

radio licensees and permittees, insofar as some of the proposed changes would require the filing of application forms rather than rulemaking petitions. However, the forms to be filed would be existing FCC application forms with which broadcasters are already familiar, so any additional burdens would be minimal. Additionally, we propose imposing an additional rulemaking fee upon parties seeking to add new allotments to the FM Table of Allotments. We seek comment on the possible cost burden these requirements would place on small entities. Also, we seek comment on whether a special approach toward any possible compliance burdens on small entities might be appropriate.

21. Steps Taken to Minimize Significant Impact on Small Entities, and Significant Alternatives Considered. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities. The Commission seeks comment on procedures to accomplish AM and FM community of license changes that will, in most instances, reduce the burdens on all broadcasters, including small entities, compared to current procedures. The Commission also seeks comment on whether certain aspects of its proposals would change or undermine current policies to limit the relocation of radio stations from small and/or rural communities to communities in or adjacent to urbanized areas. Proposed changes to Commission procedures for adding FM channel allotments to the FM Table of Allotments are designed to make the process faster and more efficient, reducing delays to broadcasters in implementing new radio service. The Commission also proposes requiring that petitioners for new FM channel allotments simultaneously file Form 301, and pay the prescribed filing fee for Form 301. While this requires payment of the filing fee earlier than is the case in current practice, to the extent that petitioners ultimately obtain construction permits for these allotments, it is a fee they would be

required to pay in any event, therefore this requirement should impose a minimal burden on petitioners. To the extent that a rule change proposed herein enables electronic filing of petitions to amend the FM Table of Allotments and comments on such proposals, the Commission believes that such change will reduce burdens on all broadcasters, including small entities, by reducing the time and effort spent in preparing and submitting such documents in hard copy, as is the current practice. The Commission also seeks specific comments on the burden our proposals may have on small broadcasters. There may be unique circumstances these entities may face and we will consider appropriate action for small broadcasters at the time when a Report and Order is considered.

22. Federal Rules Which Duplicate, Overlap, or Conflict With, the Commission's Proposals. None.

23. This document is available in alternative formats (computer diskette, large print, audio record, and Braille). Persons with disabilities who need documents in these formats may contact Brian Millin at (202) 418-7426 (voice), (202) 418-7365 (TTY), or via e-mail at [Brian.Millin@fcc.gov](mailto:Brian.Millin@fcc.gov).

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

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**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 05-2006; MB Docket No. 05-228, RM-11255]

### Radio Broadcasting Services: Kiowa, KS

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Audio Division request comments on a petition for rule making filed by Charles Crawford proposing the allotment of Channel 233A at Kiowa, Kansas, as the community's second local FM transmission service. Channel 233A can be allotted to Kiowa in compliance with the Commission's minimum distance separation requirements with a site restriction of 14.2 kilometers (8.9 miles) southeast to avoid short-spacings to the proposed allotment site for Channel 231C2 at Waynoka, Oklahoma, and to the licensed site for Station KCVW(FM), Channel 232C2, Kingman, Kansas. The

coordinates for Channel 233A at Kiowa are 36-54-50 North Latitude and 98-23-27 West Longitude.

**DATES:** Comments must be filed on or before August 29, 2005, reply comments on or before September 13, 2005.

**ADDRESSES:** 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: Charles Crawford, 4553 Bordeaux Avenue, Dallas, Texas 75205 (Petitioner).

**FOR FURTHER INFORMATION CONTACT:**

Sharon P. McDonald, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 05-228, adopted July 6, 2005, and released July 8, 2005. 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, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20054, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. 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

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 Kansas, is amended by adding Channel 233A at Kiowa.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 05-14965 Filed 8-2-05; 8:45 am]

**BILLING CODE 6712-01-P**

### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 73**

[DA 05-2018; MB Docket No. 05-229; RM-10780]

#### **Radio Broadcasting Services; Rosebud, Tyler and Madisonville, Texas**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a Petition for Rule Making filed by Charles Crawford requesting the allotment of Channel 267A at Rosebud, Texas, as that community's first local aural transmission service. To accommodate this allotment, Petitioner requests a change in reference coordinates for vacant FM Channel 267A at Madisonville, Texas, which requires the reclassification of FM Station KNUE, Channel 268C, Tyler, Texas, to specify operation on Channel 268C0 pursuant to the reclassification procedures adopted by the Commission. See *Second Report and Order* in MM Docket 98-93, *1998 Biennial Regulatory Review—Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules*, 65 FR 79773 (2000). An Order to Show Cause was issued to Capstar Royalty II Coporation, licensee of FM Station KNUE, Channel 267A can be allotted with a site restriction 9.1 kilometers (5.6 miles) southwest at reference coordinates 31-01-44 NL and 97-03-31 WL. To accommodate the proposed Rosebud allotment, we will propose the relocation of the reference coordinates for vacant Channel 267A at Madisonville, TX, with a site restriction

of 11.6 kilometers (7.2 miles) northeast of Madisonville at reference coordinates 31-02-22 NL and 95-51-00 WL.

**DATES:** Comments must be filed on or before September 6, 2005, and reply comments on or before September 20, 2005. Any counterproposal filed in this proceeding need only protect FM Station KNUE, Tyler, Texas, as a Class C0 allotment.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner as follows: Charles Crawford, 4553 Bordeaux Avenue, Dallas, Texas 75205.

#### **FOR FURTHER INFORMATION CONTACT:**

Rolanda F. Smith, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MB Docket No. 05-229, adopted July 13, 2005, and released July 15, 2005. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20054, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. 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**

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 Texas is amended by adding Rosebud, Channel 267A, by removing Channel 268C and by adding Channel 268C0 at Tyler.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

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**BILLING CODE 6712-01-P**

### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 73**

[DA 05-2019; MB Docket No. 05-230; RM-11032]

#### **Radio Broadcasting Services; Auxvasse and Crestwood, MO**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a Petition for Rule Making filed by Charles Crawford requesting the allotment of Channel 235A at Auxvasse, Missouri, as that community's first local service. The proposal also requires the reclassification of Station KSHE(FM), Crestwood, Missouri, Channel 234C to specify operation on Channel 234C0 pursuant to the reclassification procedures adopted by the Commission. See *Second Report and Order* in MM Docket 98-93, *1998 Biennial Regulatory Review—Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules*, 65 FR 79773 (2000). An Order to Show Cause was issued to Emmis Radio License, LLC, licensee of Station KSHE(FM). Channel 235A can be allotted at Auxvasse, Missouri, at Petitioner's requested site 10.3 kilometers (6.4 miles) southwest at reference coordinates 38-58-04 NL and 91-59-47 WL.

**DATES:** Comments must be filed on or before September 6, 2005, and reply comments on or before September 20, 2005. Any counterproposal filed in this proceeding need only protect Station KSHE(FM), Crestwood, Missouri, as a Class C0 allotment.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW.,