

**FEDERAL COMMUNICATIONS COMMISSION****Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission**

March 25, 2004.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law No. 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written Paperwork Reduction Act (PRA) comments should be submitted on or before May 3, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments regarding this Paperwork Reduction Act submission to Judith B. Herman, Federal Communications Commission, Room 1-C804, 445 12th Street, SW., DC 20554 or via the Internet to *Judith-B.Herman@fcc.gov*.

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Judith B. Herman at 202-418-0214 or via the Internet at *Judith-B.Herman@fcc.gov*.

**SUPPLEMENTARY INFORMATION:** OMB Control No.: 3060-0686.

*Title:* Streamlining the International Section 214 Authorization Process and Tariff Requirements.

*Form No:* N/A.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for-profit

*Number of Respondents:* 1,650 respondents; 3,603 responses.

*Estimated Time Per Response:* 1-6,056 hours.

*Frequency of Response:* On occasion, quarterly, and annual reporting requirements, recordkeeping requirement and third party disclosure requirement.

*Total Annual Burden:* 148,053 hours.

*Total Annual Cost:* \$16,162,000.

*Privacy Act Impact Assessment:* Not applicable.

*Needs and Uses:* On March 4, 2004, the Commission released a Notice of Proposed Rulemaking (NPRM), IB Docket No. 04-47, FCC 04-40. The Commission is seeking comment from the public on several potential changes to its international section 214 authorization process and the rules relating to the provision of the United States (U.S.)-international telecommunications services. Specifically, the Commission seeks comment on the following subjects: (1) Discontinuance of international service; (2) international 214 authorizations for CMRS carriers; (3) international roaming; (4) commonly-controlled subsidiaries; (5) modification of cable land license rules; and (6) other rules.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-7380 Filed 3-31-04; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

[MB Docket No. 04-75; DA 04-747]

**Comment Sought on "Request for Expedited Declaratory Ruling" Concerning the Territorial Exclusivity Rule**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice; solicitation of comments.

**SUMMARY:** This document seeks comment on a "Request for Expedited Declaratory Ruling" submitted by Max Media of Montana LLC. Max Media contends that the NBC television network and Sunbelt Communications Company and companies it controls have an agreement under which NBC will not renew its current NBC affiliation with Max Media's KTGF-TV in Great Falls, Montana, when that

affiliation agreement expires in 2005. Max Media contends that the alleged agreement constitutes an arrangement between Sunbelt and a network organization (*i.e.*, NBC) with regard to Sunbelt's stations in communities other than Great Falls, Montana, which "prevents or hinders another broadcast station located in a different community (*i.e.*, Max Media's station in Great Falls) from broadcasting any program of the network organization," in violation of the Commission's "territorial exclusivity" rule. Max Media requests an expedited declaratory ruling in order to terminate this controversy and to resolve a dispute concerning the territorial exclusivity rule. This proceeding will be governed by permit-but-disclose *ex parte* procedures that are applicable to nonrestricted proceedings.

**DATES:** Comments are due on or before April 28, 2004. Reply comments are due on or before May 10, 2004.

**ADDRESSES:** Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. See

**SUPPLEMENTARY INFORMATION** for further filing instructions.

**FOR FURTHER INFORMATION CONTACT:** Jane Gross, Policy Division, Media Bureau (202) 418-2120.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Public Notice*, MB Docket No. 04-75, released March 19, 2004. Comments, reply comments, and *ex parte* submissions will be available for public inspection during regular business hours in the FCC Reference Center, Federal Communications Commission, 445 12th Street, SW., CY-A257, Washington, DC 20554. These documents also will be available electronically from the Commission's Electronic Comment Filing System. Documents are available electronically in ASCII text, Word 97, and Adobe Acrobat. Copies of filings in this proceeding may be obtained from 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 at *qualexint@aol.com*. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at (202) 418-0531 (voice), (202) 418-7365 (TTY).

**Synopsis**

On February 25, 2004, Max Media of Montana LLC ("Max Media") filed a "Request for Expedited Declaratory Ruling" ("Request"). The Request seeks

a Commission ruling concerning section 73.658(b) of the Commission's Rules (47 CFR 73.658(b)), the "territorial exclusivity" rule. The territorial exclusivity rule, in part, provides that, "No license shall be granted to a television broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization \* \* \* which prevents or hinders another broadcast station located in a different community from broadcasting any program of the network organization."

Max Media contends that the NBC television network and Sunbelt Communications Company and companies it controls ("Sunbelt") have an agreement under which NBC will not renew its current NBC affiliation with Max Media's KTGF-TV in Great Falls, Montana, when that affiliation agreement expires in 2005. Under this arrangement, Max Media alleges, NBC will, instead, give the affiliation to Sunbelt, which has NBC-affiliated stations in nearby communities. Sunbelt does not have a station licensed to Great Falls, Montana, but would allegedly provide coverage of Great Falls using stations it controls in nearby communities and through booster, translator and low-power television stations that it has applied for in Great Falls. Max Media has filed pleadings in opposition to those license applications.

Max Media contends that the alleged agreement constitutes an arrangement between Sunbelt and a network organization (*i.e.*, NBC) with regard to Sunbelt's stations in communities other than Great Falls, Montana, which "prevents or hinders another broadcast station located in a different community (*i.e.*, Max Media's station in Great Falls) from broadcasting any program of the network organization," in violation of the territorial exclusivity rule. It requests an expedited declaratory ruling pursuant to § 1.2 of the Commission's rules, 47 CFR 1.2, and section 5(d) of the Administrative Procedure Act, 5 U.S.C. 554(e), in order to terminate this controversy and to resolve a dispute concerning the territorial exclusivity rule.

On March 10, 2004, Sunbelt filed an "Opposition of Sunbelt Communications Company to Request for Expedited Declaratory Ruling" ("Opposition"). In the Opposition, Sunbelt asserts that a declaratory ruling is inappropriate in this case because there is no controversy to terminate or uncertainty to remove. Additionally, it asserts that there is no merit to Max Media's complaint that the territorial exclusivity rule is being violated by Sunbelt or NBC. Rather, it contends, all that is present in this matter is the

exercise of normal business judgments by the parties.

We invite comment on the Max Media petition.

*Ex parte status:* In order to permit a full exchange of views on the issues raised in the Request, and Max Media's indication that it is seeking a declaratory ruling rather than specific enforcement action, we have concluded that the public interest would be served by classifying this proceeding, as well as the related pending application proceedings, as permit-but-disclose under the *ex parte* rules notwithstanding the existence of related applications and oppositions. Accordingly, by the Public Notice, and pursuant to § 1.1200(a) of the Commission's Rules, 47 CFR 1.1200(a), we announce that these proceedings will be governed by permit-but-disclose *ex parte* procedures that are applicable to nonrestricted proceedings under section 1.1206 of the Commission's rules, 47 CFR 1.1206.

Permit-but-disclose *ex parte* procedures permit interested parties to make *ex parte* presentations to the Commissioners and Commission employees and require that these presentations be disclosed in the record of the relevant proceeding. Persons making a written *ex parte* presentation to the Commissioners or Commission employees must file the written presentation with the Commission, as set forth below, no later than the next business day after the presentation. 47 CFR 1.1206(b)(1). Persons making oral *ex parte* presentations must file a summary of the presentation, as set forth below, and deliver copies to the Commissioners or Commission employees involved with the presentation no later than the next business day after the presentation. 47 CFR 1.1206(b)(2). All *ex parte* filings must be clearly labeled as such and must reference the Public Notice, DA 04-747, as well as any other applicable docket or file numbers.

Comments must be filed on or before April 28, 2004; and reply comments must be filed on or before May 10, 2004. Comments and reply comments may be filed using the Commission's Electronic Filing System (ECFS) or by filing paper copies (an original and four copies). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (May 1, 1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing

address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. Filings 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, Natek, 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. In addition, parties should serve one copy of each filing via e-mail, or five paper copies, on Jane Gross, [Jane.Gross@fcc.gov](mailto:Jane.Gross@fcc.gov), Federal Communications Commission, Media Bureau, Policy Division, 445 12th Street, SW., 3-A832, Washington, DC 20554.

Federal Communications Commission.

**William H. Johnson,**

*Deputy Chief, Media Bureau.*

[FR Doc. 04-7373 Filed 3-31-04; 8:45 am]

BILLING CODE 6712-01-P

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## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or