

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.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 99-28663 Filed 11-3-99; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 99-2304, MM Docket No. 99-319, RM-9756]

Digital Television Broadcast Service; Albany, GA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Waitt License Company of Georgia, L.L.C., licensee of station WFXL (TV), NTSC 31, Albany, Georgia, proposing the substitution of DTV Channel 12 for station WFXL (TV)'s assigned DTV Channel 30. DTV 30 can be substituted and allotted to Albany, Georgia, as proposed, in compliance with the principle community requirements of Section 73.625(a) at coordinates 31-19-52 N. and 83-51-43 W. DTV Channel 12 can be allotted to Albany with a power of 60 (kW) and a height above average terrain (HAAT) of 287 meters.

DATES: Comments must be filed on or before December 23, 1999, and reply comments on or before January 7, 2000.

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: Lawrence Bernstein, 1818 N Street, NW, Suite 700, Washington, DC 20036 (Counsel for Waitt License Company of Georgia, L.L.C.).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418-1600.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No.

99-319, adopted October 29, 1999, and released November 1, 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, S.W., 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.

Federal Communications Commission.

Barbara A. Kreisman,

Chief, Video Services Division, Mass Media Bureau.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 99-2356, MM Docket No. 99-322, RM-9762]

Radio Broadcasting Services; Chillicothe and Ashville, OH

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Secret Communications II, L.L.C. seeking the reallocation of Channel 227B from Chillicothe to Ashville, OH, as the community's first local aural service, and the modification of Station WKKJ's license to specify Ashville as its community of license. Channel 227B can be allotted to Ashville with a site restriction of 11.9 kilometers (7.4 miles) southeast, at coordinates 39-37-17 North Latitude and 82-53-13 West Longitude. Station WKKJ is a pre-1964 grandfathered short-spaced station with respect to Station WAKW, Channel 227B, Cincinnati, Ohio, and the proposed transmitter site is that specified in its outstanding construction

permit (BPH-19981201IA). Therefore, adoption of this proposal would maintain the existing grandfathered short-spacing.

DATES: Comments must be filed on or before December 20, 1999, and reply comments on or before January 4, 2000.

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: Richard R. Zaragoza, Jason S. Roberts, Fisher Wayland Cooper Leader & Zaragoza L.L.P., 2001 Pennsylvania Avenue, NW, Suite 400, Washington, DC 20006 (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. 99-322, adopted October 20, 1999, and released October 29, 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.

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