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OMB Number: None.

Title: Section 21.902, Frequency Interference.

Action: New collection.

Respondents: Individuals or households, businesses or other-for profit.

Frequency of Response: On occasion reporting requirements.

Estimated Annual Burden: 1,075 responses; 3.12 hours average burden per recordkeeper, 3,355 hours total annual burden.

Needs and Uses: (A) Section 21.902(d), Expansion of Protected Service Areas of MDS Stations. Petitioners complained that current regulations failed to sufficiently protect MDS station licensees from harmful interference caused by subsequently-filing applicants. Since 1974, subsequently-filing applicants have had to file an interference study for each authorized or previously-proposed MDS station. MDS stations have had protected service areas since 1984. After that time subsequently-filing applicants have based the required interference study on a protected service area of 710 square miles. (When the authorized or previously-proposed MDS station uses an omnidirectional transmitting antenna, the 710 square miles is a circle with a radius of 15 miles.) In the *Second Reconsideration Order*, the protected service area was expanded to a circle with a radius of 35 miles. This modification of an existing requirement simplifies the MDS rules, promotes the development of MDS stations as effective competitors to cable television systems, and facilitates the transition from analog to digital compression technology. See paragraphs 7-19 in the *Second Reconsideration Order*. (B) Section 21.902(d), Maps for Waiver Requests of Protected Service Area. Based on our experience with reviewing interference analyses since 1984, it will be faster and cheaper for a MDS applicant to submit an interference study based on the previously-proposed or authorized station's 35-mile protected service area. However, when a new applicant asserts that it should be exempted from the requirement to study the potential for harmful interference to

a previously-proposed or authorized stations protected service area, the *Second Reconsideration Order* states that the applicant should submit a map showing the intrusion of the waiver applicant's signal into the area around the authorized or previously-proposed station. See paragraph 26 in *Second Reconsideration Order*. (C) Section 21.902(d). Expansion of Effect on Cable-MDS Prohibitions. Since 1990, cable television companies have been prohibited from owning or leasing MDS stations, directly or indirectly, if there is an overlap between the MDS station's protected service area and the cable company's service area. Thus, the prohibitions of 47 CFR Section 21.912 and 47 U.S.C. 553(a)(2) usually did not apply in situations in which the cable service area was more than 15 miles from the MDS station's transmitter site. With the expansion of the protected service area, it is possible that some cable television companies with MDS ownership or leasing interests, which formally complied with Section 21.912, might be barred after the change. A blanket waiver was granted until June 1, 1996 to cable companies with interests newly-prohibited. See paragraphs 30-31 in *Second Reconsideration Order*. (D) Section 21.902(i). ITFS Station Interference Protection Through Service. On October 10, 1990, the *Wireless Cable Order* established a deadline for MDS applicants to serve specified authorized cochannel or adjacent-channel ITFS stations on or before the day the MDS application was filed. The *First Reconsideration Order* postponed this service deadline until the 60th day after public notice. Pursuant to petitioners' requests, the Commission has returned to the earlier service deadline, on or before the date of filing, which reduces processing delay. See paragraphs 39-41 in *Second Reconsideration Order*. (E) Section 21.912(i). ITFS Station Interference Protection Through Petitions to Deny. Petitioners also requested that authorized ITFS stations be required to file petitions to deny of MDS applications by the 30th day after public notice. The earlier deadline was adopted so that MDS applications can become ripe for grant more quickly and MDS stations can begin operations as soon as possible in order to provide competition for cable television systems. Together with the earlier deadline for ITFS service, a 120-day delay has been reduced to 30 days for processing MDS applications that propose stations within 50 miles of cochannel or adjacent-channel ITFS stations. See paragraphs 42-44 of *Second Reconsideration Order*.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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[Report No. 2082]

Application for Review of Action in Rulemaking Proceeding

July 6, 1995.

Application for review have been filed in the Commission rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of this document are available for viewing and copying in Room 239, 1919 M Street, N.W., Washington, D.C. or may be purchased from the Commission's copy contractor ITS, Inc. (202) 857-3800. Opposition to this petition must be filed by July 26, 1995. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Bolingbroke and Yatesville, Georgia) (RM-8622)

Number of Petition Filed: 1

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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FEDERAL RESERVE SYSTEM

BancTenn Corp.; Acquisition of Company Engaged in Permissible Nonbanking Activities

The organization listed in this notice has applied under § 225.23(a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for