

considered in reaching its proposed approach, which may include the following four alternatives (among others): (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities.

37. As indicated above, the Second FNPRM seeks comment on whether the Commission should adopt rules establishing an approval mechanism for new connectors and associated content protection technologies to be used with unidirectional digital cable products. Consumer electronics manufacturers may be required to seek such approval prior to implementing new connectors and associated content protection technologies in unidirectional digital cable products. We welcome comment on modifications of this proposal to lessen any potential impact on small entities, while still remaining consistent with our policy goals.

38. The Second FNPRM also seeks comment on the potential applicability of certain transmission standards for digital cable systems to systems with an activated channel capacity of 550 MHz or greater. Since such cable systems are often owned by small cable operators, we seek comment on the potential impact of this proposed rule upon small cable operators and whether some relief mechanism, such as waivers, would help alleviate any potential impact on small entities.

39. With respect to the proposed requirement for consumer electronics manufacturers to provide consumers with pre-sale information regarding the functionalities of unidirectional digital cable televisions, we seek comment on how this might affect small manufacturers. We also seek comment on whether the potential economic burden on small entities might be lessened, while still generally retaining the requirement or the intended effect of the requirements.

40. Finally, the Second FNPRM seeks comment on whether to permit or ban the down-resolution by MVPDs of non-broadcast MVPD programming. We believe this requirement would largely impact the DBS industry, which is primarily composed of large entities. To the extent that small entities might be adversely affected by this potential requirement, we welcome comments on

possible small entity-related alternatives.

41. *Federal Rules Which Duplicate, Overlap, or Conflict with the Commission's Proposals.* None.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 03-29521 Filed 11-26-03; 8:45 am]

**BILLING CODE 6712-01-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; correction.

**SUMMARY:** The Federal Communications Commission published in the **Federal Register** of October 7, 2003, (68 FR 57861), a document to change the DTV Table of Allotments to reflect the substitution of DTV channel 33 for DTV channel 2 at Elmira, New York. This document contained incorrect dates.

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

#### Correction

In the **Federal Register** of October 7, 2003, on page 57861, correct the reply comment date to read: December 10, 2003.

Dated: November 20, 2003.  
Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 03-29627 Filed 11-26-03; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 03-3561, MB Docket No. 03-233, RM-10699]

#### Digital Television Broadcast Service; Pocatello, ID

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Commission requests comments on a petition filed by Compass Communications of Idaho,

Inc., licensee of station KFXP-TV, NTSC channel 31-, proposing the allotment of DTV channel 38 at Pocatello. DTV Channel 38 can be allotted to Pocatello, Idaho, at reference coordinates 42-55-15 N. and 112-20-44 W.

**DATES:** Comments must be filed on or before January 5, 2004, and reply comments on or before January 20, 2004.

**ADDRESSES:** The Commission permits the electronic filing of all pleadings and comments in proceeding 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, Vistrionix, 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: Lee G. Petro, Fletcher, Heald & Hildreth, PLC, 11th Floor, 1300 North 17th Street, Arlington, Virginia 22209-3801 (Counsel for Compass Communications of Idaho, 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. 03-233, adopted November 6, 2003, and released November 14, 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 Idaho is amended by adding DTV channel 38 at Pocatello.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 03-29626 Filed 11-26-03; 8:45 am]

**BILLING CODE 6712-01-P**

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 03-3551; MB Docket No. 03-232, RM-10819]

**Radio Broadcasting Services; Ahoskie, North Carolina and Chase City, Virginia, and Creedmoor, Gatesville, and Nashville, NC**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document sets forth a proposal to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules, 47 CFR 73.202(b). The Commission requests comment on a petition filed by Joyner Radio, Inc., licensee of Station WFXQ(FM), Chase City, Virginia. Petitioner proposes to delete Channel 260C3 at Chase City, Virginia to allot Channel 260C3 at Creedmoor, North Carolina, and to modify the license of Station WFXQ(FM) accordingly. In order to facilitate the allotment of Channel 260C3 at Creedmoor, petitioner proposes the substitution of Channel 257A for Channel 259A at Nashville, North Carolina, and the modification of the license of Station WZAX(FM) accordingly. Finally, in order to accommodate the substitution of Channel 257A at Nashville, petitioner requests the deletion of Channel 257A at Ahoskie, North Carolina, the addition of Channel 257A at Gatesville, North Carolina, and the modification of the license of FM Station WQDK accordingly. Channel 260C3 can be allotted at Creedmoor in compliance with the Commission's minimum distance separation requirements with a site restriction of 16.3 km (10.1 miles) east of Creedmoor. The coordinates for Channel 260C3 at Creedmoor are 36-06-56 North Latitude and 78-30-22 West Longitude. Channel 257A can be allotted at Gatesville in compliance with the Commission's minimum distance separation requirements with a site restriction of 12.9 km (8.0 miles) south of Gatesville. The coordinates for Channel 257A at Gatesville are 36-17-02 North Latitude and 76-43-40 West Longitude. Channel 257A can be allotted at Nashville in compliance with the Commission's minimum distance separation requirements at the current reference coordinates for Channel 259A. See Supplementary Information *infra*.

**DATES:** Comments must be filed on or before January 5, 2004, and reply comments on or before January 20, 2004.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve counsel for the petitioner as follows: Gregg P. Skall, Peter Gutmann, Joan Stewart, Womble Carlyle Sandridge & Rice, PLLC, 1401 Eye Street, NW.—Seventh Floor, Washington, DC 20005.

**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 No.

03-232, adopted November 12, 2003 and released November 14, 2003. 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 contractor, Qualex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202) 863-2893.

The 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 North Carolina, is amended by removing Ahoskie, Channel 257A, by adding Creedmoor, Channel 260C3, by adding Gatesville, Channel 257A, and by removing Channel 259A and by adding Channel 257A at Nashville.

3. Section 73.202(b), the Table of FM Allotments under Virginia, is amended by removing Chase City, Channel 260C3.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 03-29628 Filed 11-26-03; 8:45 am]

**BILLING CODE 6712-01-P**