

FEDERAL COMMUNICATIONS COMMISSION**47 CFR Part 73**

[DA 04-3703; MB Docket No. 04-432, RM-11121; MB Docket No. 04-433 RM-11122]

Radio Broadcasting Services; Grand Portage, MN**AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: This document sets forth two proposals 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 Cook County Broadcasting of Minnesota. Petitioner proposes the allotment of Channel 274C at Grand Portage, Minnesota, as a second local service. Channel 274C can be allotted at Grand Portage in compliance with the Commission's minimum distance separation requirements at center city coordinates without site restriction. The proposed coordinates for Channel 274C at Grand Portage are 47-57-50 North Latitude and 89-41-05 West Longitude. The proposed allotment is located within 320 kilometers (199 miles) of the United States-Canada border, so it will be necessary to obtain concurrence in the allotment from the Government of Canada. See **SUPPLEMENTARY INFORMATION** *infra*.

DATES: Comments must be filed on or before January 31, 2005, and reply comments on or before February 15, 2005.

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: David G. O'Neil, Rini Coran, PC, 1501 M Street, NW., Suite 1150, 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 Nos. 04-432 and 04-433, adopted December 8, 2004, and released December 10, 2004. 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, 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, www.bcpweb.com.

The Commission further requests comment on a petition filed by Cook County Broadcasting of Minnesota. Petitioner proposes the allotment of Channel 245C0 at Grand Portage, Minnesota, as a first local service. Channel 245C0 can be allotted at Grand Portage in compliance with the Commission's minimum distance separation requirements at center city coordinates without site restriction. The proposed coordinates for Channel 245C0 at Grand Portage are 47-57-50 North Latitude and 89-41-05 West Longitude. The proposed allotment is located within 320 kilometers (199 miles) of the United States-Canada border, so it will be necessary to obtain concurrence in the allotment from the Government of Canada.

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 Minnesota, is amended by adding Grand Portage, Channel 224C and Channel 274C.

Federal Communications Commission.

John A. Karousos,*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 04-28422 Filed 12-28-04; 8:45 am]

BILLING CODE 6712-01-P**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[DA 04-3807; MB Docket No. 04-429, RM-11120]

Radio Broadcasting Services; Burlington and Cary, NC**AGENCY:** Federal Communications Commission.**ACTION:** Proposed rule.

SUMMARY: This document sets forth a proposal to amend the FM Table of Allotments, § 73.202(b) of the Commission's rules, 47 CFR 73.202(b). The Commission requests comment on a petition filed by Capstar TX Limited Partnership, licensee of Station WRSN-FM, Channel 230C, Burlington, North Carolina. Petitioner proposes the deletion of Channel 230C at Burlington, North Carolina, and the addition of Channel 230C at Cary, North Carolina, as a first local service. Channel 230C can be allotted at Cary in compliance with the Commission's minimum distance separation requirements with a site restriction of 35.4 kilometers (22.0 miles) from Cary. The proposed coordinates for Channel 230C at Cary are 35-52-15 North Latitude and 79-09-40 West Longitude. See **SUPPLEMENTARY INFORMATION** *infra*.

DATES: Comments must be filed on or before January 31, 2005, and reply comments on or before February 15, 2005.

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: Mark N. Lipp, Esq. and J. Thomas Nolan, Esq., Vinson & Elkins, L.L.P., 1455 Pennsylvania Avenue, NW., Suite 600, Washington, DC 20004-1008.

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. 04-429, adopted December 8, 2004, and released December 10, 2004. 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, Best Copy and Printing, Inc., 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, (800) 378-3160,