

Dated: April 11, 1997.

**Mary D. Nichols,**

*Assistant Administrator for Air and Radiation.*

[FR Doc. 97-9945 Filed 4-15-97; 8:45 am]

BILLING CODE 6560-50-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 97-114, RM-9059]

#### Radio Broadcasting Services; Dassel and Hutchinson, MN

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by North American Broadcasting Co., Inc., requesting the substitution of Channel 295C3 for Channel 296A at Hutchinson, Minnesota, and reallocation of Channel 295C3 from Hutchinson to Dassel, Minnesota. Petitioner also requests modification of its license for Station KKJR to specify operation on Channel 295C3 at Dassel. The coordinates for Channel 295C3 at Dassel are 45-08-30 and 94-26-00. We shall propose to modify the license for Station KKJR in accordance with Section 1.420 (g) and (i) of the Commission's Rules and will not accept competing expressions of interest for the use of the channel or require petitioner to demonstrate the availability of an additional equivalent class channel for use by such parties.

**DATES:** Comments must be filed on or before June 2, 1997, and reply comments on or before June 17, 1997.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Gregg P. Skall, Pepper & Corazzini, L.L.P., 1776 K Street, NW, Suite 200, Washington, DC 20006.

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

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-114, adopted April 2, 1997, and released April 11, 1997. 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.

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* contact.

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. 97-9824 Filed 4-15-97; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 96-77, RM-8780; RM-8818]

#### Radio Broadcasting Services; Hobbs, Tatum and Jal, NM

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; Order to Show Cause.

**SUMMARY:** The Commission, in response to a counterproposal filed by MTD, Inc., proposes the allotment of Channel 296C to Tatum, NM, as the community's first local aural transmission service. To accommodate the allotment at Tatum, the Commission also proposes that Channel 279C1 be substituted for Channel 296C1 at Jal, NM, and that the construction permit (BPH-950404MA) of John H. Wiggins be modified to specify operation on the alternate Class C1 channel. An Order to Show Cause is directed to the permittee, John H. Wiggins, as to why his permit should not be modified to specify the alternate Class C1 channel. Channel 296C can be allotted to Tatum in compliance with the Commission's minimum distance separation requirements with a site

restriction of 13.2 kilometers (8.2 miles) west, at coordinates 33-15-27 North Latitude and 103-27-22 West Longitude, to avoid a short-spacing to Stations KPOS-FM, Channel 297C2, Post, TX, and KSMX, Channel 298C1, Clovis, NM. Channel 279C1 can be allotted to Jal at the transmitter site specified in Wiggins' outstanding construction permit, 32-25-53; 103-09-08. Mexican concurrence in the allotment of Channel 296C at Tatum and 279C1 at Jal is required since both communities are located within 320 kilometers (199 miles) of the U.S.-Mexican border.

**DATES:** Comments must be filed on or before June 2, 1997.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Leslie K. Shapiro, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Order to Show Cause, MM Docket No. 96-77, adopted April 2, 1997, and released April 11, 1997. 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 contractor, International Transcription Services, Inc., (202) 857-3800, 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. 97-9825 Filed 4-15-97; 8:45 am]

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