

agreement under § 27.15 must function as a Guard Band Manager and is subject to the obligations and restrictions on Guard Band Manager licenses set forth in this subpart.

§ 27.606 Complaints against Guard Band Managers.

Guard Band Managers are expected to resolve disputes with their customers or disputes between multiple customers of the Guard Band Manager in the same manner that the parties would resolve other commercial disputes arising out of the spectrum user agreement. The Commission will also consider complaints filed against a Guard Band Manager for violating the Communications Act or the Commission's regulations or policies. When there is a dispute between a Guard Band Manager, or its spectrum user, and a non-contracting party, and the Guard Band Manager is unable or unwilling to resolve such dispute in a timely fashion, the non-contracting party may file a complaint with the Commission pursuant to § 1.41 of this chapter.

§ 27.607 Performance requirements and annual reporting requirement.

(a) Guard Band Managers are subject to the performance requirements specified in § 27.14(a).

(b) Guard Band Managers are required to file an annual report providing the Commission with information about the manner in which their spectrum is being utilized. Such reports shall be filed with the Commission on a calendar year basis, no later than the March 1 following the close of each calendar year, unless another filing date is specified by Public Notice.

(c) Guard Band Managers must, at a minimum, include the following information in their annual reports:

(1) The total number of spectrum users and the number of those users that are affiliates of the Guard Band Manager;

(2) The amount of the Guard Band Manager's spectrum being used by the Guard Band Manager's affiliates in any part of the licensed service area;

(3) The amount of Guard Band Manager's spectrum being used pursuant to agreements with unaffiliated third parties;

(4) The nature of the spectrum use of the Guard Band Manager's customers; and

(5) The length of the term of each spectrum user agreement.

(d) The specific information that Guard Band Managers will provide and the procedures that they will follow in submitting their annual reports will be

announced in a Public Notice issued by the Wireless Telecommunications Bureau.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 00-574; MM Docket No. 99-181; RM-9584; RM-9700]

Radio Broadcasting Services; Merced and North Fork, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In response to a proposal filed on behalf of San Joaquin Radio Company, LLC, licensee of Station KAJZ(FM), Merced, California, the Commission substitutes Channel 300B1 for Channel 299A at Merced and reallocates Channel 300B1 to North Fork, California, as that community's first local aural transmission service, and modifies the license for Station KAJZ(FM) accordingly. (A competing proposal filed on behalf of Mountain West Broadcasting to allot Channel 300A to Easton, California, was denied.) See 64 FR 30291, June 7, 1999. Coordinates used for Channel 300B1 at North Fork are 37-14-39 NL and 119-33-58 WL.

Additionally, this document makes an editorial amendment to 47 CFR Part 73, Radio Broadcast Services, § 73.202(b), Table of FM Allotments, to include Channel 268B at Merced, California. Although Channel 268B was allotted to Merced in the original Table of Allotments, and is licensed at that community, it does not appear in § 73.202(b). With this action, the proceeding is terminated.

DATES: Effective May 1, 2000.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 99-181, adopted March 8, 2000, and released March 17, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center (Room CY-A257), 445 Twelfth Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service,

Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under California, is amended by adding Channel 268B at Merced.

3. Section 73.202(b), the Table of FM Allotments under California, is amended by removing Channel 299A at Merced.

4. Section 73.202(b), the Table of FM Allotments under California is amended by adding North Fork, Channel 300B1.

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

[DA 00-649; MM Docket No. 99-9; RM-9434, RM-9597]

Radio Broadcasting Services; Lancaster, Groveton and Milan, NH

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of North Country Radio, Inc., allots Channel 229A to Groveton, NH, as the community's first local aural service, and denies the request of Dana Puopolo to allot Channel 229A to Lancaster, NH, as the community's second local FM service. See 64 FR 5625, February 4, 1999. This action also dismisses the counterproposal of Barry P. Lunderville to allot Channel 229A to Milan, NH, as the community's first local aural service, because Channel 229A, at the proposed coordinates, cannot provide the entire community with the required 70 dBu signal due to the intervening terrain. In addition, the counterproposal did not comply with the subscription and verification

requirements of Section 1.52 of the Commission's Rules. Channel 229A can be allotted to Groveton in compliance with the Commission's minimum distance separation requirements with a site restriction of 10 kilometers (6.2 miles) northwest, at coordinates 44-33-55 North Latitude; 71-37-48 West Longitude, to avoid a short-spacing to Station WMWV, Channel 228A, Conway, NH. Canadian concurrence in the allotment, as a specially negotiated short-spaced allotment with respect to unoccupied and unapplied-for Channel 229A at East Angus, Quebec, has been obtained since Groveton is located within 320 kilometers (200 miles) of the U.S.-Canadian border. A filing window for Channel 229A at Groveton will not be opened at this time. Instead, the issue of opening a filing window for this channel will be addressed by the Commission in a subsequent order.

DATES: Effective May 8, 2000.

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

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 99-9, adopted March 15, 2000, and released March 24, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 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.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under New Hampshire, is amended by adding Groveton, Channel 229A.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 00-8170 Filed 4-3-00; 8:45 am]

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