

292C2 at Onaway, MI at coordinates 45–26–28 and 84–00–37 and the allotment of Channel 249C3 at Cheboygan, MI at coordinates 45–34–45 and 84–15–05 has been granted. Canadian concurrence has been received for the allotments at Onaway and Cheboygan. The issue of opening these allotments for auction will be addressed by the Commission in a subsequent order. With this action, this proceeding is terminated.

**DATES:** Effective July 1, 2002.

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

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 00–69, adopted May 1, 2002, and released May 17, 2002. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. The complete text of this decision 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 Michigan, is amended by adding Channel 249C3 at Cheboygan and by adding Onaway, Channel 292C2.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Office of Broadcast License Policy, Media Bureau.*

[FR Doc. 02–13823 Filed 5–31–02; 8:45 am]

**BILLING CODE 6712–01–P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 02–1155; MM Docket No. 01–186; RM–9976 & RM–10320]

#### Radio Broadcasting Services; Honor, Bear Lake, Ludington, Walhalla, & Custer, MI

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This Notice in this proceeding proposed the substitution of Channel 264C3 for Channel 264A at Honor, Michigan, and modification of the authorization for Station WIAR to specify operation on Channel 2643C in response to a petition filed by Northern Radio of Michigan, Inc. Substitutions were also requested at Bear Lake, Ludington and Walhalla, Michigan. See 66 FR 44586, August 24, 2001. In response to a counterproposal filed by Mason County Broadcasting Company, action in this document allots Channel 263A at Custer, Michigan, as a first local service at coordinates 43–59–10 and 86–14–11. There is a site restriction 4 kilometers (2.5 miles) north of the community. Canadian concurrence has been received for the allotment of Channel 263A at Custer. The issue of opening this allotment for auction will be addressed by the Commission in a subsequent order. With this action, this proceeding is terminated.

**DATES:** Effective July 1, 2002.

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

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 01–186, adopted May 1, 2002, and released May 17, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY–A257, Washington, DC 20554. The 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 Michigan, is amended by adding Custer, Channel 236A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Office of Broadcast License Policy, Media Bureau.*

[FR Doc. 02–13824 Filed 5–31–02; 8:45 am]

**BILLING CODE 6712–01–P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 02–1154, MM Docket No. 02–31; RM–10351]

#### Radio Broadcasting Services; Horn Lake & Olive Branch, MS and Memphis, TN

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document reallocates Channel 239A from Olive Branch, Mississippi, to Horn Lake, Mississippi, and modifies the license for Station WOTO accordingly in response to a petition filed by Clear Channel Broadcasting Licenses, Inc. See 67 FR 14664, March 27, 2002. The coordinates for Channel 239A at Horn Lake are 35–04–19 and 89–59–13. We shall also reallocate Channel 266C1 from Memphis, Tennessee, to Olive Branch, Mississippi, and modify the license for Station KJMS to specify operation at Olive Branch. The coordinates for Channel 266C1 at Olive Branch are 35–08–01 and 90–05–38, accordingly. With this action, this proceeding is terminated.

**DATES:** Effective July 1, 2002.

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

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 02–31, adopted May 1, 2002, and released May 17, 2002. The full text of this Commission decision is available for inspection and copying during regular business hours in the Commission's 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*.

#### 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 Mississippi, is amended by removing Channel 239A and adding Channel 266C1 at Olive Branch and by adding Horn Lake, Channel 239A.

3. Section 73.202(b), the Table of FM Allotments under Tennessee, is amended by removing Channel 266C1 at Memphis.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Office of Broadcast License Policy, Media Bureau.*

[FR Doc. 02-13825 Filed 5-31-02; 8:45 am]

**BILLING CODE 6712-01-P**

## DEPARTMENT OF INTERIOR

### Fish and Wildlife Service

#### 50 CFR Parts 11 and 37

#### Civil Penalty Procedures—Change of Address for Office of Hearings and Appeals

**AGENCY:** U.S. Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** The U.S. Fish and Wildlife Service (FWS) is revising its regulations governing administrative appeals to reflect a change of address for the Office of Hearings and Appeals (OHA). OHA is moving to a new building in Arlington, Virginia. This move was effective February 11, 2002.

**DATES:** June 3, 2002.

**FOR FURTHER INFORMATION CONTACT:** Robert More, Director, U.S. Department of the Interior, Office of Hearings and Appeals, 801 North Quincy Street, Arlington, Virginia, 22203, telephone (703) 235-3810.

#### SUPPLEMENTARY INFORMATION:

##### Background

In 50 CFR part 11, FWS has established procedures for the assessment of civil penalties for violations of various fish and wildlife protection laws. In 50 CFR part 37, FWS has provided guidelines governing the surface exploration for oil and gas within the coastal plain of the Arctic National Wildlife Refuge. Under § 37.47, civil penalties may be assessed for violations of an approved exploration plan, a special use permit, or the regulations.

Both sets of regulations include provisions for the Department of the Interior's Office of Hearings and Appeals (OHA) to conduct appeals of civil penalty assessment. OHA consists of a headquarters office located in Arlington, Virginia, and nine field offices located throughout the country. Since 1970, the headquarters office has been located at 4015 Wilson Boulevard. This address appears in four sections in 50 CFR parts 11 and 37.

Effective February 11, 2002, the OHA headquarters office relocated to 801 North Quincy Street, Arlington, Virginia. In anticipation of that move, FWS is revising its administrative appeals regulations to reflect OHA's new street address.

##### Procedural Requirements

##### *A. Determination To Issue Final Rule Effective in Less Than 30 Days*

FWS has determined that the public notice and comment provisions of the Administrative Procedures Act, 5 U.S.C. 553(b), do not apply to this rulemaking because the changes being made relate solely to matters of agency organization, procedure and practice. These changes meet the exemption for notice and comment periods in 5 U.S.C. 553(b)(A).

FWS has also determined that there is good cause to waive the requirement for publication 30 days in advance of the rule's effective date under 5 U.S.C. 553(d)(3). Construction schedules dictated the timing of OHA's relocation.

While OHA has known for months that it would be moving, the actual move date was confirmed only in the past few weeks.

##### *B. Required Determinations Under Procedural Statutes and Executive Orders*

FWS has reviewed this rule under the following statutes and executive orders governing rulemaking procedures: the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1501 *et seq.*; the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*; the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 801 *et seq.*; the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*; the National Environmental Policy Act of 1969, 42 U.S.C. 4231 *et seq.*; Executive Order 12630 (Takings); Executive Order 12866 (Regulatory Planning and Review); Executive Order 12988 (Civil Justice Reform); Executive Order 13132 (Federalism); Executive Order 13175 (Tribal Consultation); and Executive Order 13211 (Energy Impacts). FWS has determined that this rule does not trigger any of the procedural requirements of those statutes and executive orders since this rule only changes the street address for OHA's headquarters office.

#### List of Subjects in 50 CFR Parts 11 and 37

Administrative practice and procedure.

#### Regulation Promulgation

For the reasons set out in the preamble, the Service amends parts 11 and 37 of Title 50 of the Code of Federal Regulations as set forth below.

#### PART 11—[AMENDED]

1. The authority citation for part 11 continues to read as follows:

**Authority:** Lacey Act, 83 Stat. 279-281, 18 U.S.C. 42-44; Lacey Act Amendments of 1981, 95 Stat. 1073-1080, 16 U.S.C. 3371 *et seq.*; Bald Eagle Protection Act, sec. 2, 54 Stat. 251, 16 U.S.C. 668a; Endangered Species Act of 1973, sec. 11(f), 87 Stat. 884, 16 U.S.C. 1540(f); Marine Mammal Protection Act of 1972, sec. 112(a), 86 Stat. 1042, 16 U.S.C. 1382.

2. In part 11, revise all references to "4015 Wilson Boulevard" to read "801 North Quincy Street."