

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 02-490]

#### Radio Broadcasting Services; Various Locations

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, on its own motion, editorially amends the Table of FM Allotments to specify the actual classes of channels allotted to various communities. The changes in channel classifications have been authorized in response to applications filed by licensees and permittees operating on these channels. This action is taken pursuant to *Revision of Section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989), and the *Amendment of the Commission's Rules to permit FM Channel and Class Modifications [Upgrades] by Applications*, 8 FCC Rcd 4735 (1993).

**DATES:** Effective March 19, 2002.

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

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, adopted February 20, 2002, and released March 1, 2002. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

#### 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—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 Arizona, is amended

by removing Channel 266C3 and adding Channel 266C0 at Lake Havasu City.

3. Section 73.202(b), the Table of FM Allotments under Louisiana, is amended by removing Channel 235C2 and adding Channel 235C3 at Coushatta.

4. Section 73.202(b), the Table of FM Allotments under Missouri, is amended by removing Channel 299A and adding Channel 299C3 at Stockton.

5. Section 73.202(b), the Table of FM Allotments under Nevada, is amended by removing Channel 224C3 and adding Channel 224C2 at Ely and by removing Channel 284A and adding Channel 284C1 at Moapa Valley.

6. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by removing Channel 284A and adding Channel 284C3 at Ponca City.

7. Section 73.202(b), the Table of FM Allotments under Tennessee, is amended by removing Channel 229A and adding Channel 229C3 at Atwood.

8. Section 73.202(b), the Table of FM Allotments under Vermont, is amended by removing Channel 269A and adding Channel 269C3 at Stowe.

9. Section 73.202(b), the Table of FM Allotments under Washington, is amended by removing Channel 240C3 and adding Channel 240C2 at Quincy.

Federal Communications Commission.

**John A. Karousos,**

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

[FR Doc. 02-6375 Filed 3-18-02; 8:45 am]

**BILLING CODE 6712-01-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 011218304-1304-01; I.D. 031402A]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod by Vessels 60 Ft (18.3 m) Length Overall and Using Pot Gear in the Bering Sea and Aleutian Islands Management Area

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Pacific cod by catcher processor vessels using pot gear and catcher vessels 60 ft (18.3 m) length overall (LOA) and longer using pot gear in the Bering Sea and Aleutian Islands

management area (BSAI). This action is necessary to prevent exceeding the A season apportionment of the 2002 total allowable catch (TAC) of Pacific cod allocated to vessels using pot gear in this area.

**DATES:** *Dates:* Effective 1200 hrs, Alaska local time (A.l.t.), March 16, 2002, until 1200 hrs, A.l.t., June 10, 2002.

**FOR FURTHER INFORMATION CONTACT:** Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The A season apportionment of the 2002 Pacific cod TAC allocated to vessels using pot gear in the BSAI was established in an emergency rule implementing 2002 harvest specifications and associated management measures for the groundfish fisheries off Alaska (67 FR 956, January 8, 2002) as a directed fishing allowance of 10,305 metric tons. See § 679.20 (c)(3)(iii), § 679.20 (c)(7), and § 679.20 (a)(7)(i)(A)&(C).

In accordance with § 679.20(d)(1)(iii), the Administrator, Alaska Region, NMFS, has determined that the A season apportionment of the 2002 Pacific cod TAC allocated to vessels using pot gear as a directed fishing allowance in the BSAI will soon be reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by catcher processor vessels using pot gear and catcher vessels 60 ft (18.3 m) LOA and longer using pot gear in the BSAI.

Maximum retainable bycatch amounts may be found in the regulations at § 679.20 (e) and (f).

#### Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, finds that the need to immediately implement this action to prevent exceeding the A season apportionment of the 2002 Pacific cod TAC allocated to vessels using pot gear constitutes good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the

authority set forth at 5 U.S.C. 553 (b)(3)(B) and 50 CFR 679.20 (b)(3)(iii)(A), as such procedures would be unnecessary and contrary to the public interest. Similarly, the need to implement these measures in a timely fashion to prevent exceeding the A season apportionment of the 2002 Pacific cod TAC allocated to vessels

using pot gear constitutes good cause to find that the effective date of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: March 14, 2002.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 02-6566 Filed 3-14-02; 4:33 pm]

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