

approximately 127,540 licensees in these services. Governmental entities<sup>134</sup> as well as private businesses comprise the licensees for these services. All governmental entities with populations of less than 50,000 fall within the definition of a small entity.<sup>135</sup> The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the proposed rules and policies, if adopted.<sup>136</sup> The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction."<sup>137</sup> In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act.<sup>138</sup> A "small business concern" is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA.<sup>139</sup>

#### IV. Description of Projected Reporting, Recordkeeping and Other Compliance Requirements:

28. The Commission is concerned that some entities are paying too much and others are not paying enough regulatory fees. In this FNPRM, the Commission seeks comment on ways to modify the regulatory fee rules to

and facsimile (printed material). The fire radio service includes approximately 23,000 licensees comprised of private volunteer or professional fire companies as well as units under governmental control. The local government service that is presently comprised of approximately 41,000 licensees that are state, county, or municipal entities that use the radio for official purposes not covered by other public safety services. There are approximately 7,000 licensees within the forestry service which is comprised of licensees from state departments of conservation and private forest organizations who set up communications networks among fire lookout towers and ground crews. The approximately 9,000 state and local governments are licensed to highway maintenance service provide emergency and routine communications to aid other public safety services to keep main roads safe for vehicular traffic. The approximately 1,000 licensees in the Emergency Medical Radio Service ("EMRS") use the 39 channels allocated to this service for emergency medical service communications related to the delivery of emergency medical treatment. 47 CFR 90.15–90.27. The approximately 20,000 licensees in the special emergency service include medical services, rescue organizations, veterinarians, handicapped persons, disaster relief organizations, school buses, beach patrols, establishments in isolated areas, communications standby facilities, and emergency repair of public communications facilities. 47 CFR 90.33–90.55.

<sup>134</sup> 47 CFR 1.1162.

<sup>135</sup> 5 U.S.C. 601(5).

<sup>136</sup> 5 U.S.C. 603(b)(3).

<sup>137</sup> 5 U.S.C. 601(6).

<sup>138</sup> 5 U.S.C. 601(3) (incorporating by reference the definition of "small-business concern" in the Small Business Act, 15 U.S.C. 632). Pursuant to 5 U.S.C. 601(3), the statutory definition of a small business applies "unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register."

<sup>139</sup> 15 U.S.C. 632.

better reflect the current industry and offered services. In addition, the Commission is concerned with rule non-compliance. The Commission could reduce such noncompliance by various means, including adopting filing requirements for international bearer circuits for non-common carriers. Common carriers already have filing requirements.

#### V. Steps Taken to Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered:

29. 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: (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.<sup>140</sup> The Commission is seeking comment on ways to revise the regulatory fees to possibly include more entities and to reduce or increase the fee burden on certain fee categories. The Commission is also seeking comment on reducing international bearer circuit regulatory fee non-compliance and close loopholes in the Commission's rules. It is possible that additional filing requirements for non-common carriers will be considered, with respect to international bearer circuits. These filing requirements already apply to common carriers. There may be other proposals offered by commenters to add or reduce regulatory fees or to reduce non-compliance with our rules. Such proposals may include reporting or recordkeeping requirements. It is important that all entities bear their required share of regulatory fees; otherwise, the companies that comply with the rules must pay for those that refuse to comply.

#### VI. Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules

30. None.

[FR Doc. E8–19431 Filed 8–25–08; 8:45 am]

BILLING CODE 6712–01–P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 08–1722; MB Docket No. 07–296; RM–11412]

### Radio Broadcasting Services; French Lick, Indiana; Irvington, KY

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rulemaking filed by L. Dean Spencer, requesting the allotment of Channel 261A at Irvington, Kentucky, as the community's first local aural transmission service. Channel 261A can be allotted at Irvington, Kentucky at a site 13.8 kilometers (8.5 miles) northwest of the community at coordinates 37–56–52 NL and 86–24–54 WL.

**DATES:** Comments must be filed on or before September 22, 2008, and reply comments on or before October 7, 2008.

**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's counsel as follows: John F. Garziglia, Esq., Womble, Carlyle Sandridge & Rice, PLLC, 1401 Eye Street, NW., Seventh Floor, Washington, DC 20005.

**FOR FURTHER INFORMATION CONTACT:** Victoria McCauley, Media Bureau, (202) 418–2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making and Order to Show Cause, MB Docket No. 07–296, adopted July 30, 2008, and released August 1, 2008. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY–A257, 445 Twelfth Street, SW., Washington, DC 20554. This document 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 20554, 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.

<sup>140</sup> 5 U.S.C. 603.

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, 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Kentucky is amended by adding Irvington, Channel 261A.

Federal Communications Commission.

**Robert A. Haynes,**  
*Senior Attorney.*

[FR Doc. E8–19651 Filed 8–25–08; 8:45 am]

**BILLING CODE 6712–01–P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 08–1756; MB Docket No. 08–151; RM–11476]

##### Radio Broadcasting Services; Blythe, CA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document sets forth a proposal to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules, 47 CFR 73.202(b). The Commission requests comment on a petition filed by Prescott Valley Broadcasting Company, Inc. Petitioner proposes the substitution of FM Channel 247B for vacant Channel 239B at Blythe, California. The purpose of the requested channel substitution at Custer is to accommodate Petitioner's pending application to operate as a full-spaced Class C3 channel at Parker, Arizona. Channel 247B can be allotted at Blythe in compliance with the Commission's minimum distance separation requirements with a site restriction of 1 km (.61 miles) northeast of Blythe. The proposed coordinates for Channel 247B at Blythe are 33–37–02 North Latitude and 114–35–20 West Longitude. Concurrence by the Government of Mexico is required for the allotment of

Channel 247B at Blythe, California, because the proposed allotment is located within 320 kilometers (200 miles) of the U.S.-Mexican border. See **SUPPLEMENTARY INFORMATION** *infra*.

**DATES:** Comments must be filed on or before September 22, 2008, and reply comments on or before October 7, 2008.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve petitioner's counsel as follows: David Tillotson, Esq., 4606 Charleston Terrace, NW., Washington, DC 20007.

**FOR FURTHER INFORMATION CONTACT:** Deborah A. Dupont, Media Bureau (202) 418–7072.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MB Docket No. 08–151, adopted July 30, 2008, and released August 1, 2008. 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 20554. The complete text of this decision may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY–B402, Washington, DC 20554, (800) 378–3160, or via the company's Web site, [www.bcpweb.com](http://www.bcpweb.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).

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, 336.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under California, is amended by removing Channel 239B and by adding Channel 247B at Blythe.

Federal Communications Commission.

**Robert A. Haynes,**  
*Senior Attorney.*

[FR Doc. E8–19652 Filed 8–25–08; 8:45 am]

**BILLING CODE 6712–01–P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 08–1711; MB Docket No. 08–150; RM–11390]

##### Radio Broadcasting Services; Asbury and Maquoketa, IA, and Mineral Point, WI

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Audio Division at the request of KM Radio of Independence, LLC, licensee of Station KQMG–FM, Independence, Iowa, proposes the allotment of Channel 238A at Mineral Point, Wisconsin, as its first local service, and the substitution of Channel \*254A, reserved for noncommercial educational (NCE) use, for vacant Channel \*238A, reserved for NCE use, at Asbury, Iowa to accommodate a hybrid community of license application, proposing the substitution of Channel 236A for Channel 237A at Independence, Iowa, the reallocation of Channel 236A to Solon, Iowa, and the associated modification of the license of Station KQMG–FM. See File No. BPH–20070119AEL. To facilitate the hybrid community of license application and the proposed Asbury channel substitution, the Commission issue an order to show cause to Maquoketa Broadcasting Company, licensee of Station KMAQ–FM, Channel 236A, Maquoketa, Iowa, as to why KMAQ–FM's channel should not be changed to Channel 237A at Maquoketa. See **SUPPLEMENTARY INFORMATION**.

**DATES:** Comments must be filed on or before September 22, 2008, and reply comments on or before October 7, 2008.