

### III. Description of Information Requested

We are committed to carrying out the provisions of the Helium Privatization Act of 1996 (50 U.S.C. 167). Topics we are considering for the proposed regulations include, but are not limited to the following:

*Helium on Federal Lands:* We will enter negotiated agreements with private parties for the recovery and disposal of helium produced from Federal leaseholds. The agreements will primarily be with:

- (1) Existing gas processing plants which extract and sell Federal helium;
- (2) Parties building plants with helium extraction capability.

We want commenters to clarify topics on the processes and procedures which would enable economic helium production, extraction, and sales.

We will also strive to establish regulations to facilitate coexistence of the Federal Helium Program with that of the Federal Oil and Gas Program. We seek comments about the following:

- *Method of determining Federal ownership percentage of helium produced from secondary unit areas containing Federal helium.* Can the process used for Federal leaseholds (based upon acreage and mineral ownership) be used for secondary units?

- *Allowable production losses.* Is it reasonable to allow an 8 percent loss of helium from the wellhead to the point of sale before seeking compensation?

- *Helium drainage protection.* Can we use a method similar to the one used to protect oil and gas to protect helium?

- *Bonding for payment default and reclamation.* Should we require a separate bond to cover helium production? Should we allow operators to transfer oil and gas bonds to provide bond coverage for helium?

- *Plugged oil and gas wells.* Is there a way to encourage and enable economic helium production and extraction when oil and gas wells are plugged or targeted for plugging?

- *Incentives.* What incentives should we establish to encourage helium production from gas streams in close proximity to extraction plants or in areas with low British Thermal Unit (BTU) gas content?

*Crude Helium Sales:* We would like to receive comments and suggestions about the existing regulations for in-kind crude helium sales (43 CFR 3195). In addition, we request your questions, concerns, comments, and recommendations of ways to meet the requirements for disposition of the Federal crude helium in storage (stockpile) (50 U.S.C. 167).

*Reporting and Data Collection:* We would like to receive comments and suggestions about the helium data collection and reporting processes. Specifically, we seek comments and suggestions about the following:

- Is there a way for the oil and gas industry to include helium in their standard gas analysis process to enable better data collection of helium content of gas fields?

- What are the best ways for BLM to determine and confirm the location and amounts of helium resources outside the United States?

*Gas Analyses to Determine Helium Content:* We seek comments about the following:

- Would it be feasible for BLM to send a helium sample to your company lab or company contract lab for analysis and report the helium results? The lab analysis data would be compared to BLM's analysis.

- Could members of the oil and gas industry send replicate gas stream samples to the BLM laboratory, if requested?

Additional information about the Federal Helium Program is available on the Internet at *Helium—Regulations@nm.blm.gov*.

Dated: December 12, 2000.

**Sylvia V. Baca,**

*Assistant Secretary, Land and Minerals Management.*

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 00-2771; MM Docket No. 00-245; RM-9971]

### Radio Broadcasting Services; Alberta, VA and Whitakers, NC

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed by Broomfield Broadcasting, Inc. requesting the substitution of Channel 276C3 for Channel 276A at Alberta, Virginia and the reallocation of Channel 276C3 to Whitakers, North Carolina as the community's first local aural transmission service. The allotment Channel 299A to Alberta as a replacement for Channel 276C3 from Alberta. Channel 276C3 can be allotted to Whitakers in compliance with the Commission's minimum distance

separation requirements without the imposition of a site restriction. Channel 299A can be allotted to Alberta in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 276C3 at Whitakers are 36-11-23 North Latitude and 77-51-09 West Longitude. The coordinates for Channel 299A at Alberta are 36-51-56 North Latitude and 77-53-12 West Longitude. **DATES:** Comments must be filed on or before January 29, 2001 and reply comments on or before February 13, 2001.

**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, John C. Trent, Esq., Putbren, Hunsaker & Trent, P.C., 100 Carpenter Drive, Suite 100, P.O. Box 217, Sterling, VA 20167-0217 (Counsel for Broomfield Broadcasting, Inc., petitioner).

**FOR FURTHER INFORMATION CONTACT:** Arthur D. Scrutchins, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 00-245; adopted November 29, 2000 and released December 8, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY-A257), 445 12th Street, SW, 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.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

Federal Communications Commission.

**John A. Karousos,**

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

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