

paging licensee, and (2) the proposed site is within 65 kilometers (40 miles) of an authorized transmission site that was licensed to the same applicant on the same channel on or before February 8, 1996 and which is operational as of the date the application for the additional transmitter site is filed. This modification of the interim measures is effective May 10, 1996.

C. *Ex Parte* Rules—Non-Restricted Proceeding

Ex parte presentations are permitted except during the Sunshine Agenda period, provided they are disclosed as provided in the Commission's rules, 47 CFR 1.1202, 1.1203, 1.1206(a).

D. Authority

The above action is authorized under the Communications Act, §§ 4(i), 303(r), 309(c), 309(j), and 332, 47 U.S.C. 154(i), 303(r), 309(c), 309(j), and 332, as amended.

E. Ordering Clauses

It is Ordered that, pursuant to the authority of sections 4(i), 303(r), 309(c), 309(j), and 332 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 303(r), 309(c), 309(j), and 332, this *First Report and Order* is adopted and the interim freeze set forth in the *Notice of Proposed Rulemaking* in this docket is modified, effective May 10, 1996 as set forth herein.

It is further ordered that the Emergency Petition for Immediate Withdrawal of Freeze filed by the Coalition for a Competitive Paging Industry on February 28, 1996, is granted to the extent discussed herein, and denied in all other respects.

List of Subjects

47 CFR Part 22

Communication common carriers, Reporting and recordkeeping requirements.

47 CFR Part 90

Common carriers, Reporting and recordkeeping requirements.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 96-11643 Filed 5-9-96; 8:45 am]

BILLING CODE 6712-01-P

47 CFR Part 73

Radio Broadcasting Services; Various Locations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, on its own motion, editorially amends the Table of FM Allotments to specify the actual classes of channels allotted to various communities. The changes in channel classifications have been authorized in response to applications filed by licensees and permittees operating on these channels. This action is taken pursuant to *Revision of Section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989), and the *Amendment of the Commission's Rules to permit FM Channel and Class Modifications [Upgrades] by Applications*, 8 FCC Rcd 4735 (1993).

EFFECTIVE DATE: May 10, 1996.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, adopted April 26, 1996, and released May 6, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's 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 Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Arkansas, is amended by removing Channel 233A and adding Channel 233C3 at West Helena.

3. Section 73.202(b), the Table of FM Allotments under California, is amended by removing Channel 276A and adding Channel 276B1 at Oakhurst, by removing Channel 286A and adding Channel 286B1 at Pacific Grove, and by removing Channel 239A and adding Channel 242A at Twentynine Palms.

4. Section 73.202(b), the Table of FM Allotments under Kansas, is amended

by removing Channel 284A and adding Channel 284C3 at Fort Scott.

5. Section 73.202(b), the Table of FM Allotments under Maine, is amended by removing Channel 249A and adding Channel 249B.

6. Section 73.202(b), the Table of FM Allotments under Montana, is amended by removing Channel 233C1 and adding Channel 233C1 at Great Falls and by removing Channel 257C and adding Channel 257A at Red Lodge.

7. Section 73.202(b), the Table of FM Allotments under Nebraska, is amended by removing Channel 249A and adding Channel 249C1 at Holdrege.

8. Section 73.202(b), the Table of FM Allotments under New Mexico, is amended by removing Channel 266C3 and adding Channel 266A at White Rock.

9. Section 73.202(b), the Table of FM Allotments under South Carolina, is amended by removing Channel 232A and adding Channel 232C3 at Goose Creek.

Federal Communications Commission.

Andrew J. Rhodes,

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

[FR Doc. 96-11763 Filed 5-9-96; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-153; RM-8702]

Radio Broadcasting Services; Tillamook, OR

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Brian Lord, allots Channel 231A to Tillamook, OR, as the community's second local FM transmission service. See 60 FR 55358, October 31, 1995. Channel 231A can be allotted to Tillamook in compliance with the Commission's minimum distance separation requirements with a site restriction of 5.8 kilometers (3.6 miles) west, at coordinates 45-27-27 North Latitude; 123-55-00 West Longitude, to avoid a short-spacing to Station KPQD-FM, Channel 229C, Portland, Oregon. Canadian concurrence in the allotment has been received since Tillamook is located within 320 kilometers (200 miles) of the U.S.-Canadian border. With this action, this proceeding is terminated.

DATES: Effective June 17, 1996. The window period for filing applications will open on June 17, 1996, and close on July 18, 1996.