

**SUMMARY:** By this *Third Notice of Proposed Rule Making*, the Commission proposes to change the prior allocation to Broadcast Auxiliary Service (BAS) from the 2025–2130 MHz band to the 2025–2110 MHz band, and to allocate the 2110–2150 MHz band to the Fixed and Mobile Services, for later assignment of licenses by auction. This *Third Notice of Proposed Rule Making* solicits comment on the proposed allocation, including the necessity and means of moving incumbent BAS and FS microwave licensees to another band.

**DATES:** Comments are due January 19, 1991. Reply comments are due February 19, 1999.

**ADDRESSES:** All filings must be sent to the Commission's Secretary, Magalie Roman Salas, Office of the Secretary, Federal Communications Commission, 445 Twelfth Street, S.W. TW-A325, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Sean White, Office of Engineering and Technology, (202) 418-2453.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Third Notice of Proposed Rule Making*, adopted November 19, 1998, and released November 25, 1998. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC Reference Center (Room CY-C404), 445 Twelfth Street, SW, Washington, DC. The complete text of this decision also may be purchased from the Commission's duplication contractor, International Transcription Service, Inc., (202) 857-3800, 1231 20th Street, N.W., Washington, D.C. 20036.

### Summary of Third Notice of Proposed Rule Making

1. In this *Third Notice of Proposed Rule Making*, the Commission proposes to allocate the 2110–2150 MHz band to the Fixed and Mobile Services, for assignment to licensees by auction. This proposal is consistent with the requirements of Congress in Section 3002 (a) of the Balanced Budget Act of 1997, Pub. L. 105-33, 111 Stat. 251 (1997). The Commission further proposes to allocate the 2025–2110 MHz band to the Fixed and Mobile services for the use of BAS licensees.

2. The Commission solicits public comment on the proposed allocation, the details of timing, requirements, and negotiations in the relocation of BAS and FS microwave incumbents, and any other sharing or technical matters pertinent to the proposed allocation.

### List of Subjects in 47 CFR Parts 2, 74, 78, and 101

Radio.

Federal Communications Commission

**Magalie Roman Salas,**

*Secretary.*

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### FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[MM Docket No. 98-224, RM-9416]

#### Radio Broadcasting Services; Belfield, ND

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by High Plains Broadcasting, Inc., to allot Channel 230C1 to Belfield, ND, as the community's first local aural service. Channel 230C1 can be allotted to Belfield in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 46-53-06 North Latitude and 103-11-48 West Longitude. Canadian concurrence in the allotment is required since Belfield is located within 320 kilometers (200 miles) of the U.S.-Canadian border.

**DATES:** Comments must be filed on or before February 1, 1999, and reply comments on or before February 16, 1999.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: F. William LeBeau, Hogan & Hartson L.L.P., 555 Thirteenth Street, N.W., Washington, D.C. 20004-1109 (Counsel to petitioner).

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

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 98-224, adopted December 2, 1998, and released December 11, 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., (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.

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. 98-225, RM-9417]

#### Radio Broadcasting Services; Medina, ND

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by High Plains Broadcasting, Inc., seeking the allotment of Channel 222C to Medina, ND, as the community's first local aural service. Channel 222C can be allotted to Medina in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 46-53-36 North Latitude and 99-17-54 West Longitude. Canadian concurrence is required since Medina is located within 320 kilometers (200 miles) of the U.S.-Canadian border.

**DATES:** Comments must be filed on or before February 1, 1999, and reply comments on or before February 16, 1999.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, DC 20554. In addition to filing comments