

Source of flooding	Location	# Depth in feet above ground. * Elevation in feet (NGVD) • Elevation in feet (NAVD)		Communities affected
		Existing	Modified	
<b>WEST VIRGINIA Jackson County</b>				
Ohio River .....	At the downstream county boundary .....	None	*586	Jackson County (Unincorporated Areas), City of Ravenswood.
	At at the upstream county boundary .....	None	*598	
Mill Creek .....	At confluence with Ohio River .....	None	*587	Jackson County (Unincorporated Areas), City of Ripley.
	Approximately 1.84 miles upstream of entrance to Cedar Lakes.	None	*602	
Sandy Creek .....	At confluence with Ohio River .....	None	*592	Jackson County (Unincorporated Areas), City of Ravenswood.
	Approximately 2,530 feet upstream of S.R. 13 .....	None	*598	
Grasslick Creek .....	Approximately 2,200 feet downstream of Interstate 77	None	*692	Jackson County (Unincorporated Areas).
	Approximately 0.85 mile upstream of the most upstream crossing of County Route 21.	None	*830	
Pocatalico Creek .....	Approximately 1,210 feet downstream of Interstate 77	None	*642	Jackson County (Unincorporated Areas).
	Approximately 640 feet upstream of County Route 21	None	*746	

**Jackson County (Unincorporated Areas)**

Maps available for inspection at the Jackson County Courthouse, Ripley, West Virginia.

Send comments to Mr. James Waybright, Chairman of the Jackson County Board of Commissioners, Jackson County Courthouse, Ripley, West Virginia 25271.

**City of Ripley**

Maps available for inspection at the Ripley City Hall, 113 South Church Street, Ripley, West Virginia.

Send comments to The Honorable Roy Guthrie, Mayor of the City of Ripley, 113 South Church Street, Ripley, West Virginia 25271.

**City of Ravenswood**

Maps available for inspection at the City of Ravenswood City Hall, 212 Walnut Street, Ravenswood, West Virginia.

Send comments to The Honorable William Ritchie, Mayor of the City of Ravenswood, 212 Walnut Street, Ravenswood, West Virginia 26164.

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

Dated: May 21, 2003.

**Anthony S. Lowe,**

*Mitigation Division Director, Emergency Preparedness and Response Directorate.*

[FR Doc. 03-13641 Filed 5-30-03; 8:45 am]

**BILLING CODE 6718-04-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

[Docket No. FEMA-D-7564]

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

**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:** Mary Jean Pajak, P.E., FEMA, 500 C

Street SW., Washington, DC 20472, (202) 646-2831.

**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 Mitigation Division Director of the Emergency Preparedness and Response 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) •Elevation in feet (NAVD)	
				Existing	Modified
Illinois .....	Albers (Village), Clinton County.	Grassy Branch .....	Upstream side of County Road 8 .....	None	*421
			Approximately 0.64 mile upstream of County Road 800.	None	*421
		Sugar Creek .....	Approximately 200 feet upstream of Southern Railway.	None	*422
			Approximately 1,550 feet upstream of State Route 161.	None	*425

Maps available for inspection at the Albers Village Hall, 206 West Dwight, Albers, Illinois.  
Send comments to The Honorable Rick Casson, Mayor of the Village of Albers, P.O. Box 132, Albers, Illinois 62215.

Illinois .....	Carlyle (City), Clinton County.	Carlyle Lake .....	Approximately 0.7 mile northeast of the intersection of 12th Street and Eula Mae Parkway.	None	*463
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Maps available for inspection at the Carlyle City Hall, 850 Franklin Street, Carlyle, Illinois.  
Send comments to The Honorable Don Schmitz, Mayor of the City of Carlyle, 850 Franklin Street, Carlyle, Illinois 62231.

Illinois .....	Clinton County (Unincorporated Areas).	Grassy Branch .....	At confluence with Sugar Creek .....	None	*421
			Approximately 0.91 mile upstream of County Road 800.	None	*422
		Kaskaskia River .....	At downstream county boundary .....	None	*402
			Approximately 5.45 miles upstream of confluence of Shoal Creek.	None	*413
		Shoal Creek .....	At confluence with Kaskaskia River .....	None	*411
			Approximately 0.5 mile upstream of Southern Railway bridge.	None	*423
		Sugar Creek .....	At confluence with Kaskaskia River .....	None	*409
			Approximately 0.3 mile upstream of State Route 161.	None	*425
Illinois .....	Clinton County (Unincorporated Areas).	Lake Branch .....	At Alberson Road .....	None	*428
			Approximately 1.2 miles upstream of Wayne Road.	None	*500
		Carlyle Lake .....	Entire shoreline .....	None	*463

Maps available for inspection at the Clinton County Courthouse, 850 Fairfax, Carlyle, Illinois.  
Send comments to Mr. Ronald C. Mitchell, Clinton County Engineer, P.O. Box 188, Carlyle, Illinois 62231.

Illinois .....	Damiansville (Village), Clinton County.	Sugar Creek .....	Upstream side of Interstate Route 64 .....	None	*417
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State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)	
				Existing	Modified

Approximately 4,000 feet upstream of Interstate Route 64. None \*419

Maps available for inspection at the Damiansville Village Hall, 225 East Main, Damiansville, Illinois.

Send comments to Mr. Herman Jansen, Jr., Damiansville Village President, 225 East Main, Damiansville, Illinois 62215.

Illinois .....	Germantown (Village), Clinton County.	Shoal Creek .....	Approximately 0.02 mile downstream of State Route 161.	None	*420
			At Southern Railway .....	None	*422

Maps available for inspection at the Germantown Village Hall, 306 Prairie, Germantown, Illinois.

Send comments to The Honorable Gerald Kohnen, Mayor of the Village of Germantown, P.O. Box 310, Germantown, Illinois 62245.

Tennessee .....	Bristol (City), Sullivan County.	Beaver Creek .....	Approximately 70 feet downstream of State Route 37.	•1,435	•1,436
			Approximately 25 feet downstream of Moore Street.	•1,675	•1,674
		Back Creek .....	At the confluence with Beaver Creek .....	•1,448	•1,450
			Approximately 0.28 mile upstream of Sperry Road.	•1,448	•1,450
		Cedar Creek .....	At the confluence with Beaver Creek .....	•1,457	•1,458
		Approximately 0.24 mile downstream of Cedar Creek Road.	•1,457	•1,458	
		Whitotop Creek .....	At the confluence with Beaver Creek .....	•1,446	•1,448
			Approximately 1.15 miles upstream of the confluence with Beaver Creek.	•1,447	•1,448

Maps available for inspection at the City of Bristol Department of Development Services, Easley Annex Building, 104 8th Street, Bristol, Tennessee.

Send comments to Mr. Anthony Massey, Bristol City Manager, P.O. Box 1189, Bristol, Tennessee 37621-1189.

Virginia .....	Bristol (City), Independent City.	Beaver Creek .....	Approximately 0.05 mile upstream of the State boundary.	•1,673	•1,672
			Approximately 0.4 mile upstream of Forsythe Road.	None	•1,813
		Susong Branch .....	Just upstream of the first crossing of Bob Morrison Boulevard.	•1,673	•1,672
			Approximately 170 feet upstream of Euclid Avenue.	•1,684	•1,683
		Little Creek .....	Just downstream of State Street .....	•1,670	•1,672
		Approximately 0.76 mile upstream of the 2nd crossing of Commonwealth Avenue.	•1,721	•1,722	
		Mumpower Creek .....	Approximately 0.107 mile upstream of the confluence with Beaver Creek.	•1,689	•1,688
			Approximately 0.035 mile upstream of East Valley Drive.	•1,734	•1,733

Maps available for inspection at the Bristol City Engineer's Office, 41 Piedmont, Bristol, Virginia.

Send comments to Mr. Paul Spangler, Bristol City Manager, 497 Cumberland Street, Bristol, Virginia 24201.

West Virginia .....	Reedy (Town), Roane County.	Reedy Creek .....	Approximately 650 feet downstream of State Route 14.	*678	*679
			Approximately 170 feet downstream of the confluence of Left Fork Reedy Creek.	*679	*680
		Left Fork Reedy Creek .....	At the confluence with Reedy Creek .....	*679	*681
			Approximately 1,600 feet upstream of confluence with Reedy Creek.	*679	*681
		Right Fork Reedy Creek ...	At confluence with Reedy Creek .....	*679	*680
		At upstream corporate limits .....	*679	*680	

Maps available for inspection at Reedy Town Water Office, 118 Main Street, Reedy, West Virginia.

Send comments to The Honorable Sam Salvucci, Mayor of the Town of Reedy, 54 Locust Street, Reedy, West Virginia 25270.

West Virginia .....	White Sulphur Springs (City), Greenbrier County.	Howard Creek .....	Approximately 850 feet downstream of Greenbrier Avenue.	*1,840	*1,839
			At upstream corporate limits .....	None	*1,887
		Dry Creek .....	At the confluence with Howard Creek .....	*1,850	*1,848

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet (NGVD) •Elevation in feet (NAVD)	
				Existing	Modified
			Approximately 0.45 mile upstream of Interstate Route 64.	*1,885	*1,883

Maps available for inspection at the White Sulphur Springs City Hall, 34 West Main Street, White Sulphur Springs, West Virginia.

Send comments to The Honorable Debra Fogus, Mayor of the City of White Sulphur Springs, City Hall, 34 West Main Street, White Sulphur Springs, West Virginia 24986.

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

Dated: May 21, 2003.

**Anthony S. Lowe,**

*Mitigation Division Director, Emergency Preparedness and Response Directorate.*

[FR Doc. 03-13640 Filed 5-30-03; 8:45 am]

**BILLING CODE 6718-04-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 15

[ET Docket No. 03-104; FCC 03-100]

### Broadband Power Line Systems

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; correction.

**SUMMARY:** On May 23, 2003 (68 FR 28182), the Commission published proposed rules in the **Federal Register**, which requested comments from the public on the current state of Broadband Power Line technology. This document contains a correction to the comments and reply comments date of the rules which was inadvertently published incorrectly.

**DATES:** Written comments are due on or before July 7, 2003, and reply comments are due on or before August 6, 2003.

**FOR FURTHER INFORMATION CONTACT:** Anh Wride, Office of Engineering and Technology, (202) 418-0577, TTY (202) 418-2989, e-mail: [awride@fcc.gov](mailto:awride@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Communications Commission published a document proposing to amend part 15 in the **Federal Register** of May 23, 2003, (68 FR 28182). This document corrects the **Federal Register** as it appeared. In FR Doc. 03-12914 published on May 23, 2003 (68 FR 28182), the Commission is correcting the "**DATES:** Written comments are due on or before August 6, 2003, and reply comments are due on or before September 5, 2003", of the Commission's rules to reflect the correct "**DATES:** Written comments are due on

or before July 7, 2003, and reply comments are due on or before August 6, 2003". In rule FR Doc. 02-12914 published on May 23, 2003 (68 FR 28182) make the following correction:

On page 28182, in the second column correct "**DATES:** Written comments are due on or before August 6, 2003, and reply comments are due on or before September 5, 2003", to read as "**DATES:** Written comments are due on or before July 7, 2003, and reply comments are due on or before August 6, 2003".

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 03-13590 Filed 5-30-03; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 64

[CC Docket No. 96-128; FCC 03-119]

### Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document seeks comment on whether the Commission needs to amend its payphone compensation rules, which are designed to provide fair per-call compensation, pursuant to section 276 of the Act, to payphone service providers (PSPs). On a petition for review, the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit), on January 21, 2003, remanded the *Second Order on Reconsideration*, 66 FR 21105-01 (2001) in this proceeding. The *Second Order on Reconsideration* had amended the Commission's payphone compensation rules. The D.C. Circuit, however, held that the Commission violated the Administrative Procedure Act (APA) when it modified its rules pursuant to a Common Carrier Bureau—

issued notice that was not published in the **Federal Register**. The D.C. Circuit held that the Commission should have issued a *Notice of Proposed Rulemaking (NPRM)*. The D.C. Circuit vacated the Commission's order, but stayed its mandate and its vacatur of the *Second Order on Reconsideration* through September 30, 2003. As a result, the rules promulgated in the *Second Order on Reconsideration* remain in effect through September 30, 2003. Accordingly, the Commission adopts this *Further Notice of Proposed Rulemaking* seeking comment on whether to retain the rules or to adopt alternative ones by this deadline.

**DATES:** Comments are due June 23, 2003, and Reply Comments are due July 3, 2003.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. See *Supplementary Information for further filing instructions*.

**FOR FURTHER INFORMATION CONTACT:** Darryl Cooper, Attorney-Advisor, Competition Policy Division, Wireline Competition Bureau, at (202) 418-7131, or via the Internet at [dcooper@fcc.gov](mailto:dcooper@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Further Notice of Proposed Rulemaking (FNPRM)* in CC Docket No. 96-128, FCC 03-119, adopted May 23, 2003, and released May 28, 2003. The complete text of this *FNPRM* 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. 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). It is also available on the Commission's Web site at <http://www.fcc.gov>.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper