

will utilize the SBA definition of electronic computers manufacturing. According to SBA regulations, a computer manufacturer must have 1,000 or fewer employees in order to qualify as a small entity.<sup>20</sup> Census Bureau data indicates that there are 563 firms that manufacture electronic computers and of those, 544 have fewer than 1,000 employees and qualify as small entities.<sup>21</sup> The remaining 19 firms have 1,000 or more employees. We conclude that there are approximately 544 small computer manufacturers.

*D. Description of Projected Reporting, Recordkeeping and Other Compliance Requirements.*

8. At this time, we do not expect that the rule changes being considered in this proceeding would impose any additional recordkeeping or recordkeeping requirements. While the modifications being considered in the NPRM could have an impact on consumer electronics manufacturers and broadcasters, we anticipate at this time that such impact would be similarly costly for both large and small entities. We seek comment on whether others perceive a need for recordkeeping under specific options for addressing the issues in the NPRM and, if so, whether the burden would fall on large and small entities differently.

*E. Steps Taken To Minimize Significant Impact on Small Entities, and Significant Alternatives Considered.*

9. The RFA requires an agency to describe any significant alternatives that it has 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.<sup>22</sup>

10. The rule changes under consideration in this proceeding propose a revision in the schedule for implementation of the requirement that new television receivers include the capability for reception of broadcast DTV signals. We requested comment on a proposal that would advance to

December 31, 2006 (from the current July 1, 2007), the date by which all television receivers with screen sizes 13" and larger that are imported into the United States or shipped in interstate commerce must include the capability to receive over-the-air DTV broadcast signals. Because of our concern for advancing the full compliance date in a manner that would pose no unnecessary economic burden on smaller entities, we invited interested parties to submit alternative suggestions for revising and suggestions for alternative approaches for including DTV reception capability in all TV receivers on a schedule to coincide with statutory end of the DTV transition. We also invited comment on whether we should also extend the DTV tuner requirement to TV receivers with screen sizes less than 13".

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

11. *Ordering Clauses.* Pursuant to the authority contained in sections 2(a), 4(i) & (j), 7, 151 and 303 of the Communications Act of 1934 as amended, 47 U.S.C. 152(a), 154(i) & (j), 157, and 303, this Notice of Proposed Rule Making *is adopted*.

12. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of the Further Notice of Proposed Rulemaking, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration, to Congress and the General Accounting Office pursuant to the Congressional Review Act, see 5 U.S.C. 801(a)(1)(A).<sup>23</sup>

13. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, will send a copy of this NPRM, including the IRFA, to the Chief Counsel for Advocacy of the Small Business Administration, in accordance with the Regulatory Flexibility Act.

**List of Subjects in 47 CFR Part 15**

Federal Communications equipment, Radio.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

**Proposed Rule Changes**

For the reasons set forth in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 15 as follows:

**PART 15—RADIO FREQUENCY DEVICES**

1. The authority citation for part 15 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 303, 304, 307, and 554A.

2. Section 15.117 is amended by revising paragraph (i)(1) to read as follows:

**§ 15.117 TV broadcast receivers.**

\* \* \* \* \*

(i) \* \* \*  
(1) Responsible parties, as defined in § 2.909 of this chapter, are required to equip new TV broadcast receivers that are shipped in interstate commerce or imported from any foreign country into the United States and for which they are responsible to comply with the provisions of this section in accordance with the following schedule:

(i) Receivers with screen sizes 36" and above—50% of all of a responsible party's units must include DTV tuners effective July 1, 2004; 100% of such units must include DTV tuners effective July 1, 2005

(ii) Receivers with screen sizes 25" to less than 36"—50% of all of a responsible party's units must include DTV tuners effective July 1, 2005; 100% of such units must include DTV tuners effective March 1, 2006

(iii) Receivers with screen sizes 13" to less than 25"—100% of all such units must include DTV tuners effective December 31, 2006

(iv) Other devices (videocassette recorders (VCRs), digital video disk and digital versatile disk (DVD) players/recorders, etc.) that receive television signals—100% of all such units must include DTV tuners effective December 31, 2006.

\* \* \* \* \*

[FR Doc. 05-13029 Filed 7-5-05; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 76**

**[MM Docket No. 92-264; DA 05-1723]**

**Cable Television Horizontal and Vertical Ownership Limits**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice, extension of comment period.

**SUMMARY:** In this Order, the Media Bureau extends the comment and reply comment period in this proceeding, which seeks comment on the

<sup>20</sup> 13 CFR 121.201 (NAICS Code 334111).

<sup>21</sup> Economics and Statistics Administration, Bureau of Census, U.S. Department of Commerce, 1997 Economic Census, Industry Series—Manufacturing, Electronic Computer Manufacturing, Table 4 at 9 (1999).

<sup>22</sup> 5 U.S.C. 603.

<sup>23</sup> See 5 U.S.C. 603(a).

Commission's horizontal and vertical cable ownership limits. The deadline to file comments is extended from July 8, 2005, to August 8, 2005, and the deadline to file reply comments is extended from July 25, 2005, to September 9, 2005. The action is taken in response to a Motion for Extension of Time.

**DATES:** Comments are due on or before August 8, 2005; and reply comments are due on or before September 9, 2005.

**ADDRESSES:** You may submit comments, identified by MM Docket No. 92-264, by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Federal Communications Commission's Web site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.

- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or telephone: 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Royce Sherlock, Industry Analysis Division, Media Bureau, (202) 418-2330 or [Royce.Sherlock@fcc.gov](mailto:Royce.Sherlock@fcc.gov); or Patrick Webre, Industry Analysis Division, Media Bureau, (202) 418-7953 or [Patrick.Webre@fcc.gov](mailto:Patrick.Webre@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Order in MM Docket No. 92-264, released June 22, 2005. The full text of the Order is available for inspection and copying Monday through Thursday from 8 a.m. to 4:30 p.m. and Friday from 8 a.m. to 11:30 a.m. in the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, Room CY-A257, Portals II, 445 12th Street, SW., Washington, DC 20554. The complete text is also available on the Commission's Internet Site at <http://www.fcc.gov>. To request materials in accessible formats for people with disabilities (electronic files, large print, audio format and Braille), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). The complete text of the Order may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone (202)

488-5300 or (800) 378-3160, e-mail <http://www.BCPIWEB.com>.

### Synopsis of the Order

1. On May 17, 2005, the Commission released its Second Further Notice of Proposed Rulemaking ("Second Further Notice") in the above-captioned proceeding.<sup>1</sup> The deadlines to file comments and reply comments were originally set as July 8, 2005, and July 25, 2005, respectively.

2. On June 10, 2005, the Media Access Project, filing on behalf of itself and other consumer groups, religious organizations and citizens groups ("MAP"), requested an extension of time until August 8, 2005, to file comments in response to the Second Further Notice, and until September 9, 2005, to file reply comments. MAP states that more time is needed because the Second Further Notice asks complex and detailed questions that would require extensive research and analysis to answer; public interest organizations have significant limits on their resources, preventing them from responding to such complex questions in a short period of time; and other conflicting commitments, including other proceedings, make the initial deadline impossible to meet for these groups.

3. It is the policy of the Commission that extensions of time are not routinely granted. However, there is good cause to extend the comment and reply comment deadlines. The Second Further Notice seeks comment on a broad range of proposals in the record, as well as recent developments in the industry, and the Commission has invited parties to undertake their own studies to further inform the record. In view of the complex and detailed questions and issues set forth in the Second Further Notice, and to assure the fullest possible public participation so that we can assemble a record that will help us to resolve the difficult issues in this proceeding, we find it appropriate to grant MAP's extension request and extend the deadlines for initial and reply comments to August 8, 2005, and September 9, 2005, respectively.

4. Accordingly, *it is ordered* that MAP's Request for Extension of Time to File Comments and Reply Comments in the above-captioned proceeding is granted.

5. *It is further ordered* that, pursuant to Sections 4(i), 4(j) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j) and 155(c), and Sections 0.61, 0.283, and 1.46 of the Commission's rules, 47 CFR

0.61, 0.283, and 1.46, the date for filing initial comments in MM Docket No. 92-264 is extended until August 8, 2005, and the date for filing reply comments is extended to September 9, 2005.

### List of Subjects in 47 CFR Part 76

Cable Television.

Federal Communications Commission.

**Royce Sherlock,**

*Chief, Industry Analysis Division.*

[FR Doc. 05-13148 Filed 7-5-05; 8:45 am]

**BILLING CODE 6712-01-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 17

#### Endangered and Threatened Wildlife and Plants; 90-Day Finding on a Petition To List the American Eel as Threatened or Endangered

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of petition finding and initiation of status review.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce a 90-day administrative finding on a petition to list the American eel (*Anguilla rostrata*) under the Endangered Species Act of 1973, as amended (Act). We find the petition presents substantial information indicating that listing the American eel may be warranted. We are initiating a status review to determine if listing the species is warranted. To ensure that the review is comprehensive, we are soliciting information and data regarding this species.

**DATES:** The administrative finding announced in this document was made on July 6, 2005. To be considered in the 12-month finding for this petition, data, information, and comments should be submitted to us by September 6, 2005.

**ADDRESSES:** Data, comments, information, or questions concerning this petition should be sent to Martin Miller, Chief, Division of Endangered Species, Region 5, U.S. Fish and Wildlife Service, 300 Westgate Center Drive, Hadley, MA 01035-9589; by facsimile to 413-253-8428; or by electronic mail to [AmericanEel@fws.gov](mailto:AmericanEel@fws.gov). The petition finding, supporting information, and comments are available for public inspection, by appointment, during normal business hours at the above address.

<sup>1</sup> 70 FR 33680 (rel. June 8, 2005).