

## KING COUNTY, AND INCORPORATED AREAS—Continued

Flooding source(s)	Location of referenced elevation	Elevation in feet *(NGVD) Elevation in feet + (NAVD)		Communities affected
		Effective	Modified	
Gardiner Creek .....	At Bolch Avenue Northwest .....	None .....	*429	King County (Uninc. Areas) and City of North Bend.
	Upstream of Northwest Eighth Street .....	None .....	*435	

# Depth in feet above ground.

\* National Geodetic Datum.

+ National American Vertical Datum.

Addresses: Unincorporated Areas of King County:

Maps are available for inspection at the King DDES, Blackriver Corp. Park, 900 Oakesdale Avenue Southwest, Suite 100, Renton, Washington 98055.

Send comments to the Honorable Ron Sims, King County Executive, 516 Third Avenue, Suite 400, Seattle, Washington 98104.

City of North Bend:

Maps are available for inspection at 1155 East North Bend Way, North Bend, Washington 98045.

Send comments to the Honorable Joan Simpson, Mayor, City of North Bend, P.O. Box 896, North Bend, Washington 98045.

City of Snoqualmie:

Maps are available for inspection at the Planning Directors Office, 8020 Railroad Avenue Southeast, Snoqualmie, Washington 98065.

Send comments to the Honorable Randy Fletcher, Mayor, City of Snoqualmie, P.O. Box 987, Snoqualmie, Washington 98065.

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

Dated: September 30, 2003.

**Anthony S. Lowe,**

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

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**BILLING CODE 6718-04-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 03-2930, MB Docket No. 03-210, RM-10791]

### Digital Television Broadcast Service; Elmira, NY

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Smith Television of New York License Holdings, Inc., licensee of station WETM-TV, requesting the substitution of DTV channel 33 for DTV channel 2. DTV Channel 33 can be allotted to at reference coordinates 42-06-22 N. and 76-52-17 W. with a power of 525, a height above average terrain HAAT of 363 meters. Since the community of Elmira is located within 400 kilometers of the U.S.-Canadian border, concurrence from the Canadian government must be obtained for this allotment.

**DATES:** Comments must be filed on or before November 24, 2003, and reply comments on or before October 1, 2003.

**ADDRESSES:** The Commission permits the electronic filing of all pleadings and

comments in proceedings involving petitions for rule making (except in broadcast allotment proceedings). See *Electronic Filing of Documents in Rule Making Proceedings*, GC Docket No. 97-113 (rel. April 6, 1998). Filings by paper can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistronix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street SW., Washington, DC 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Brad C. Deutsch, Hogan & Hartson LLP, 555 Thirteenth Street, NW., Washington, DC 20004-1109 (Counsel for Smith Television of New York License Holdings, Inc.).

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau, (202) 418-1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 03-210, adopted September 23, 2003, and released October 1, 2003. The full text of this document is available for public 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. 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).

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

Digital television broadcasting, Television.

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.

**§ 73.622 [Amended]**

2. Section 73.622(b), the Table of Digital Television Allotments under New York is amended by removing DTV channel 2 and adding DTV channel 33 at Elmira.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 03-25334 Filed 10-6-03; 8:45 am]

**BILLING CODE 6712-01-P**