

addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Lyndon H. Willoughby, Willoughby & Voss, P.O. box 701190, San Antonio, Texas 78270-1190.

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. 98-133, adopted July 15, 1998, and released July 24, 1998. 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., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805.

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. 98-20462 Filed 7-30-98; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-134; RM-9271]

Radio Broadcasting Services; Sheridan, WY and Colstrip, MT

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Community Media, Inc., proposing the substitution of Channel 229C for Channel 243C3 at Sheridan, Wyoming, and the modification of Station KYTI(FM)'s construction permit (File No. BPH-980211IE) accordingly. To accommodate the upgrade, petitioner also proposes the substitution of Channel 258A for Channel 229A at Colstrip, Montana, and the modification of Brian M. Encke's application accordingly. Channel 229C can be substituted at Sheridan in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction at Station KYTI(FM)'s authorized construction permit site. The coordinates for Channel 229C at Sheridan are North Latitude 44-37-20 and West Longitude 107-06-57. Additionally, Channel 258A can be substituted at Colstrip in compliance with the Commission's minimum distance separation requirements at Brian M. Encke's requested application site. The coordinates for Channel 258A at Colstrip are North Latitude 45-53-42 and West Longitude 106-36-38.

DATES: Comments must be filed on or before September 14, 1998, and reply comments on or before September 29, 1998.

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 F. Garziglia, Esq., Pepper & Corazzini, L.L.P., 1776 K Street, NW., Suite 200, Washington, DC 20006 (Counsel for Petitioner).

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

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