:00 p.m. on January 16, 2009.

The new Gloucester, MA, public hearing date and time is January 15, 2009, from 3:00 — 5:00 p.m.

**ADDRESSES:** You may submit comments, identified by [0648-AW61], by any one of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal eRulemaking Portal <http://www.regulations.gov>
- Fax: 301-713-1917, Attn: LeAnn Southward Hogan
- Mail: NMFS SF1, 1315 East-West Highway, Silver Spring, MD 20910

Instructions: All comments received are a part of the public record and will generally be posted to <http://www.regulations.gov> without change. All Personal Identifying Information (for example, name, address, etc.) voluntarily submitted by the commenter may be publicly accessible. Do not submit Confidential Business Information or otherwise sensitive or protected information.

NMFS will accept anonymous comments (enter N/A in the required fields, if you wish to remain anonymous). You may submit

attachments to electronic comments in Microsoft Word, Excel, WordPerfect, or Adobe PDF file formats only.

Copies of the supporting documents including the 2007 Environmental Assessment (EA), Regulatory Impact Review (RIR), Final Regulatory Flexibility Analysis (FRFA), and the Consolidated Atlantic HMS Fishery Management Plan (FMP) are available from the HMS website at <http://www.nmfs.noaa.gov/sfa/hms/> or by contacting LeAnn Southward Hogan (see **FOR FURTHER INFORMATION CONTACT**).

The public hearing location is: National Oceanic and Atmospheric Administration, National Marine Fisheries Service Northeast Regional Office, 55 Great Republic Drive, Gloucester, MA 01930.

**FOR FURTHER INFORMATION CONTACT:** LeAnn Southward Hogan or Karyl Brewster-Geisz by phone: 301-713-2347 or by fax: 301-713-1917.

**SUPPLEMENTARY INFORMATION:** The U.S. Atlantic swordfish fishery is managed under the 2006 Consolidated HMS FMP. Implementing regulations at 50 CFR part 635 are issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), 16 U.S.C. 1801 *et seq.*, and the Atlantic Tunas Convention Act (ATCA), 16 U.S.C. 971 *et seq.* Regulations issued under the authority of ATCA carry out the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

On November 18, 2008 (73 FR 68398), NMFS published a proposed rule, requested comments on the adjustment of the 2008 swordfish quotas and modifications to the vessel chartering regulations, and scheduled two public hearings in December 2008 to receive comments from fishery participants and other members of the public regarding the proposed rule. The original comment period was scheduled to conclude on December 18, 2008, and the Gloucester, MA public hearing was scheduled for December 16, 2008. Due to requests from HMS fishery constituents, in order to provide additional time and opportunities for public comment by HMS constituents, NMFS is extending the public comment period on the proposed rule to 5 p.m., January 16, 2009, and changing the date of the Gloucester, MA public hearing to January 15, 2009 from 3:00 — 5:00 p.m.

**Authority:** 16 U.S.C. 971 *et seq.*; 16 U.S.C. 1801 *et seq.*

Dated: December 5, 2008.

**Emily H. Menashes,**

*Acting Director, Office of Sustainable  
Fisheries, National Marine Fisheries Service.*

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