

adjustment under this subpart, an interested party must submit timely a request for review prepared in accordance with the requirements in § 416.195, and the IOL must be included in the list of requests for review that is published annually in the **Federal Register** in accordance with the process described in § 416.185.

(2) In order for HCFA to make an IOL payment adjustment under this subpart, the IOL for which the adjustment is approved must be identified in the list of determinations HCFA publishes in the **Federal Register** 125 days after publication of the list of requests for review.

(i) HCFA assigns a unique billing code to each IOL for which it determines a payment adjustment is appropriate.

(ii) Using the billing code assigned to an IOL for which HCFA determines a payment adjustment is appropriate under this subpart in order to bill for a different IOL constitutes fraud.

(Sections 1832(a)(2)(F)(i) and 1833(i)(2)(a) of the Social Security Act (42 U.S.C. 1395k(a)(2)(F)(i) and 1395l(i)(2)(a)))

(Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: January 17, 1997.

Bruce C. Vladeck,
Administrator, Health Care
Financing Administration.

Dated: March 10, 1997.

Donna E. Shalala,
Secretary.

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BILLING CODE 4120-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97-189, RM-9135]

Radio Broadcasting Services; Nassawadox, VA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Ken Robol requesting the allotment of Channel 252A to Nassawadox, Virginia, as the community's first local aural transmission service. Channel 252A can be allotted to Nassawadox in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 252A at Nassawadox are 37-28-24 NL and 75-51-30 WL.

DATES: Comments must be filed on or before October 20, 1997, and reply comments on or before November 4, 1997.

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: Ken Robol, 303 Amherst Court, Chesapeake, Virginia 23320 (petitioner).

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-189, adopted August 20, 1997, and released August 29, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC'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 contractor, ITS, 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. 97-23437 Filed 9-3-97; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97-187, RM-9149]

Radio Broadcasting Services; Patterson, IA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by West Wind Broadcasting requesting the allotment of Channel 290A to Patterson, Iowa, as the community's first local aural transmission service. Channel 290A can be allotted to Patterson in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 290A at Patterson are 41-20-54 NL and 93-52-49 WL.

DATES: Comments must be filed on or before October 20, 1997, and reply comments on or before November 4, 1997.

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: Victor A. Michael, Jr., President, West Wind Broadcasting, c/o Magic City Media, 1912 Capitol Avenue, Suite 300, Cheyenne, Wyoming 82001 (petitioner).

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97-187, adopted August 20, 1997, and released August 29, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC'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 contractor, ITS, Inc., (202) 857-3800, 1231 20th Street, NW, Washington, DC 20036.

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.