

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

Dated: August 30, 2002.

Anthony S. Lowe,
Administrator, Federal Insurance and Mitigation Administration.

[FR Doc. 02-22822 Filed 9-6-02; 8:45 am]

BILLING CODE 6718-04-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-D-7536]

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, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) *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 Administrator, Federal Insurance and Mitigation Administration, 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:

Source of flooding	Location	#Depth in feet above ground. •Elevation in feet (NGVD) Elevation in feet (NAVD)		Communities affected
		Existing	Modified	

DELAWARE

Kent County (Unincorporated Areas), City of Dover, Town of Smyrna, Town of Leipsic, City of Milford, Town of Frederica, Town of Boweres, Town of Little Creek, Town of Clayton,

Andrews Lake	Approximately 1,525 feet downstream of Andrews Lake Road.	None	*9	Kent County (Unincorporated Areas)
	Approximately 1.25 miles upstream of Andrews Lake Road.	None	*22	
Beaverdam Ditch	At confluence with Tidy Island Creek	None	*46	Kent County (Unincorporated Areas)
	Approximately 90 feet upstream of Taraila Road	None	*57	Kent County (Unincorporated Areas)
Browns Branch North	At the downstream side of the northbound lane of U.S. Route 13.	None	*42	

Source of flooding	Location	#Depth in feet above ground. •Elevation in feet (NGVD) Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Browns Branch South	At the downstream side of the southbound lane of U.S. Route 13.	None	*43	Kent County (Unincorporated Areas)
	At Route 431	None	*41	
Cahoon Branch	Approximately 1.04 miles upstream of Route 431	None	*48	Kent County (Unincorporated Areas), City of Dover
	At confluence with Maidstone Branch	*30	*32	
Choptank River	Approximately 50 feet downstream of Navit Road	None	*58	Kent County (Unincorporated Areas)
	Approximately 1.33 miles downstream of Still Road	None	*22	
Coursey Pond	Approximately 0.5 mile upstream of confluence of Culbreth Marsh Ditch.	None	*37	Kent County (Unincorporated Areas)
	Approximately 1,030 feet downstream of Canterbury Road.	None	*9	
Cow Marsh Creek	Approximately 1.3 miles upstream of Canterbury Road.	None	*13	Kent County (Unincorporated Areas)
	At confluence with Choptank River	None	*26	
Culbreth Marsh Ditch	At confluence of Willow Grove Prong	None	*51	Kent County (Unincorporated Areas)
	At confluence with Choptank River	None	*37	
Delaware Bay	Approximately 300 feet upstream of Lucks Drive	None	*49	Kent County (Unincorporated Areas), Town of Smyrna, Town of Leipsic, City of Milford, City of Dover, Town of Frederica, Town of Bowers, Town of Little Creek
	At intersection of Big Stone Beach Road and Scotts Corner Road.	*8	*9	
Duck Creek	Approximately 375 feet north of intersection of North Street and Pearson Avenue Bowers, Woodland Beach.	*11	813	Kent County (Unincorporated Areas), Town of Smyrna, Town of Clayton
	Approximately 1,660 feet downstream of Smyrna Landing Road.	*8	*9	
Fork Branch	Approximately 300 feet upstream of State Route 15	None	*29	Kent County (Unincorporated Areas), City of Dover
	At confluence with St. Jones River	*24	*27	
Green Branch	Approximately 100 feet upstream of Shaws Corner Road.	None	*64	Kent County (Unincorporated Areas)
	At confluence with Marshyhope Creek	None	*41	
Green's Branch	Approximately 1,200 feet upstream of Layton Corners Road.	None	*56	Kent County (Unincorporated Areas), Town of Smyrna
	Approximately 500 feet downstream of Main Street ..	None	*9	
Horsepen Arm	At CONRAIL	None	*27	Kent County (Unincorporated Areas)
	At confluence with Marshyhope Creek	None	*54	
Little River	Approximately 650 feet upstream of Park Brown Road.	None	*58	Kent County (Unincorporated Areas), City of Dover
	Just downstream of State Route 8	None	*9	
Maidstone Branch	Approximately 0.7 mile upstream of West Wind Drive.	None	*25	Kent County (Unincorporated Areas), City of Dover
	At the confluence with St. Jones River	*24	*27	
Marshyhope Creek	Approximately 750 feet upstream of Sharon Hill Road.	None	*49	Kent County (Unincorporated Areas)
	At the downstream county boundary	None	*35	
	At the confluence of Horsepen Arm	None	*54	

Source of flooding	Location	#Depth in feet above ground. •Elevation in feet (NGVD) Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Marshyhope Ditch	At the confluence with Marshyhope Creek	None	*54	Kent County (Unincorporated Areas)
	Approximately 500 feet upstream of Park Brown Road.	None	*56	
McColley Pond	Approximately 1,325 feet downstream of Canterbury Road.	None	*9	Kent County (Unincorporated Areas)
	Approximately 1.4 miles upstream of Canterbury Road.	None	*12	
McGinnis Pond	Approximately 1,125 feet downstream of McGinnis Pond Road.	None	*9	Kent County (Unincorporated Areas)
	Approximately 1.0 mile upstream of McGinnis Pond	None	*20	
Mill Creek	At U.S. Route 13	*8	*9	Kent County (Unincorporated Areas), Town of Smyrna
	At State Route 137	*18	*17	
Morgan Branch	Approximately 0.4 mile upstream of the confluence with Little River.	*9	*10	Kent County (Unincorporated Areas), City of Dover
	Approximately 1.5 miles upstream of Little Creek Road.	None	*17	
Penrose Branch	Approximately 750 feet upstream of Sharon Hill Road.	None	*49	Kent County (Unincorporated Areas)
	Approximately 1.9 miles upstream of Pearsons Corner Road.	None	*66	
Providence Creek	Approximately 300 feet upstream of U.S. Route 15 ..	None	*29	Kent County (Unincorporated Areas), Town of Clayton
	Approximately 300 feet upstream of Alley Mill Road	None	*43	
Puncheon Branch	Approximately 0.5 mile downstream of U.S. Route 113A.	*8	*9	Kent County (Unincorporated Areas), City of Dover
	Approximately 900 feet downstream of U.S Route 113A.	*8	*9	
St. Jones River	Approximately 1,170 feet downstream of Court Street.	*9	*10	Kent County (Unincorporated Areas), City of Dover
	Approximately 1.11 miles upstream of West College Square.	*25	*27	
Tappahanna Ditch	At the confluence with Tidy Island Creek	None	*46	Kent County (Unincorporated Areas)
Tantrough Branch	Approximately 200 feet upstream of U.S. Route 8	None	*64	Kent County (Unincorporated Areas), City of Milford
	At City of Milford corporate limits	*19	*15	
Tidy Island Creek	Approximately 0.62 mile upstream of Blairs Pond Dam.	None	*34	Kent County (Unincorporated Areas)
	Approximately 3,300 feet downstream of Mahan Corner Road.	None	*44	
Willow Grove Prong	At the confluence of Beaverdam Ditch and Tappahanna Ditch.	None	*46	Kent County (Unincorporated Areas)
	At confluence with Cow Marsh Creek	None	*51	
	Approximately 850 feet upstream of Honeysuckle Road.	None	*57	

Source of flooding	Location	#Depth in feet above ground. •Elevation in feet (NGVD) Elevation in feet (NAVD)		Communities affected
		Existing	Modified	

Kent County (Unincorporated Areas)

Maps available for inspection at the Kent County Planning, 414 Federal Street, Dover, Delaware.

Send comments to Mr. Robert McLeod, Kent County Administrator, 414 Federal Street, Room 201, Dover, Delaware 19901.

Town of Bowers

Maps available for inspection at the North Bowers Fire Hall, Rural Drive #1 Bowers, Frederica, Delaware.

Send comments to The Honorabile William Poulin, Mayor of the Town of Bowers, 111 Church Street, Frederica, Delaware 19946.

Town of Clayton

Maps available for inspection at the Clayton Town Hall, 105 Main Street, Clayton, Delaware.

Send comments to The Honorable Robert Berhorn, Mayor of the Town of Clayton, P.O. Box 1130, Clayton, Delaware 19938.

City of Dover

Maps available for inspection at the Dover City Hall, 15 East Lockerman Street, Dover, Delaware.

Send comments to The Honorable James Hutchison, Mayor of the City of Dover, P.O. Box 475, Dover, Delaware 19903.

Town of Frederica

Maps available for inspection at the Frederica Town Hall, David Street, Frederica, Delaware.

Send comments to The Honorable Robert Volkomer, Mayor of the Town of Frederica, P.O. Box 294, Frederica, Delaware 19946.

Town of Leipsic

Maps available for inspection at Leipsic Town Hall, 192 Front Street, Leipsic, Delaware.

Send comments to The Honorable Norma Mohler, Mayor of the Town of Leipsic, 728 Leipsic Road, Dover, Delaware 19901.

Town of Little Creek

Maps available for inspection at the Little Creek Town Hall, 204 Main Street, Little Creek, Delaware.

Send comments to The Honorable Harry Marvel, Sr., Mayor of the Town of Little Creek, P.O. Box 298, Little Creek, Delaware 19961.

City of Milford

Maps available for inspection at the Milford City Hall, 201 South Walnut Street, Milford, Delaware.

Send comments to Mr. Richard Carmean, Milford City Manager, 201 South Walnut Street, Milford, Delaware 19963.

Town of Smyrna

Maps available for inspection at the Smyrna Town Hall, 27 Market Street, Plaza, Smyrna, Delaware.

Send comments to The Honorable Mark Schaeffer, Mayor of the Town of Smyrna, 27 South Market Street Plaza, P.O. Box 307, Smyrna, Delaware 19977.

PITT COUNTY, NORTH CAROLINA

Bells Branch	At the confluence with Hardee Creek	•19	•20	City of Greenville, Pitt County (Unincorporated Areas)
Briery Swamp	Approximately 2,000 feet upstream of confluence At the confluence with Tranaters Creek	•19 None	•20 •22	Pitt County (Unincorporated Areas)
Briery Swamp Tributary	Approximately 0.4 mile upstream of Staton Mill Road At the confluence with Briery Swamp	None None	•61 •36	Pitt County (Unincorporated Areas)
Cheeks Mill Creek	Approximately 0.8 mile upstream of NC 903 Approximately 0.5 mile upstream of the confluence with the Tar River.	None None	•44 •27	Pitt County (Unincorporated Areas)
Chicod Creek	A backwater area from a point approximately 1.8 miles upstream of the confluence with the Tar River. At the confluence with the Tar River	None •13	•39 •14	Pitt County (Unincorporated Areas)
Conetoe Creek	Approximately 1,250 feet upstream of South Grimesland Bridge Road. At the confluence with the Tar River	None •27	•39 •31	Pitt County (Unincorporated Areas)
Cow Swamp	At the confluence of Crisp Creek At the confluence with Chicod Creek	None None	•48 •19	Pitt County (Unincorporated Areas)
Crisp Creek	Approximately 2.6 miles upstream of Black Jack-Simpson Road. At the confluence with Conetoe Creek	None None	•46 •48	Pitt County (Unincorporated Areas), Town of Bethel
Cross Swamp	Approximately 0.5 mile downstream of Interstate 64 At the confluence with Cow Swamp	None None	•51 •33	Pitt County (Unincorporated Areas)
	Approximately 0.6 mile upstream of Black Jack-Grimesland Road.	None	•37	

Source of flooding	Location	#Depth in feet above ground. •Elevation in feet (NGVD) Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
Flat Swamp	At the confluence with Tranters Creek	None	•39	Pitt County (Unincorporated Areas)
Fornes Run	Approximately 0.4 mile upstream of James Road	None	•42	City of Greenville
	At the confluence with Green Mill Run	•24	•21	
Green Mill Run	Approximately 1,850 feet upstream of the confluence with Green Mill Run.	•26	•27	City of Greenville, Pitt County (Unincorporated Areas)
	At the confluence with the Tar River	•20	•21	
Grindle Creek	Approximately 270 feet upstream of Allen Road	None	•70	Pitt County (Unincorporated Areas)
	Approximately 2.0 miles upstream of the confluence with the Tar River.	None	•14	
Grindle Creek Tributary	Approximately 500 feet upstream of U.S. 13/NC 11	None	•39	Pitt County (Unincorporated Areas)
	At the confluence with Grindle Creek	None	•20	
Hardee Creek	Approximately 0.6 mile upstream of railroad	None	•30	City of Greenville, Pitt County (Unincorporated Areas)
	At the confluence with the Tar River	•19	•20	
Hardee Creek Tributary	Approximately 1.1 miles upstream of Herman Garris Road.	None	•57	City of Greenville
	Approximately 810 feet upstream of the confluence with Hardee Creek.	•36	•37	
Harris Mill Run	Approximately 425 feet upstream of Joseph Street ..	•37	•43	City of Greenville, Pitt County (Unincorporated Areas)
	At the confluence with the Tar River	•23	•25	
Hunting Run	Approximately 0.4 mile upstream of Interstate 264 ...	None	•60	Pitt County (Unincorporated Areas)
	At the confluence with Grindle Creek	None	•21	
Island Swamp	Approximately 1.5 miles upstream of the confluence with Grindle Creek.	None	•29	Pitt County (Unincorporated Areas)
	At the confluence with Chicod Creek	None	•35	
Johnsons Mill Run	Approximately 0.9 mile upstream of South Grimesland Bridge Road.	None	•44	Pitt County (Unincorporated Areas), City of Greenville
	At the confluence with the Tar River	•24	•25	
Johnsons Mill Run Tributary	Approximately 80 feet downstream of Staton House Road.	None	•32	Pitt County (Unincorporated Areas), City of Greenville
	At the confluence with Johnsons Mill Run	None	•26	
Juniper Branch	Approximately 900 feet downstream of Barrus Construction Road.	None	•31	Pitt County (Unincorporated Areas)
	At the confluence with Chicod Creek	None	•15	
Kitten Creek	Approximately 0.4 mile upstream of Ivy Road	None	•47	Pitt County (Unincorporated Areas), Town of Fountain
	At the confluence with Otters Creek	None	•36	
Lateral No. 1	Approximately 1.6 miles upstream of Dilda Church Road.	None	•77	City of Greenville
	Approximately 150 feet upstream of the confluence with Parkers Creek.	•22	•23	
Lawrence Run	At Interstate 13	•23	•24	Pitt County (Unincorporated Areas)
	At the confluence with Tyson Creek	None	•33	
Meadow Branch	Approximately 1.8 miles upstream of NC 121	None	•58	Pitt County (Unincorporated Areas)
	At the confluence with Briery Swamp	None	•22	
Mill Branch	Approximately 0.7 mile upstream of Sheppard Mill Road.	None	•47	Pitt County (Unincorporated Areas)
	At the confluence with Whichard Branch	None	•41	
	Approximately 0.4 mile upstream of Staton Mill Road	None	•59	

Source of flooding	Location	#Depth in feet above ground. •Elevation in feet (NGVD) Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
North Fork Green Mill Run ...	Approximately 175 feet upstream of the confluence with Green Mill Run.	•55	•56	City of Greenville, Pitt County (Unincorporated Areas)
	Approximately 1,100 feet upstream of Spring Forest Road.	•68	•69	
Otter Creek	At the confluence with the Tar River	•29	•33	Pitt County (Unincorporated Areas), Town of Falkland
	Approximately 0.8 mile downstream of Edgewood Church Road.	None	•51	
Otter Creek Tributary	At the confluence with Otter Creek	None	•48	Pitt County (Unincorporated Areas)
	Approximately 200 feet upstream of the confluence with Otter Creek.	None	•48	
Parkers Creek	At the confluence with the Tar River	•21	•22	City of Greenville
	Approximately 800 feet upstream of Staton Road	None	•26	
Pea Branch	At the confluence with Tranters Creek	None	•15	Pitt County (Unincorporated Areas)
	Approximately 400 feet upstream of Satterthwaite Road.	None	•26	
Poley Branch	At the confluence with Tranters Creek	None	•15	Pitt County (Unincorporated Areas)
	Approximately 2,000 feet upstream of Sheppard Mill Road.	None	•25	
Tar River	Approximately 1.8 miles upstream of the confluence with Bear Creek.	•10	•9	Pitt County (Unincorporated Areas), Town of Falkland, City of Greenville
	At the county boundary	•33	•37	
Thomas Canal	At the confluence with Conetoe Creek	None	•46	Pitt County (Unincorporated Areas), Town of Bethel
	Approximately 900 feet upstream of Bowers Road ...	None	•49	
Tranters Creek	Approximately 2.5 miles upstream of the confluence with the Tar River.	None	•9	Pitt County (Unincorporated Areas)
	Approximately 1.3 miles upstream of the confluence with Flat Swamp.	None	•49	
Tyson Creek	At the confluence with the Tar River	•27	•30	Pitt County (Unincorporated Areas), Town of Falkland
	Approximately 1.3 miles upstream of Seven Pines Road.	None	•65	
Whichard Branch	At the confluence with Grindle Creek	None	•32	Pitt County (Unincorporated Areas)
	Approximately 0.8 mile upstream of David Nobles Road.	None	•53	

Source of flooding	Location	#Depth in feet above ground. •Elevation in feet (NGVD) Elevation in feet (NAVD)		Communities affected
		Existing	Modified	

TOWN OF BETHEL

Maps available for inspection at Pitt County Planning Department, Development Services Building, 1717 West 5th Street, Greenville, North Carolina.

Send comments to Mr. Greg Zephir, Bethel Town Administrator, P.O. Box 337, Bethel, North Carolina 27812.

Town of Falkland

Maps available for inspection at the Town of Falkland Community Building, Main Street, Falkland, North Carolina.

Send comments to the Honorable J.P. Stanzil, Mayor of the Town of Falkland, P.O. Box AO, Falkland, North Carolina 27827.

Town of Fountain

Maps available for inspection at the Fountain Town Hall, 6777 West Wilson, Fountain, North Carolina.

Send comments to the Honorable Shirley Mitchell, Mayor of the Town of Fountain, P.O. Box 134, Fountain, North Carolina 27829.

City of Greenville

Maps available for inspection at the Greenville Community Planning Development Building, 306 South Green Street, Greenville, North Carolina.

Send comments to Mr. Marvin Davis, Greenville City Manager, P.O. Box 7207, Greenville, North Carolina 27835.

Pitt County Unincorporated Areas

Maps available for inspection at the Pitt County Planning Department, Development Services Building, 1717 West 5th Street, Greenville, North Carolina.

Send comments to Mr. Scott Elliot, Pitt County Manager, 1717 West 5th Street, Greenville, North Carolina 27834.

Village of Simpson

Maps available for inspection at the Pitt County Planning Department, Development Services Building, 1717 West 5th Street, Greenville, North Carolina.

Send comments to the Honorable Tracey Mayo, Mayor of the Village of Simpson, P.O. Box 10, Simpson, North Carolina 27879.

PENNSYLVANIA

Allegheny County (All Jurisdictions)

Chartiers Creek	At the upstream side of Ingram Avenue	None	•748	Township of Robinson, Borough of Crafton, Borough of Rosslyn Farms, Borough of Thornburg
	Approximately 300 feet downstream of Chartiers Avenue.	None	•754	

BOROUGH OF CRAFTON

Maps available for inspection at the Crafton Borough Hall, 100 Stotz Avenue, Pittsburgh, Pennsylvania.

Send comments to Mr. Stephen Vincenti, Crafton Borough Manager, 100 Stotz Avenue, Pittsburgh, Pennsylvania 15205.

Township of Robinson

Maps available for inspection at Robinson Township Municipal Building, 1000 Church Hill Road, Pittsburgh, Pennsylvania.

Send comments to Mr. William L. Blumling, Chairman of the Robinson Township Board of Commissioners, 1000 Church Hill Road, Pittsburgh, Pennsylvania 15205.

Borough of Rosslyn Farms

Maps available for inspection at Rosslyn Farms Borough Municipal Office, 421 Kings Highway, Carnegie, Pennsylvania.

Send comments to Mr. Thomas B. Trebilcock, Rosslyn Farms Borough Council President, 421 Kings Highway, Carnegie, Pennsylvania 15106.

Borough of Thornburg

Maps available for inspection at the Thornburg Borough Office, 235 Tech Road, Pittsburgh, Pennsylvania.

Send comments to The Honorable Thomas P. Gordon, Mayor of the Borough of Thornburg, 235 Tech Road, Pittsburgh, Pennsylvania 15205.

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

Dated: August 30, 2002.

Anthony S. Lowe,

Administrator, Federal Insurance and Mitigation Administration.

[FR Doc. 02-22821 Filed 9-6-02; 8:45 am]

BILLING CODE 6718-04-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 02-2063; MM Docket No. 01-104; RM-10103, RM-10323, RM-10324]

Radio Broadcasting Services; Auburn, Northport, Tuscaloosa, Camp Hill, Gardendale, Homewood, Birmingham, Dadeville, Orrville, Goodwater, Pine Level, Jemison, and Thomaston, AL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; dismissal.

SUMMARY: At the request of Auburn Network, Inc., the Commission dismisses the petition for rule making proposing the allotment of Channel 263A at Auburn, Alabama, as the community's second local FM transmission service (RM-10103). See 16 FCC Rcd 8937 (2001). We dismiss the counterproposal filed by Radio South, Inc., proposing the reallocation of Channel 263C1 from Northport to Helena, Alabama, and the modification of Station WLXY(FM)'s license accordingly (RM-10323). To accommodate the reallocation to Helena, proponent also requested the reallocation of Channel 225C1 from Tuscaloosa to Northport, Alabama, and the modification of the license for Station WTUG(FM) accordingly as a replacement service. We also dismiss the counterproposal filed by Cox Radio, Inc., and its wholly-owned subsidiary CXR Holdings, Inc., proposing the substitution of Channel 247C2 for Channel 247A at Homewood, Alabama, the reallocation of Channel 247C2 from Homewood to Gardendale, Alabama, required channel substitutions and site changes, and the modification of Station WRLR-FM's license accordingly (RM-10324). We find that both counterproposals are technically defective because they violate section 73.208(a)(1)(i) of the Commission's Rules and our policy against acting upon contingent proposals.

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report

and Order, MM Docket No. 01-104, adopted August 21, 2002, and released August 30, 2002. 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 contractors, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20054.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 02-22755 Filed 9-6-02; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 02-2062; MB Docket No. 02-250, RM-10549; MB Docket No. 02-251, RM-10315; MB Docket No. 02-252, RM-10316; MB Docket No. 02-253, RM-10317; MB Docket No. 02-254, RM-10550]

Radio Broadcasting Services; Big Lake, TX, Las Animas, CO, Muleshoe, TX, Rankin, TX, Rocksprings, TX

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document proposes five new allotments in Big Lake, TX, Las Animas, CO, Muleshoe, TX, Rankin, TX, Rocksprings, TX. The Audio Division requests comment on a petition filed by Linda Crawford proposing the allotment of Channel 296C2 at Big Lake, Texas, as the community's fourth local aural transmission service. Channel 296C2 can be allotted to Big Lake in compliance with the Commission's minimum distance separation requirements with a site restriction of 26.9 kilometers (16.7 miles) south of the community. The coordinates for Channel 296C2 at Big Lake are 30-57-18 North Latitude and 101-23-48 West Longitude. See Supplementary Information, *infra*.

DATES: Comments must be filed on or before October 21, 2002, and reply comments on or before November 5, 2002.

ADDRESSES: Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the

petitioner, his counsel, or consultant, as follows: Linda Crawford, 3500 Maple Avenue, #1320, Dallas, Texas 75219, Katherine Pyeatt, 6655 Aintree Circle, Dallas, Texas 75214, Sierra Grande Broadcasting, P.O. Box 51, Des Moines, New Mexico 88418-0051.

FOR FURTHER INFORMATION CONTACT:

Deborah A. Dupont, Media Bureau, (202) 418-7072.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket Nos. 02-250, 02-251, 02-252, 02-253, and 02-254, adopted August 14, 2002, and released August 30, 2002. The full text of this Commission decision is available for inspection and copying during regular business hours at the FCC's Reference Information Center, Portals II, 445 Twelfth 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.

The Audio Division requests comments on a petition filed by Sierra Grande Broadcasting proposing the allotment of Channel 234C1 at Las Animas, Colorado, as the community's second local aural transmission service. Channel 234C1 can be allotted to Las Animas in compliance with the Commission's minimum distance separation requirements with a site restriction of 4.5 kilometers (2.8 miles) southeast of the community. The coordinates for Channel 234C1 at Las Animas are 38-02-18 North Latitude and 103-11-09 West Longitude.

The Audio Division requests comments on a petition filed by Linda Crawford proposing the allotment of Channel 227C1 at Muleshoe, Texas, as the community's second local aural transmission service. Channel 227C1 can be allotted to Muleshoe in compliance with the Commission's minimum distance separation requirements with a site restriction of 35.8 kilometers (22.3 miles) southwest of the community. The coordinates for Channel 227C1 at Muleshoe are 34-02-03 North Latitude and 103-02-08 West Longitude.

The Audio Division requests comments on a petition filed by Katherine Pyeatt proposing the allotment of Channel 273C1 at Rankin, Texas, as the community's first local aural transmission service. Channel 273C1 can be allotted to Rankin in compliance with the Commission's