

lands and other unserved areas. We encourage commenters to discuss any other alternatives that would minimize any significant economic impact on small entities.

F. Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

49. None.

List of Subjects

47 CFR Part 1

Communications common carriers, Radio, Telecommunications.

47 CFR Parts 15, 95, and 101

Communications equipment, Radio.

47 CFR Part 22

Communications common carriers, Communications equipment, Radio, Rural areas.

47 CFR Part 24

Personal communications services, Radio.

47 CFR Part 25

Communications common carriers, Communications equipment, Radio, Satellites.

47 CFR Part 26

Communications common carriers, Radio.

47 CFR Part 27

Wireless communications service, Radio.

47 CFR Part 90

Common carriers, Communications equipment, Radio.

47 CFR Part 100

Communications equipment, Radio, Satellites.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 99-1712, MM Docket No. 99-275, RM-9704]

Radio Broadcasting Services; Keno, OR

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Renaissance Community Improvement Association, Inc., seeking the allotment of Channel 235A to Keno, OR, as the community's second local aural service. The Commission also proposes to allow petitioner to amend its pending application (BPED-950206MB) to specify Channel 235A without loss of cut-off protection in order to resolve the mutual exclusivity with the pending application of St. Michael's Catholic Radio (BPED-950206MH). Channel 235A can be allotted to Keno in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction, at coordinates 42-07-30 WL; 121-55-42 NL.

DATES: Comments must be filed on or before October 18, 1999, and reply comments on or before November 2, 1999.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW, 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: Rev. Sandra Soho, President, Renaissance Community Improvement Association, Inc., P.O. Box 111, Klamath Falls, OR 97601-0006 (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. 99-275, adopted August 18, 1999, and released August 27, 1999. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street, SW, 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.

[FR Doc. 99-23461 Filed 9-9-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket NHTSA-99-5992, Notice 1]

Denial of Petition for Rulemaking; Federal Motor Vehicle Safety Standards Rear Impact Guards

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Denial of petition for rulemaking.

SUMMARY: Federal Motor Vehicle Safety Standard (FMVSS) No. 223 specifies a test procedure for demonstrating that rear impact guards comply with the strength and energy absorption requirements of the standard. This procedure involves a quasi-static test in which the horizontal member of the rear impact guard is slowly pushed for 125 mm, while the amount of resistance it offers is measured. Next, the guard is released and the amount of energy the guard absorbed is calculated.

The Truck Trailer Manufacturers Association (TTMA) submitted a petition for rulemaking requesting three changes to the test procedure. First, TTMA requested that we eliminate the lower bound of the range of acceptable rates of force application, so that the force can be applied in discrete start-stop steps. Second, TTMA requested that the requirement to displace the guard by a full 125 mm be eliminated if it appeared that the guard had met all requirements before that point. Third, TTMA suggested that the elastic rebound from guards that rebound very slowly following removal of the force not be subtracted from the calculated energy absorption. Each of the proposed revisions purports to ease the burden of testing on rear impact guard manufacturers, especially small businesses.

We are denying the petition. TTMA has not demonstrated a need for slower rates of force application. We have already lowered the permissible rate of force application to a level that is not