

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Report and Order*, MB Docket No. 03-244, adopted June 23, 2004, and released June 25, 2004.

The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision also may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC, 20554, (800) 378-3160, or via the company's Web site, <http://www.bcpiweb.com>. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, see U.S.C. 801(a)(1)(A).

List of Subjects in 47 CFR part 73

Radio, Radio broadcasting.

■ Part 73 of title 47 of the Code of Federal Regulations is amended 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 Alabama, is amended by adding New Market, Channel 227C2.

■ 3. Section 73.202(b), the Table of FM Allotments under Tennessee, is amended by removing Tullahoma, Channel 227C.

Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 04-16890 Filed 7-23-04; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 80

[PR Docket No. 92-257; RM-9664; DA 04-1608]

Amendment of the Commission's Rules Concerning Maritime Communications

AGENCY: Federal Communications Commission.

ACTION: Correcting amendments.

SUMMARY: This document contains corrections to the final regulations which were published in the **Federal Register** of Thursday, July 25, 2002 (67 FR 48560). The regulations related to licensing of Automated Maritime Telecommunication System stations.

DATES: Effective July 26, 2004.

FOR FURTHER INFORMATION CONTACT: Scot Stone, Public Safety and Critical Infrastructure Division at (202) 418-0680.

SUPPLEMENTARY INFORMATION:

Background

The final regulations determined that unassigned Automated Maritime Telecommunications System spectrum would be made available for licensing throughout the United States by ten Automated Maritime Telecommunications System Areas (AMTSAs). Each AMTSA consists of one or more of the 174 Economic Areas (EAs) or EA-like areas in International Telecommunication Region 2—*i.e.*, the 172 EAs specified by the Department of Commerce and the Commission-created EA-like areas for Puerto Rico and the United States Virgin Islands (EA 174) and the Gulf of Mexico (EA 176). However, § 80.385(a)(3) of the Commission's Rules did not include a reference to the perimeter of EA 176.

Need for Correction

As published, § 80.385(a)(3) does not refer to the perimeter of EA 176, which may prove to be misleading and needs to be clarified. In addition, the second column of the table in § 80.385(a)(2), as published in the **Federal Register** was misaligned, beginning with Channel 149, and needs to be corrected.

List of Subjects in 47 CFR Part 80

Communications equipment, Radio, Reporting and recordkeeping requirements.

Federal Communications Commission.

William F. Caton,

Deputy Secretary.

■ Accordingly, 47 CFR part 80 is corrected by making the following correcting amendments.

PART 80—MARITIME SERVICES

■ 1. The authority citation for part 80 continues to read as follows:

Authority: Secs. 4, 303, 307(e), 309, and 332, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, 307(e), 309, and 332, unless otherwise noted. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609; 3 UST 3450, 3 UST 4726, 12 UST 2377.

■ 2. Revise paragraphs (a)(2) and (a)(3) of § 80.385 to read as follows:

§ 80.385 Frequencies for automated systems.

* * * * *

(a) * * *
 (2) The following carrier frequencies are available for assignment to public coast stations for public correspondence communications with ship stations and units on land. AMTS operations must not cause harmful interference to the U.S. Navy SPASUR system which operates in the band 216.880-217.080 MHz.

Channel No.	Carrier frequency (MHz)		
	Ship transmit ^{1 3}	Coast transmit ²	Group
101	216.0125	D
102 .....	.....	216.0375
103 .....	.....	216.0625
104 .....	.....	216.0875
105 .....	.....	216.1125
106 .....	.....	216.1375
107 .....	.....	216.1625
108 .....	.....	216.1875
109 .....	.....	216.2125
110 .....	.....	216.2375
111 .....	.....	216.2625
112 .....	.....	216.2875
113 .....	.....	216.3125
114 .....	.....	216.3375
115 .....	.....	216.3625
116 .....	.....	216.3875
117 .....	.....	216.4125
118 .....	.....	216.4375
119 .....	.....	216.4625
120 .....	.....	216.4875
121 .....	.....	216.5125
122 .....	.....	216.5375
123 .....	.....	216.5625
124 .....	.....	216.5875
125 .....	.....	216.6125
126 .....	.....	216.6375
127 .....	.....	216.6625
128 .....	.....	216.6875
129 .....	.....	216.7125
130 .....	.....	216.7375
131 .....	.....	216.7625
132 .....	.....	216.7875
133 .....	.....	216.8125
134 .....	.....	216.8375
135 .....	.....	216.8625
136 .....	.....	216.8875
137 .....	.....	216.9125
138 .....	.....	216.9375
139 .....	.....	216.9625
140 .....	.....	216.9875
141	219.0125	217.0125	B
142	219.0375	217.0375	
143	219.0625	217.0625	
144	219.0875	217.0875	
145	219.1125	217.1125	
146	219.1375	217.1375	
147	219.1625	217.1625	
148	219.1875	217.1875	
149	219.2125	217.2125	
150	219.2375	217.2375	
151	219.2625	217.2625	
152	219.2875	217.2875	
153	219.3125	217.3125	

Channel No.	Carrier frequency (MHz)		
	Ship transmit ^{1,3}	Coast transmit ²	Group
154	219.3375	217.3375	A
155	219.3625	217.3625	
156	219.3875	217.3875	
157	219.4125	217.4125	
158	219.4375	217.4375	
159	219.4625	217.4625	
160	219.4875	217.4875	
161	219.5125	217.5125	
162	219.5375	217.5375	
163	219.5625	217.5625	
164	219.5875	217.5875	
165	219.6125	217.6125	
166	219.6375	217.6375	
167	219.6625	217.6625	
168	219.6875	217.6875	
169	219.7125	217.7125	
170	219.7375	217.7375	
171	219.7625	217.7625	
172	219.7875	217.7875	
173	219.8125	217.8125	
174	219.8375	217.8375	
175	219.8625	217.8625	
176	219.8875	217.8875	
177	219.9125	217.9125	
178	219.9375	217.9375	
179	219.9625	217.9625	
180	219.9875	217.9875	

¹ Ship transmit frequencies in Groups C and D are not authorized for AMTS use.

² Coast station operation on frequencies in Groups C and D are not currently assignable and are shared on a secondary basis with the Low Power Radio Service in part 95 of this chapter. Frequencies in the band 216.750–217.000 MHz band are available for low power point-to-point network control communications by AMTS coast stations under the Low Power Radio Service (LPRS). LPRS operations are subject to the conditions that no harmful interference is caused to the United States Navy's SPASUR radar system (216.88–217.08 MHz) or to TV reception within the Grade B contour of any TV channel 13 station or within the 68 dBu predicted contour of any low power TV or TV translator station operating on channel 13.

³ Ship transmit frequencies in Groups A and B are permitted to provide mobile-to-mobile communications where the written consent of all affected licensees is obtained.

(3) As listed in the table in this paragraph, AMTS Areas (AMTSAs) are based on, and composed of one or more of, the U.S Department of Commerce's 172 Economic Areas (EAs). See 60 FR 13114 (March 10, 1995). In addition, the Commission shall treat Puerto Rico, the United States Virgin Islands, and the Gulf of Mexico as EA-like areas. The Gulf of Mexico EA extends from 12 nautical miles off the United States Gulf coast outward into the Gulf. See § 27.6(a)(2) of this chapter and 62 FR 9636. Maps of the EAs and AMTSAs are available for public inspection and copying at the Federal Communications Commission, Reference Center, 445 12th Street, SW., Room CY A257, Washington, DC 20554. These maps and data are also available on the FCC Web site at www.fcc.gov/oet/info/maps/

areas/. The Group A and B frequency pairs listed in the table in paragraph (a)(2) of this section are available for assignment to a single licensee in each of the AMTSAs listed in the table in this paragraph. In addition to the listed EAs listed in the table in this paragraph, each AMTSA also includes the adjacent waters under the jurisdiction of the United States.

AMTS AREAS (AMTSAs)

AMTSAs	EAs
1 (Northern Atlantic) ..	1–5, 10 9, 11–23, 25, 42, 46
2 (Mid-Atlantic)	24, 26–34, 37, 38, 40, 41, 174
3 (Southern Atlantic)	35, 36, 39, 43–45, 47–53, 67–107, 113, 116–120, 122– 125, 127, 130–134, 176 6–8, 54–66, 108, 109
4 (Mississippi River) ..	160–165 147, 166–170
5 (Great Lakes)	172
6 (Southern Pacific) ...	171 110–112, 114–115, 121, 126, 128, 129, 135–146, 148–159
7 (Northern Pacific)	
8 (Hawaii)	
9 (Alaska)	
10 (Mountain)	

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 031125292–4061–02; I.D. 072104A]

Fisheries of the Exclusive Economic Zone Off Alaska; “Other Rockfish” in the Western Regulatory Area of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Prohibition of retention.

SUMMARY: NMFS is prohibiting retention of “other rockfish” in the Western Regulatory Area of the Gulf of Alaska (GOA). NMFS is requiring that catch of “other rockfish” in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the “other rockfish”

2004 total allowable catch (TAC) in this area has been reached.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), July 22, 2004, until 2400 hrs, A.l.t., December 31, 2004.

FOR FURTHER INFORMATION CONTACT: Josh Keaton, 907–586–7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for the Groundfish Fishery of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and at 50 CFR part 679.

The 2004 TAC of “other rockfish” in the Western Regulatory Area of the GOA was established as 40 metric tons (mt) by the final 2004 harvest specifications for groundfish in the GOA (69 FR 9261, February 27, 2004).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS, has determined that the “other rockfish” TAC in the Western Regulatory Area of the GOA has been reached. Therefore, NMFS is requiring that further catches of “other rockfish” in the Western Regulatory Area of the GOA be treated as prohibited species in accordance with § 679.21(b).

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such a requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the prohibition of retention of “other rockfish” in the Western Regulatory Area of the GOA.

The AA also finds good cause to waive the 30–day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*