

3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a notice of proposed rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in § 1.1204(a) of the Commission’s rules, 47 CFR 1.1204(a). *See* §§ 1.415 and 1.420 of the Commission’s rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television.
Federal Communications Commission.
Thomas Horan,
Chief of Staff, Media Bureau.

Proposed Rule

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, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.622(j), amend the Table of Allotments under Montana by revising the entry for Bozeman to read as follows:

§ 73.622 Digital television table of allotments.

* * * * *

(j) * * *

Community	Channel No.
* * *	* * *

MONTANA

* * *	* * *
Bozeman	*8, 27

* * * * *

[FR Doc. 2022–05933 Filed 3–21–22; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 22–118; RM–11924; DA–22–252; FR ID 77497]

Television Broadcasting Services Helena, Montana

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Federal Communications Commission (Commission) has before it a petition for rulemaking filed by Scripps Broadcasting Holdings LLC (Petitioner), the licensee of KTVH–DT, channel 12, Helena, Montana. The Petitioner requests the substitution of channel 31 for channel 12 at Helena in the Table of Allotments.

DATES: Comments must be filed on or before April 21, 2022 and reply comments on or before May 6, 2022.

ADDRESSES: You may submit comments, identified by MB Docket No. 22–118, by any of the following methods:

- *Electronic Filers:* Comments may be filed electronically using the internet by accessing the ECFS: <https://apps.fcc.gov/ecfs/>.
- *Paper Filers:* Parties who choose to file by paper must file an original and one copy of each filing.

Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington, DC 20554.

- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID–19. *See* FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy, Public Notice, DA 20–304 (March 19, 2020). <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large

print, electronic files, audio format), send an email to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

In addition to filing comments with the FCC, interested parties should serve counsel for the Petitioner as follows: Christina A. Burrow, Esq., Cooley LLP, 1299 Pennsylvania Avenue NW, Washington, DC 20004–2400.

FOR FURTHER INFORMATION CONTACT: Joyce Bernstein, Media Bureau, at (202) 418–1647 or Joyce.Bernstein@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission’s *Notice of Proposed Rulemaking*, MB Docket No. 22–118; RM–11924; DA 22–252, adopted on March 10, 2022, and released on March 10, 2022. The full text of this document is available for download at <https://www.fcc.gov/edocs>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to FCC504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418–0530 (VOICE), (202) 418–0432 (TTY).

In support, the Petitioner states that the Commission has recognized that VHF channels have certain characteristics that pose challenges for their use in providing digital television service, including propagation characteristics that allow undesired signals and noise to be receivable at relatively far distances. According to the Petitioner, it has received many complaints from viewers unable to receive a reliable signal on channel 12. The proposed channel 31 contour would continue to reach virtually all of the population within the Station’s current service area and fully cover the city of Helena. An analysis using the Commission’s *TVStudy* software tool indicates that KTVH–DT’s move from channel 12 to channel 31 is predicted to create an area where 2,168 persons are predicted to lose service. The loss area, however, is partially overlapped by the noise limited contours of other NBC affiliated stations and reduces the number of people who are predicted to lose NBC network service to 226 persons. Taking these other stations into account, less than 500 persons would lose NBC service if KTVH moves to channel 31, which Petitioner argues is *de minimis*. We note that in its calculation of viewer loss, Scripps relies on the NBC network service provided by Class A television station KDBZ–CD, Bozeman, Montana, as well as low power television (LPTV) station KTGF–LD, Great Falls, Montana, which is the NBC network affiliate in Great Falls.

While the LPTV station is secondary and can be displaced, we believe given the rural nature of Montana and neighboring states it is unlikely the LPTV station would be displaced, and if it was, Scripps would easily be able to find a displacement channel for it.

This document does not contain 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, 5 U.S.C. 601–612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a notice of proposed rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in § 1.1204(a) of the Commission’s rules, 47 CFR 1.1204(a).

Pursuant to §§ 1.415 and 1.420 of the Commission’s rules, 47 CFR 1.415, 1.420, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS).

List of Subjects in 47 CFR Part 73

Television.

Federal Communications Commission.

Thomas Horan,

Chief of Staff, Media Bureau.

Proposed Rules

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, 155, 301, 303, 307, 309, 310, 334, 336, 339.

■ 2. In § 73.622(j), amend the Table of Allotments under Montana by revising the entry for Helena to read as follows:

§ 73.622 Digital television table of allotments.

* * * * *
(j) * * *

Community			Channel No.	
*	*	*	*	*
MONTANA				
*	*	*	*	*
Helena		29, 31		
*	*	*	*	*

[FR Doc. 2022–05863 Filed 3–21–22; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 40

[Docket DOT–OST–2021–0093]

RIN 2105–AE94

Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Addition of Oral Fluid Specimen Testing for Drugs; Extension of Comment Period

AGENCY: Office of the Secretary, U.S. Department of Transportation (DOT).

ACTION: Proposed rule; extension of comment period.

SUMMARY: The U.S. Department of Transportation is extending the comment period for its oral fluid notice of proposed rulemaking. The original comment period would close on March 30, 2022. The extension is granted in response to requests received from stakeholders, who have stated the March 30 closing date does not provide sufficient time for them to prepare and submit comments to the docket. The Department agrees to extend the comment period by 30 days. Therefore, the closing date for submission of comments is extended to April 29, 2022, which will provide those entities submitting requests for an extension and others interested in commenting on the proposed rulemaking additional time to submit comments to the docket.

DATES: The comment period for the proposed rule published February 28, 2022, at 87 FR 11156, is extended. Comments must be received on or before April 29, 2022.

ADDRESSES: To ensure that you do not duplicate your docket submissions, please submit them by only one of the following means:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov/docket/DOT-OST-2021-0093/document> and follow the online instructions for submitting comments.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE, West Building Ground Floor Room W12–140, Washington, DC 20590–0001.

- *Hand delivery:* West Building Ground Floor, Room W–12–140, 1200 New Jersey Ave. SE, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

Instructions: To ensure proper docketing of your comment, please include the agency name and docket number DOT–OST–2021–0093 or the Regulatory Identification Number (RIN), 2105–AE94 for the rulemaking at the beginning of your comments. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

FOR FURTHER INFORMATION CONTACT: Patrice M. Kelly, JD, Office of Drug and Alcohol Policy and Compliance, 1200 New Jersey Avenue SE, Washington, DC 20590; telephone number 202–366–3784; ODAPCwebmail@dot.gov.

SUPPLEMENTARY INFORMATION:

Background

On February 28, 2022, at 87 FR 11156, DOT published in the **Federal Register** a notice of proposed rulemaking proposing to amend its transportation industry drug testing program procedures regulations, 49 CFR part 40, to include oral fluid testing. The proposal includes other provisions to update the Department’s regulation, and to harmonize, as needed, with the new Mandatory Guidelines for Federal Workplace Drug Testing Programs using Oral Fluid established by the U.S. Department of Health and Human Services. In addition to adding oral fluid as a drug testing method and harmonizing with pertinent OFMG sections, we also propose to clarify certain part 40 provisions that cover urine drug testing procedures; to remove provisions that no longer are necessary; to add clarifying language to other provisions such as updated definitions and web links, as appropriate; and to update provisions to reflect issues that have arisen in recent practice.

All members of the public, including DOT-regulated employers and employees, urine collectors, HHS–NLCP certified laboratories, Medical Review Officers, Substance Abuse Professionals, and Consortium/Third Party Administrations, Transportation trade organizations, and labor organizations are invited to submit comments.

The original comment period for the proposal would have closed March 30,