

(C) Treating the remainder of the amount determined under paragraph (a)(2)(i)(A) of this section (adjusted to reflect the amount of net tax liability for regular method taxes actually incurred through the end of September) as the net tax liability for regular method taxes incurred during the period September 27th through 30th.

(ii) *Safe harbor rules.* The safe harbor rules in § 40.6302(c)-1(b)(2) do not apply for the third calendar quarter unless—

(A) The deposit of taxes for the period September 16th through 26th is not less than  $\frac{11}{90}$  of the net tax liability for regular method taxes reported for the look-back quarter; and

(B) The total deposit of taxes for the second semimonthly period in September is not less than  $\frac{1}{6}$  of the net tax liability for regular method taxes reported for the look-back quarter.

(3) *Time to deposit.* (i) The deposit required for the period beginning September 16th must be made by September 29th unless—

(A) September 29th is a Saturday, in which case the deposit must be made by September 28th; or

(B) September 29th is a Sunday, in which case the deposit must be made by September 30th.

(ii) The deposit required for the period ending September 30th must be made at the time prescribed in § 40.6302(c)-1(c).

(b) *Persons not required to use electronic funds transfer.* The rules of this section are applied with the following modifications in the case of a person not required to deposit taxes by electronic funds transfer.

(1) *Periods.* The deposit periods for the separate deposits required under paragraph (a) of this section are September 16th through 25th and September 26th through 30th.

(2) *Amount of deposit.* In computing the amount of deposit required under paragraph (a)(2)(i)(B) of this section, the applicable fraction is  $\frac{10}{15}$ . In computing the amount of deposit required under paragraph (a)(2)(ii)(A) of this section, the applicable fraction is  $\frac{10}{90}$ .

(3) *Time to deposit.* In the case of the deposit required under paragraph (a) of this section for the period beginning September 16th, the deposit must be made by September 28th unless—

(i) September 28th is a Saturday, in which case the deposit must be made by September 27th; or

(ii) September 28th is a Sunday, in which case the deposit must be made by September 29th.

(c) *Effective date.* This section is applicable with respect to deposits that relate to calendar quarters beginning on

or after the date of publication of the final regulations in the **Federal Register**.

**Par. 12.** Section 40.6302(c)-3 is amended as follows:

1. In paragraph (b)(1)(ii), the language “9-day rule of § 40.6302(c)-1(b)(6)” is removed and “rule of § 40.6302(c)-1(c)(1)” is added in its place.

2. In paragraph (b)(3), second sentence, the language “6th” is removed and “16th” is added in its place.

3. In paragraph (d), first sentence, the language “not less than” is removed and “not less than 95 percent of” is added in its place.

4. In paragraph (f)(4), the language “§ 40.6302(c)-1(c)(2)(i)” is removed and “§ 40.6302(c)-1(b)(2)” is added in its place.

5. Paragraph (f)(5) is removed.

6. Paragraphs (f)(6) and (f)(7) are redesignated as paragraphs (f)(5) and (f)(6), respectively.

7. Paragraph (g) is revised.

8. Paragraph (h) is removed.

The revision reads as follows:

**§ 40.6302(c)-3 Special rules for use of Government depositaries under chapter 33.**

\* \* \* \* \*

(g) *Effective date.* This section is applicable with respect to deposits of taxes that are considered as collected in calendar quarters beginning on or after the date of publication of the final regulations in the **Federal Register** and to returns of tax for calendar quarters beginning on or after the date of publication of the final regulations in the **Federal Register**.

**§ 40.6302(c)-4 [Removed]**

**Par. 13.** Section 40.6302(c)-4 is removed.

**§ 40.9999-1 [Removed]**

**Par. 14.** Section 40.9999-1 is removed.

**Robert E. Wenzel,**

*Deputy Commissioner of Internal Revenue.*

[FR Doc. 01-1120 Filed 2-15-01; 8:45 am]

**BILLING CODE 4830-01-P**

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**44 CFR Part 67**

**[Docket No. FEMA-D-7506]**

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, FEMA.

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the

proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES:** The proposed base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

**FOR FURTHER INFORMATION CONTACT:** Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (email) matt.miller@fema.gov.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA or Agency) proposes to make determinations of base flood elevations and modified base flood elevations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified base flood elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

*National Environmental Policy Act.*

This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

*Regulatory Flexibility Act.* The Associate Director, Mitigation Directorate, certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. As a result, a regulatory flexibility analysis has not been prepared.

*Regulatory Classification.* This proposed rule is not a significant regulatory action under the criteria of

section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

*Executive Order 12612, Federalism.* This proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

*Executive Order 12778, Civil Justice Reform.* This proposed rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

**List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

**PART 67—[AMENDED]**

1. The authority citation for part 67 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 67.4 [Amended]**

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Indiana .....	Decatur County (Unincorporated Areas).	Righthand Fork .....	At confluence with Lake Santee .....	None	*997
			Approximately 1,850 feet upstream of the confluence of Righthand Fork Tributary.	None	*1,025
		Righthand Fork Tributary ..	At confluence with Righthand Fork .....	None	*1,017
			Approximately 1,003 feet upstream of the confluence with Righthand Fork.	None	*1,023
	Lake Santee .....	For its entire shoreline within the community.	None	*997	

Maps available for inspection at the Decatur County Area Planning Commission Office, 150 Courthouse Square, Greensburg, Indiana.

Maine .....	Bar Island, Lincoln County.	Muscongus Bay .....	Entire shoreline of Bar Island .....	None	*16
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Maps available for inspection at the Bristol Town Office, 1268 Bristol Road, Bristol, Maine, and Land Use Regulation Commission, State House Station 22, Augusta, Maine.

Send comments to Mr. Fred Todd, Land Use Regulation Commission, State House Station 22, Augusta, Maine 04333.

Maine .....	Dixfield (Town), Oxford County.	Androscoggin River .....	At the downstream corporate limits .....	None	*403
			At the confluence of the Webb River .....	None	*416
		Aunt Hannah Brook .....	At the confluence with the Webb River ....	None	*434
			Approximately 75 feet upstream of Weld Road.	None	*443
		Butterfield Brook .....	At the confluence with Sevenmile Stream	None	*466
			Approximately 60 feet upstream of U.S. Route 2/State Route 17.	None	*478
		Harvey Brook .....	At the confluence with the Androscoggin River.	None	*407
			Approximately 460 feet upstream of Canton Point Road.	None	*407
		Hugh Brook .....	At the confluence with Sevenmile Stream	None	*516
			Approximately 1,460 feet upstream of the confluence with Sevenmile Stream.	None	*562
		Newton Brook .....	At the confluence with the Androscoggin River.	None	*409
			Just upstream of Norton Road .....	None	*580
		Paddy Meadow Brook .....	Approximately 1,400 feet upstream of the confluence with the Webb River.	None	*435
			Just upstream of Weld Road .....	None	*458
Potash Brook .....	At the confluence with Sevenmile Stream	None	*490		
	At county boundary .....	None	*491		
Sevenmile Stream .....	Approximately 490 feet downstream of Severy Hill Road.	None	*422		
	Approximately 0.5 mile upstream of U.S. Route 2/State Route 17.	None	*562		
Tucker Valley Brook .....	Approximately 0.7 mile downstream of Valley Brook Road.	None	*428		
	Approximately 70 feet upstream of Point Morse Hill Road.	None	*612		

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
		Webb River .....	At the confluence with Androscoggin River.	None	*416
			Approximately 100 feet downstream of U.S. Route 2.	None	*420

Maps available for inspection at the Dixfield Town Hall, 46 Main Street, Dixfield, Maine.

Send comments to Mr. Hugh G. Daley, Chairman of the Town of Dixfield Board of Selectmen, P.O. Box 808, Dixfield, Maine 04224-0808.

Maine .....	Greenville (Town) Piscataquis County.	Mill Brook .....	At the confluence with Moosehead Lake	None	*1,030
			Approximately 55 feet upstream of Scammon Road.	None	*1,260
		Prong Pond .....	Entire shoreline within community .....	None	*1,033

Maps available for inspection at the Greenville Town Office, Minden Street, Greenville, Maine.

Send comments to Mr. John Simko, Greenville Town Manager, P.O. Box 1109, Greenville, Maine 04441.

Maine .....	Indian Island, Lincoln County.	Muscongus Bay .....	Western shoreline of Indian Island .....	None	*13
			Eastern shoreline of Indian Island .....	None	*16

Maps available for inspection at the Bristol Town Office, 1268 Bristol Road, Bristol, Maine, and Land Use Regulation Commission, State House Station 22, Augusta, Maine.

Send comments to Mr. Fred Todd, Land Use Regulation Commission, State House Station 22, Augusta, Maine 04333.

Maine .....	Louds Island, Lincoln County.	Muscongus Bay .....	Eastern shoreline of Louds Island directly west of Killick Stone Island.	None	*23
		Muscongus Sound .....	Northwestern shoreline of Louds Island ...	None	*10

Maps available for inspection at the Bristol Town Office, 1268 Bristol Road, Bristol, Maine, and Land Use Regulation Commission, State House Station 22, Augusta, Maine.

Send comments to Mr. Fred Todd, Land Use Regulation Commission, State House Station 22, Augusta, Maine 04333.

Maine .....	Marsh Island, Lincoln County.	Muscongus Bay .....	Southeastern shoreline of Marsh Island ...	None	*23
			Northern shoreline of Marsh Island .....	None	*10

Maps available for inspection at the Bristol Town Office, 1268 Bristol Road, Bristol, Maine, and Land Use Regulation Commission, State House Station 22, Augusta, Maine.

Send comments to Mr. Fred Todd, Land Use Regulation Commission, State House Station 22, Augusta, Maine 04333.

Maine .....	Wilton (Town), Franklin County.	Butterfield Brook .....	At U.S. Route 2/State Route 17 .....	None	*477
			Approximately 0.64 mile upstream of Butterfield Road.	None	*727
		Cram Brook .....	At confluence with Sevenmile Stream .....	None	*611
		Ice Pond Brook .....	At confluence of Ice Pond Brook .....	None	*617
			Approximately 230 feet upstream of Gordon Road.	None	*638
		Pine Brook .....	At confluence with Wilson Stream .....	None	*581
			Approximately 85 feet upstream of State Route 156 (Weld Road).	None	*592
		Potash Brook .....	At U.S. Route 2/State Route 17 .....	None	*488
			Approximately 120 feet upstream of Cemetery Road.	None	*515
		Sevenmile Stream .....	At downstream U.S. Route 2/State Route 17 crossing.	None	*520
			At upstream corporate limits .....	None	*633
		Temple Brook .....	At confluence with Wilson Stream .....	None	*635
			Approximately 0.84 mile upstream of State Road 156 (Weld Road).	None	*775
		Wilson Stream	At confluence with Wilson Pond .....	None	*576
			Approximately 0.7 mile upstream of Tobin Flats Road.	None	*726
		Varnum Pond .....	Approximately 1,250 feet west of the intersection of Rupert Road and Walker Hill Road.	None	*758

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified

Maps available for inspection at the Wilton Town Hall, Code Enforcement Office, 158 Weld Road, Wilton, Maine.  
Send comments to Mr. Richard Davis, Wilton Town Manager, P.O. Box 651, Wilton, Maine 04294.

New Hampshire .....	Nashua (City), Hillsborough County.	Nashua River .....	At the downstream side of B&M Railroad Bridge.	*115	*114
			Approximately 0.75 mile upstream of State Route 11.	*177	*176
		Bartemus Brook .....	At confluence with Nashua River .....	*167	*165
			At upstream corporate limits .....	*168	*166

Maps available for inspection at the Nashua City Hall, 229 Main Street, Nashua, New Hampshire.  
Send comments to The Honorable Bernard A. Streeter, Mayor of the City of Nashua, 229 Main Street, Nashua, New Hampshire 03061.

New Jersey .....	Millburn (Township), Essex County.	Passaic River .....	Approximately 2,550 feet upstream of downstream corporation limits.	*176	*177
			Approximately 100 feet downstream of Main Street.	*180	*179

Maps available for inspection at the Millburn Township Hall, 375 Millburn Avenue, Millburn, Ne Jersey.  
Send comments to The Honorable Elaine Becker, Mayor of the Township of Millburn, 375 Millburn Avenue, Millburn, New Jersey 07041.

New Jersey .....	New Providence (Borough), Union County.	Passaic River .....	At the downstream corporate limit .....	*208	*207
			At the upstream corporate limit .....	*211	*212

Maps available for inspection at the New Providence Borough Hall, Engineer's Office, 360 Elkwood Avenue, New Providence, New Jersey.  
Send comments to The Honorable Allen Morgan, Mayor of the Borough of New Providence, Municipal Building, 360 Elkwood Avenue, New Providence, New Jersey 07974.

New Jersey .....	Roseland (Borough), Essex County.	Passaic River .....	At the downstream corporate limits .....	*173	*174
			Approximately 0.65 mile upstream of Eagle Rock Avenue.	*174	*175
		Foulertons Brook .....	At the confluence with Passaic River .....	*173	*174
			Approximately 0.44 mile upstream of the confluence with Passaic River.	*173	*174
		North Branch Foulertons Brook.	At the confluence with Foulertons Brook	*173	*174
Approximately 780 feet upstream of the confluence with Foulertons Brook.	*173	*174			

Maps available for inspection at the Roseland Municipal Building, Office of the Borough Clerk, 19 Harrison Avenue, Roseland, New Jersey.  
Send comments to The Honorable Louis DeBell, Mayor of the Borough of Roseland, Municipal Building, 19 Harrison Avenue, Roseland, New Jersey 07068-1397.

New Jersey .....	Warren (Township), Somerset County.	Passaic River .....	Approximately 0.38 mile downstream of Hillcrest Road.	*215	*213
			Approximately 3.45 miles upstream of Stirling Road.	*216	*214

Maps available for inspection at the Warren Township Hall, Engineer's Office, 46 Mountain Boulevard, Warren, New Jersey.  
Send comments to The Honorable Kenneth Brenn, Mayor of the Township of Warren, 46 Mountain Boulevard, Warren, New Jersey 07059.

New York .....	Corning (Town), Steuben County.	Post Creek .....	Approximately 150 feet downstream of downstream corporate limits.	None	*956
			Approximately 1,850 feet upstream of downstream corporate limits.	None	*967

Maps available for inspection at the Corning Town Hall, 20 South Maple Street, Corning, New York 14830.  
Send comments to Mr. Joe Prisella, Corning Town Supervisor, 20 South Maple Street, Corning, New York 14830.

New York .....	Hamburg (Town), Erie County.	Foster Brook .....	At the confluence with Lake Erie .....	*581	*582
			Downstream side of Maelou Drive .....	*791	*795
		Lake Erie .....	Southwest corporate limits along Lake Erie.	*580	*582
			Northeast corporate limits along Lake Erie.	*581	*582

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified

Maps available for inspection at the Town of Hamburg Building Inspection Department, 6100 South Park Avenue, Hamburg, New York.  
Send comments to Mr. Patrick H. Hoak, Hamburg Town Supervisor, 6100 South Park Avenue, Hamburg, New York 14075.

Ohio .....	Adams County (Unincorporated Areas).	Ohio River .....	Approximately 600 feet downstream of the downstream county boundary.	None	*517
			Approximately 400 feet upstream of the upstream county boundary.	None	*529

Maps available for inspection at the Adams County Administrative Offices, 215 North Cross Street, West Union, Ohio.  
Send comments to Mr. Robert Hall, Adams County Senior Commissioner, 110 West Main Street, West Union, Ohio 45693.

Ohio .....	Brown County (Unincorporated Areas).	Ohio River .....	From the downstream county boundary ...	None	*509
			From the upstream county boundary .....	None	*517

Maps available for inspection at the Brown County Engineer's Office, 325 West State Street, Georgetown, Ohio.  
Send comments to Mr. Kirby Cornett, Chairman of the Brown County Board of Commissioners, 800 Mount Orab Pike, Georgetown, Ohio 45121.

Ohio .....	Valley View (Village), Cuyahoga County.	Cuyahoga River .....	Approximately 250 feet downstream of corporate limits.	*602	*606
			Approximately 100 feet upstream of Hillside Road.	*616	*615

Maps available for inspection at the Valley View Village Hall, 6848 Hathaway Road, Valley View, Ohio.  
Send comments to The Honorable Randall A. Westfall, Mayor of the Village of Valley View, 6848 Hathaway Road, Valley View, Ohio 44125.

Pennsylvania .....	Emmaus (Borough), Lehigh County.	Tributary No. 1 to Little Lehigh Creek.	Approximately 450 feet downstream of East Berger Street.	None	*337
			Approximately 460 feet upstream of Minor Street.	None	*418

Maps available for inspection at the Emmaus Borough Hall, 28 South Fourth Street, Emmaus, Pennsylvania.  
Send comments to The Honorable Winfield Lost, Mayor of the Borough of Emmaus, 28 South Fourth Street, Emmaus, Pennsylvania 18049.

South Carolina .....	Richland County (Unincorporated Areas).	Gills Creek .....	At the confluence with the Congaree River.	*135	*133
		Rocky Branch .....	At the Southern Railway bridge .....	*140	*139
			At the confluence with Congaree River ...	*152	*146
		Tributary G-1 .....	Approximately 460 feet upstream of Olympia Avenue.	*152	*151
			At the confluence with Gills Creek .....	*140	*136
		Reeder Point Branch .....	Approximately 810 feet upstream of Bluff Road.	*142	*141
			At the confluence with Black Lake .....	*129	*133
		Congaree River .....	Approximately 140 feet upstream side of State Route 48 (Bluff Road).	*136	*135
			Approximately 2.64 miles downstream of the confluence with Gills Creek.	None	*128
		Spears Creek .....	Approximately 0.45 mile upstream of the Southern Railway.	*155	*149
Downstream side of Jacobs Mill Pond Road.	*220		*221		
Lake Murry .....	Approximately 0.5 mile upstream Spears Creek Church Road.	*312	*311		
	Entire shoreline within county .....	None	*363		

Maps available for inspection at the Richland County Planning Department, 2020 Hampton Street, Columbia, South Carolina.  
Send comments to Mr. T. Cary McSwain, Richland County Administrator, P.O. Box 192, Columbia, South Carolina 29202.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: January 30, 2001.

**Margaret E. Lawless,**

*Acting Executive Associate Director for Mitigation.*

[FR Doc. 01-3918 Filed 2-15-01; 8:45 am]

BILLING CODE 6718-04-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 01-255; MM Docket No. 00-123; RM-9903]

#### Radio Broadcasting Services; Rincon, PR

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; denial.

**SUMMARY:** The Commission denies the request of Ocean Communications to allot Channel 300B to Rincon, PR, as its first local aural service. See 65 FR 44507, July 18, 2000. The proposed transmitter site is located within the Desecheo National Wildlife Refuge and the Fish and Wildlife Service, U.S. Department of the Interior, has stated that it is unlikely that it would favorably consider a request to erect a tower there.

**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. 00-123, adopted January 24, 2001, and released February 2, 2001. 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.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 01-3962 Filed 2-15-01; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA No. 01-271, MM Docket No. 01-31, RM-10035]

#### Radio Broadcasting Services; Huntsville, La Porte, Nacogdoches and Willis, TX and Lake Charles, LA

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed on behalf of New Wavo Communication Group, Inc. ("New Wavo") requesting the substitution of Channel 279C for Channel 279C3 at Willis, Texas, reallocation of Channel 279C from Willis, Texas to La Porte, Texas, and modify the license for Station KVST(FM) accordingly. The coordinates for Channel 279C at La Porte are 29-58-19 and 94-31-16. To accommodate the proposal for La Porte, New Wavo also requests the substitution of Channel 259A for Channel 259C3 at Huntsville, Texas, reallocation of Channel 259A to Willis, Texas, at coordinates 30-32-37 and 95-28-32, and modification of the license for Station KUST accordingly; substitute Channel 277C2 for Channel 279C1 at Lake Charles, Louisiana, at coordinates 30-12-12 and 93-26-19 and modify the license for Station KBIU accordingly; and substitute Channel 277C2 for Channel 277C1 at Nacogdoches, Texas, at coordinates 31-25-59 and 94-49-03 and modify the license for Station KJCS accordingly. In accordance with Section 1.420(i) of the Commission's Rules, we shall not accept competing expressions of interest in the use of Channel 279C at La Porte, Texas.

**DATES:** Comments must be filed on or before March 26, 2001, and reply comments on or before April 10, 2001.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the New Wavo's counsel, as follows: Frank R. Jazzo, Fletcher Heald & Hildreth, PLC, 1300 North 17th Street, 11th Floor, Arlington, Virginia 22209-3801 and Mark N. Lipp, J. Thompas Nolan, Shook Hardy & Bacon LLP, 600 14th Street, NW, suite 800, Washington, DC 20005.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-31, adopted January 24, 2001, and

released February 2, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805.

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* contact.

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.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

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

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

##### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 279C3 at Willis, removing Channel 259C3 at Huntsville, adding Channel 259A at Willis, removing Channel 277C1 and adding Channel 277C2 at Nacogdoches and by adding La Porte, Channel 279C.

3. Section 73.202(b), the Table of FM Allotments under Louisiana, is amended by removing Channel 279C1 and adding Channel 277C2 at Lake Charles.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 01-3963 Filed 2-15-01; 8:45 am]

BILLING CODE 6712-01-P