

distance separation requirements of with a site restriction of 8.0 kilometers (5.0 miles) northwest to avoid the vacant allotment site for Channel 297C1 at Hershey, Nebraska. The coordinates for Channel Arthur are 41-37-10 North Latitude and 101-45-57 West Longitude.

The Commission requests comments on a petition filed by Robert Fabian proposing the allotment of Channel 267C3 at McLean, Texas, as the community's first local aural transmission service. Channel 267C3 can be allotted to McLean in compliance with the Commission's minimum distance separation requirements with a site restriction of 21.4 kilometers (13.3 miles) southwest to avoid a short-spacing to the licensed site of Station KNOX(FM), Channel 266C, Woodward, Oklahoma. The coordinates for Channel 267C3 at McLean are North Latitude and West Longitude.

The Commission requests comments on a petition filed by Maurice Salsa proposing the allotment of Channel 280C2 at Wheeler, Texas, as the community's first local aural transmission service. Channel 280C2 can be allotted to Wheeler in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.7 kilometers (4.1 miles) northeast to avoid short-spacings to the licensed site of Station KKYN-FM, Channel 280C2, Plainview, Texas, and Station KHYM(FM), Channel 280C1, Copeland, Kansas. The coordinates for Channel 280C2 at Wheeler are 35-28-55 North Latitude and 100-12-56 West Longitude.

The Commission requests comments on a petition filed by Black Diamond Broadcasting proposing the allotment of Channel 263A at Opal, Wyoming, as the community's first local aural transmission service. Channel 263A can be allotted to Opal in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.3 kilometers (3.9 miles) east to avoid a short-spacing to the licensed site of Station KSFI(FM), Channel 262C, Salt Lake City, Utah. The coordinates for Channel 263A at Opal are 41-46-16 North Latitude and 110-14-50 West Longitude.

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.

#### List of Subjects in 47 CFR Part 73

Radio, 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 Georgia, is amended by adding Tignall, Channel 244A.

3. Section 73.202(b), the Table of FM Allotments under Idaho, is amended by adding Channel 300C1 at Idaho Falls.

4. Section 73.202(b), the Table of FM Allotments under Nebraska, is amended by adding Arthur, Channel 300C1.

5. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding McLean, Channel 267C3; and Wheeler, Channel 280C2.

6. Section 73.202(b), the Table of FM Allotments under Utah, is amended by adding Manila, Channel 249A.

7. Section 73.202(b), the Table of FM Allotments under Wyoming, is amended by adding Opal, Channel 263A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

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#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 02-2311; MB Docket No. 02-287; RM-10569]

##### Radio Broadcasting Services; Stuart, OK

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Robert Fabian proposing the allotment of Channel 228A at Stuart, Oklahoma, as that community's first commercial broadcast transmission service. Channel

228A can be allotted to Stuart in compliance with the minimum distance separation requirements of the Commission's Rules at the city reference coordinates without a site restriction. The coordinates for Channel 228A at Stuart are 34-54-18 and 96-06-00.

**DATES:** Comments must be filed on or before November 18, 2002, and reply comments on or before December 3, 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, as follows: Robert Fabian, 4 Hickory Crossing Lane, Argyle, Texas, 76226.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MB Docket No. 02-287, adopted September 11, 2002, and released September 27, 2002. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center 445 Twelfth Street, SW., Washington, DC 20554 (CYA257). 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).

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, 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 Oklahoma, is amended by adding Stuart, Channel 228A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 02-26228 Filed 10-15-02; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 02-2226; MB Docket No. 02-274, RM-10560; MB Docket No. 02-275, RM-10561]

### Radio Broadcasting Services; Jasper, FL and Tigerton, WI

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Audio Division requests comment on a petition filed by Powerline NA, Inc. proposing the allotment of Channel 298A at Jasper, Florida, as the community's first local aural transmission service. Channel 298A can be allotted to Jasper in compliance with the Commission's minimum distance separation requirements with a site restriction of 2.2 kilometers (1.4 miles) northwest to avoid a short-spacing to the vacant allotment site of Channel 299C3, Perry, Florida. The coordinates for Channel 298A at Jasper are 30-31-49 North Latitude and 82-57-58 West Longitude. The Audio Division also requests comment on a petition filed by

Starboard Broadcasting, Inc. proposing the allotment of Channel 295A at Tigerton, Wisconsin, as the community's first local aural transmission service. Channel 295A can be allotted to Tigerton in compliance with the Commission's minimum distance separation requirements with a site restriction of 14.1 kilometers (8.7 miles) northeast to avoid a short-spacing to the license sites of Station WLJY, Channel 293C1, Marshfield, Wisconsin, Station WJLW, Channel 294C3, Allouez, Wisconsin, and Station WUPM, Channel 295C1, Ironwood, Michigan. The coordinates for Channel 295A at Tigerton are 44-50-07 North Latitude and 88-56-41 West Longitude.

**DATES:** Comments must be filed on or before November 12, 2002, and reply comments on or before November 26, 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: Powerline NA, Inc., c/o Clyde Scott, Jr., EME Communications, 293 JC Saunders Road, Moultrie, GA 31768 and Starboard Broadcasting, Inc., c/o David Vacheresse, President, 1496 Bellevue St. Building 2, Green Bay, Wisconsin 54311.

**FOR FURTHER INFORMATION CONTACT:** Rolanda F. Smith, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket Nos. 02-274, 02-275, adopted September 4, 2002, and released September 20, 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](mailto:qualexint@aol.com).

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, 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 Florida, is amended by adding Jasper, Channel 298A.

3. Section 73.202(b), the Table of FM Allotments under Wisconsin, is amended by adding Tigerton, Channel 295A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

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