

("USC"), licensee of noncommercial television station KTSC(TV), Channel \*8, Pueblo, Colorado, and Sangre De Cristo Communications, Inc. ("SCC"), licensee of commercial television station KOAA-TV, Channel 5, Pueblo, Colorado. U.S.C. and SCC requested to exchange channels, and sought to include in the channel exchange a construction permit held by U.S.C. to relocate its transmitter to a short-spaced site. The Commission denies the petition because it would be contrary to FCC policy to grant SCC a minimum spacing waiver at the allotment rule making stage. U.S.C. and SCC stated that they were not interested in pursuing the Commission's alternative proposal, set forth in its *Notice of Proposed Rule Making*, 58 FR 38548 (July 19, 1993). The Commission also denies a petition filed by U.S.C. and SCC requesting that this rule making proceeding be consolidated with various application proceedings. With this action your proceeding is terminated.

**EFFECTIVE DATE:** July 19, 1995.

**FOR FURTHER INFORMATION CONTACT:** Diane Conley, Mass Media Bureau, (202)776-1653.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report and Order*, MM Docket No. 93-191, adopted June 30, 1995, and released on July 14, 1995. The full text of this Commission decision is available for public inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

#### List of Subjects in 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 95-17725 Filed 7-18-95; 8:45 am]

BILLING CODE 6712-01-F

#### 47 CFR Part 73

[MM Docket No. 95-108, RM 8631]

#### Radio Broadcasting Services; Ankeny and West Des Moines, IA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Fuller-Jeffrey Broadcasting Corporation of Greater Des Moines, licensee of station KJYY-FM, Channel 223C2, Ankeny, Iowa, proposing the reallocation of Channel 223C2 from Ankeny to West Des Moines, Iowa, and the modification of its license to specify West Des Moines as its community of license, in accordance with Section 1.420(i) of the Commission's Rules. Channel 223C2 can be allotted to West Des Moines in compliance with the Commission's minimum distance separation requirements at its current site. The coordinates for Channel 223C2 at West Des Moines are North Latitude 41-39-53 and West Longitude 93-45-24.

**DATES:** Comments must be filed on or before September 5, 1995, and reply comments on or before September 20, 1995.

**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: John Griffith Johnson, Jr., Bryan, Cave, McPheeters & McRoberts, 700 13th Street, NW., Suite 700, Washington, DC 20005-3960 (Attorney for Petitioner).

**FOR FURTHER INFORMATION CONTACT:** Arthur D. Scrutchins, Mass Media Bureau, (202) 776-1660.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-108, adopted June 29, 1995, and released July 14, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., (202) 857-3800, 1919 M Street, NW., Room 246, or 2100, M Street, NW., Suite 140, Washington, DC 20037.

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 broadcasting.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 95-17726 Filed 7-18-95; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

#### National Highway Traffic Safety Administration

#### 49 CFR Part 571

#### Denial of Petition for Rulemaking; Federal Motor Vehicle Safety Standards

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Denial of petition for rulemaking.

**SUMMARY:** This document denies Mr. John Chevedden's petition for rulemaking to specify the rear license plate mounting location of certain trucks. NHTSA's analysis of the petition concludes that this action would have a negligible effect on reducing crashes or fatalities and that to conduct any more than a cursory technical review would use public resources inappropriately.

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard Van Iderstine, Office of Rulemaking, NHTSA, 400 Seventh Street, SW, Washington, DC 20590. Mr. Van Iderstine's telephone number is: (202) 366-5275. His facsimile number is (202) 366-4329.

**SUPPLEMENTARY INFORMATION:** By letter dated May 31, 1995, Mr. John Chevedden petitioned the agency to issue a rule applicable to new trucks with off-center rear license plates. Mr. Chevedden asked NHTSA to mandate that those license plates be positioned on the driver's side. Mr. Chevedden stated that the rulemaking was needed because it is a safety enhancement that will prevent death, injury and property damage. Mr. Chevedden speculates that a reflectorized license plate mounted on the driver's side, instead of the passenger side, will serve as a back-up reflector and safety warning in many cases where the vehicle's rear lights are not operating. He stated that the driver's side mounting would be more useful than the passenger side location in

marking the edge of the vehicle closest to the roadway.

In a recent denial of a petition from Mr. Chevedden requesting a similar requirement for front license plates (60 FR 19716) the agency estimated that if it were to specify that those vehicles with off-center front license plates have their front plates located on the driver's side, the number of lives saved would not exceed one life for every 588 years.

This petition applies only to light trucks which are about half of the new vehicle population, making the possibility of benefit about half that of the previous petition. Additionally, while all vehicles have rear license plates and not all have front plates, all vehicles also have two rear red reflex reflectors. Thus, any benefit associated with the possibility of having more vehicles with driver-side plates, would be overshadowed because the effectiveness of such a treatment is dwarfed by the effectiveness of the reflectors already present on the vehicles.

Based on that recent analysis and these facts, the agency believes that the benefit from Mr. Chevedden's new petition would be smaller than his previous petition.

In accordance with 49 CFR part 552, this completes the agency's technical review of the petition. The agency has concluded that there is no reasonable possibility that the amendment requested by the petitioner would be issued at the conclusion of a rulemaking proceeding. The agency notes that the petition is basically repetitive of an earlier petition. After considering all relevant factors, including the need to allocate and prioritize limited agency resources to best accomplish the agency's safety mission, the agency has decided to deny the petition.

**Authority:** 49 U.S.C. 30103, 30162; delegation of authority at 49 CFR 1.50 and 501.8.

Issued on: July 13, 1995.

**Barry Felrice,**

*Associate Administrator for Safety Performance Standards.*

[FR Doc. 95-17772 Filed 7-18-95; 8:45 am]

**BILLING CODE 4910-59-P**

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Parts 216 and 229**

[I.D. 052395C]

**RIN 0648-AH33**

**Taking of Marine Mammals Incidental to Commercial Fishing Operations; Authorization for Commercial Fisheries; Proposed List of Fisheries; Correction**

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

**ACTION:** Proposed rule; correction.

**SUMMARY:** This document contains corrections to the proposed List of Fisheries (LOF) contained in a proposed rule that was published on Friday, June 16, 1995. NMFS issued a proposed LOF that categorized fisheries according to frequency of incidental serious injury and mortality of marine mammals. The proposed rule is intended to provide for a limited exemption of commercial fisheries from the Marine Mammal Protection Act of 1972 (MMPA) moratorium on the taking of marine mammals.

**DATES:** Comments on the proposed rule must be received by July 31, 1995, Comments on the proposed LOF must be received by September 14, 1995.

**ADDRESSES:** Send comments to Chief, Marine Mammal Division, Office of

Protected Resources, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Robyn Angliss, Office of Protected Resources, 301-713-2322.

**SUPPLEMENTARY INFORMATION:** Section 118(c) of the MMPA requires NMFS to publish a LOF, along with the marine mammals and number of vessels or persons involved in each such fishery. A notice of proposed revisions to the last LOF is to be published in the **Federal Register** on or about July 1 of each year for the purpose of receiving public comment, and a final LOF is to be published on or about October 1 of each year, which would become effective January 1 of the next calendar year. On June 16, 1995 (60 FR 31666), NMFS published a proposed LOF for calendar year 1996 in two tables: Table 1—Proposed List of Fisheries (Commercial Fisheries in the Pacific Ocean), and Table 2—Proposed List of Fisheries (Commercial Fisheries in the Atlantic Ocean, Gulf of Mexico and Caribbean). However, in these two tables, several marine mammal species/stocks were inadvertently omitted or misidentified in several fisheries. Also, a plus (+) designation indicating a stock is listed as threatened or endangered under the Endangered Species Act was inadvertently omitted from several stock and species codes. This document corrects these errors.

**Correction of Publication**

Accordingly, in proposed rule document FR Doc. 95-14828, beginning on page 31666 in the **Federal Register** issue of Friday, June 16, 1995, make the following corrections:

1. On page 31682, in Table 1, under Category III the entry for "AK salmon troll" is corrected to read as follows:

**TABLE 1.—PROPOSED LIST OF FISHERIES**  
[Commercial Fisheries in the Pacific Ocean]

Fishery description	Estimated No. of vessels/persons	Marine mammal species/stocks involved
* * * * *	*	*
AK salmon troll .....	1,450	1*+, 2*+, 3*, 5, 6, 26*+.
* * * * *	*	*

2a. On page 31684, in Table 2, under Category I, the entries for "Atlantic Ocean, Caribbean, Gulf of Mexico

swordfish, tuna, shark drift gillnet" and "New England multispecies sink gillnet" are corrected, and

2b. On page 31685, in Table 2, under Category III, the entries for "Gulf of Maine, U.S. mid-Atlantic mixed species