

version should contact the Commission's Consumer & Governmental Affairs Bureau. Anyone that believes a domain name has been omitted or added in error should contact the Bureau as well.

On December 17, 2004, the Commission issued a *public notice* announcing that Commercial Mobile Radio Service (CMRS) carriers were required to submit their wireless domain names used for the applicable wireless messaging services to the Commission for inclusion in a wireless domain names database. The deadline for initial submissions was January 21, 2005. (We note that it was recently brought to our attention that this earlier public notice, 69 FR 77141, December 27, 2004, contained a typographical error in that it listed the January 21, 2005 deadline as January 21, 2004. While we do not believe that it caused any confusion for carriers, we ask that any carrier that experienced difficulty complying with the rules because of the error contact the Policy Division immediately). Further, CMRS carriers are responsible for the continuing accuracy and completeness of information furnished for the wireless domain names list.

As provided in 47 CFR 64.3100, no person or entity may initiate any mobile service commercial message unless:

(1) That person or entity has the express prior authorization of the addressee as described in 47 CFR 64.3100(d); or

(2) That person or entity is forwarding that message to its own address; or

(3) That person or entity is forwarding to an address provided that (i) the original sender has not provided any payment, consideration or other inducement to that person or entity and (ii) that message does not advertise or promote a product, service, or Internet Web site of the person or entity forwarding the message; or

(4) The address to which that message is sent or directed does not include a reference to a domain name that has been posted on the FCC's wireless domain names list for a period of at least 30 days before that message was initiated, provided that the person or entity does not knowingly initiate a mobile service commercial message.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 05-4344 Filed 3-4-05; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 05-415; MB Docket No. 04-357, RM-11076; MB Docket No. 04-358, RM-11071; MB Docket No. 04-359, RM-11072; MB Docket No. 04-360, RM-11073]

**Radio Broadcasting Services; Adams, MA; Ashtabula, OH; Crested Butte, CO; Lawrence Park, PA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** This document grants four new FM broadcast allotments in Adams, Massachusetts; Ashtabula, Ohio; Crested Butte, Colorado; Lawrence Park, Pennsylvania. The Audio Division, Media Bureau, at the request of Dana Puopolo, allots Channel 255A at Adams, Massachusetts, as the community's local aural transmission service. That allotment also requires a site change for Channel 255A at Rosendale, NY. Channel 255A is allotted to Adams in compliance with the Commission's minimum distance separation requirements with a site restriction of 1.6 kilometers (1 mile) west of the community. The reference coordinates for Channel 255A at Adams are 42-37-12 NL and 73-08-12 WL. The reference coordinates for Channel 255A at Rosendale are 41-54-47 NL and 74-09-00 WL. Since Adams is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence from the Canadian government has been received. *See SUPPLEMENTARY INFORMATION, infra.*

**DATES:** Effective April 4, 2005.

**ADDRESSES:** Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Victoria M. McCauley, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket Nos. 04-357, 04-358, 04-359, 04-360, adopted February 16, 2005 and released February 18, 2005. The full text of this Commission document is available for inspection and copying during regular business hours at the FCC's Reference Information Center, Portals II, 445 Twelfth Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, SW., Room CY-B402, Washington, DC 20054,

telephone 1-800-378-3160 or <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 Government Accountability Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).

The Audio Division at the request of Dana Puopolo, allots Channel 241A at Ashtabula, Ohio, as the community's fourth local aural transmission service. Channel 241A is allotted to Ashtabula in compliance with the Commission's minimum distance separation requirements with a site restriction of 1.5 kilometers (.09 miles) northwest of the community. The reference coordinates for Channel 241A at Ashtabula are 41-52-38 NL and 80-47-49 WL. Since Ashtabula is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence from the Canadian government has been received as a specially negotiated short-spaced allotment to protect Station CFPL-FM, Channel 240C1, London, Ontario, Canada.

The Audio Division at the request of Linda Davidson allots Channel 246C3 at Crested Butte, Colorado, as the community's second local aural transmission service. Channel 246C3 is allotted to Crested Butte in compliance with the Commission's minimum distance separation requirements with a site restriction of 8.0 kilometers (5.0 miles) east of the community. The reference coordinates for Channel 246C3 at Crested Butte are 38-50-42 NL and 106-54-00 WL.

The Audio Division at the request of Dana Puopolo allots Channel 224A at Lawrence Park, Pennsylvania, as the community's first local aural transmission service. Channel 224A is allotted to Lawrence Park in compliance with the Commission's minimum distance separation requirements with a site restriction of 10.6 kilometers (6.6 miles) southwest of the community. The reference coordinates for Channel 224A at Lawrence Park are 42-06-00 NL and 80-07-48 WL. Lawrence Park is located within 320 kilometers (200 miles) of the U.S. Canadian border. Thus, concurrence of the Canadian government has been received for this allotment. It will be a specially negotiated short-spaced allotment limited to 225 watts ERP and 100 meters HAAT to protect Station CJBX-FM, Channel 224B, London, Ontario.

### List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

## 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]

■ 1. Section 73.202(b), the Table of FM Allotments under Colorado is amended by adding Crested Butte, Channel 246C3.

■ 2. Section 73.202(b), the Table of FM Allotments under Massachusetts, is amended by adding Adams, Channel 224A.

■ 3. Section 73.202(b), the Table of FM Allotments under Ohio, is amended by adding Channel 241A at Ashtabula.

■ 4. Section 73.202(b), the Table of FM allotments under Pennsylvania, is amended by adding Lawrence Park, Channel 224A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 05-4345 Filed 3-4-05; 8:45 am]

BILLING CODE 6712-01-P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[DA 05-414; MB Docket No. 02-72, RM-10399; RM-10639; and RM-10640]

### Radio Broadcasting Services; East Harwich, Nantucket, and South Chatham, MA

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Audio Division, at the request of Brewster Broadcasting Co. in its counterproposal to a petition for rulemaking by John Garabedian, allots Channel 254A at East Harwich, Massachusetts, as the community's first local FM service. Channel 254A can be allotted to East Harwich, Massachusetts, in compliance with the Commission's minimum distance separation requirements with a site restriction of 5.7 km (3.5 miles) southeast of East Harwich. The coordinates for Channel 254A at East Harwich, Massachusetts, are 41-40-33 North Latitude and 69-58-03 West Longitude.

**DATES:** Effective April 4, 2005.

**FOR FURTHER INFORMATION CONTACT:** Deborah Dupont, Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Report*

*and Order*, MB Docket No. 02-72, adopted February 16, 2005, and released February 18, 2005. 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.bcpweb.com>. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the Government Accountability 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 Massachusetts, is amended by adding East Harwich, Channel 254A.

Federal Communications Commission.

**John A. Karousos,**

*Assistant Chief, Audio Division, Media Bureau.*

[FR Doc. 05-4346 Filed 3-4-05; 8:45 am]

BILLING CODE 6712-01-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

[Docket No. 041203341-5047-02; I.D. 072304B]

RIN 0648-AR86

### Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Quota Specifications, General Category Effort Controls, and Catch-and-Release Provision

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

**ACTION:** Final rule.

**SUMMARY:** NMFS announces the final initial 2004 fishing year specifications for the Atlantic bluefin tuna (BFT) fishery to set BFT quotas for each of the established domestic fishing categories, to set General category effort controls, and to establish a catch-and-release provision for recreational and commercial BFT handgear vessels during a respective quota category closure. This action is necessary to implement recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT), as required by the Atlantic Tunas Convention Act (ATCA), and to achieve domestic management objectives under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

**DATES:** The final rule is effective from April 4, 2005.

**ADDRESSES:** Copies of the supporting documents including the Environmental Assessment/Regulatory Impact Review/Final Regulatory Flexibility Analysis (EA/RIR/FRFA) and the 1999 Atlantic Tunas, Swordfish, and Sharks Fishery Management Plan (1999 FMP) may be obtained from Brad McHale, Highly Migratory Species Management Division, NMFS, Northeast Regional Office, One Blackburn Drive, Gloucester, MA 01930. These documents are also available from the Highly Migratory Species Division website at [www.nmfs.noaa.gov/sfa/hmspg.html](http://www.nmfs.noaa.gov/sfa/hmspg.html) or at the Federal e-Rulemaking Portal: [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Brad McHale at (978) 281-9260.

**SUPPLEMENTARY INFORMATION:** Atlantic tunas are managed under the dual authority of the Magnuson-Stevens Act and ATCA. ATCA authorizes the Secretary of Commerce (Secretary) to promulgate regulations, as may be necessary and appropriate, to implement ICCAT recommendations. The authority to issue regulations under the Magnuson-Stevens Act and ATCA has been delegated from the Secretary to the Assistant Administrator for Fisheries, NOAA (AA).

### Background

Background information about the need for the final initial BFT quota specifications, General category effort controls, and establishment of a catch-and-release provision was provided in the preamble to the proposed rule (69 FR 71771, December 10, 2004), and is not repeated here. Therefore, by this final rule, NMFS announces the final