

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.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-213; RM-9352]

Radio Broadcasting Services; Clifton, IL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by STARadio Corporation proposing the allotment of Channel 297A at Clifton, Illinois, as the community's first local aural transmission service. Channel 297A can be allotted to Clinton in compliance with the Commission's minimum distance separation requirements with a site restriction of 8.1 kilometers (5.0 miles) south to avoid a short-spacing to the licensed site of Station WZVN(FM), Channel 296A, Lowell, Indiana. The coordinates for Channel 297A at Clifton are North Latitude 40-52-00 and West Longitude 87-58-00.

DATES: Comments must be filed on or before January 25, 1999, and reply comments on or before February 9, 1999.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: Michael Ruger, Esq., Baker & Hostetler, LLP, 1050 Connecticut Ave., NW., Suite 1100, Washington, DC 20036-5304 (Counsel for Petitioner).

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-213, adopted November 25, 1998, and released December 4, 1998. 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 Service, 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.

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Radio broadcasting.

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[FR Doc. 98-33063 Filed 12-11-98; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 98-203; FCC 98-304]

Ancillary or Supplementary Use of Digital Television Capacity by Noncommercial Licensees

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission initiates this *Notice of Proposed Rule Making* to seek comment on whether we should impose limits on activities undertaken by noncommercial educational ("NCE") television licensees on their DTV capacity. The request for clarification made by AAPTS/PBS raises significant issues regarding the service and funding opportunities made available to NCE stations as a result of the transition to digital transmission. We recognize the

importance of this issue to the future of public television as it enters the digital age. Therefore, we believe it is appropriate to seek further comment on the AAPTS/PBS petition in order to establish a more complete record on the issues it raises.

EFFECTIVE DATES: Comments are due on or before January 28, 1999; reply comments are due on or before March 1, 1999.

ADDRESSES: Federal Communications Commission, 445 12th Street, Room TW-A306, SW, Washington, DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Judy Boley, Federal Communications Commission, Room C-1804, 445 12th Street, SW, Washington, DC 20554, or via the Internet to jboley@fcc.gov and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725-17th Street, NW, Washington, DC 20503 or via the Internet to fain_t@al.eop.gov. Comments may also be filed by using the Commission's Electronic Comment Filing System (ECFS), via the Internet to <http://www.fcc.gov/e-file/ecfs.html>.

FOR FURTHER INFORMATION CONTACT: Jane Gross or Robert Somers, Policy and Rules Division, Mass Media Bureau (202) 418-2130.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 98-203, adopted November 19, 1998 and released November 23, 1998. 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., 1231 20th Street, NW, Washington, DC, 20036, (202) 857-3800.

Synopsis of Notice of Proposed Rulemaking

I. Introduction

1. In our *Fifth Report and Order*, 62 FR 26966 (May 16, 1997), in the digital television ("DTV") proceeding, we adopted rules implementing a transition to digital technology for all existing television broadcasters. Among other things, we established standards for license eligibility, a transition and construction schedule and a requirement that broadcasters continue to provide one free over-the-air television service in accordance with section 336 of the Telecommunications