**Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated on the table below.

**ADDRESSES:** The final BFEs for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

**FOR FURTHER INFORMATION CONTACT:**

<table>
<thead>
<tr>
<th>Flooding source(s)</th>
<th>Location of referenced elevation</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama River</td>
<td>459 feet upstream of the intersection of Reedy Creek and Cross Section A.</td>
<td>Unincorporated Areas of Clarke County.</td>
</tr>
<tr>
<td>East Bassett Creek</td>
<td>2,439 feet downstream of intersection of Alabama River and Silver Creek Lake Road.</td>
<td>Unincorporated Areas of Clarke County.</td>
</tr>
<tr>
<td></td>
<td>10,906 feet upstream of the intersection of East Bassett Creek and County Highway 15 intersect.</td>
<td>Unincorporated Areas of Clarke County.</td>
</tr>
<tr>
<td>Tombigbee River</td>
<td>1,532 feet downstream of the intersection of Tombigbee River and Southern Railway.</td>
<td>Unincorporated Areas of Clarke County.</td>
</tr>
<tr>
<td></td>
<td>3,783 feet downstream of the intersection of Tombigbee River and U.S. Highway 43.</td>
<td>Unincorporated Areas of Clarke County.</td>
</tr>
</tbody>
</table>

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
# Depth in feet above ground.
<table>
<thead>
<tr>
<th>Flooding source(s)</th>
<th>Location of referenced elevation</th>
<th>* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground</th>
<th>Communities affected</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kentucky River-North Fork Kentucky River.</td>
<td>Approximately 150 feet downstream of confluence with Mirey Creek. Approximately 1550 feet downstream of confluence with Blaines Branch.</td>
<td>668 671</td>
<td>Unincorporated Areas of Lee County.</td>
</tr>
</tbody>
</table>

**ADDRESSES**

**Unincorporated Areas of Lee County**
Maps are available for inspection at Lee County Courthouse, 256 Main Street, Beattyville, KY 41311.

**Tunica County, Mississippi, and Incorporated Areas**
Docket No.: FEMA–B–7724

| Buck Island Bayou | At Fields Road ............................................................... | 189 | Tunica County (Unincorporated Areas). |
| Jack Lake Bayou | At Highway 3 ............................................................... | 189 | Tunica County (Unincorporated Areas). |
| Minton Bayou | At Verner Road ............................................................. | 191 | Tunica County (Unincorporated Areas). |
| White Oak Bayou | At Fields Road ............................................................... | 190 | Tunica County (Unincorporated Areas). |
| White Oak Bayou Tributary | At Highway 61 ............................................................... | 186 | Town of Tunica, Tunica County (Unincorporated Areas). |
| White Oak Bayou Tributary | At Academy Road ............................................................. | 190 | Town of Tunica, Tunica County (Unincorporated Areas). |
| White Oak Bayou Tributary | At Fox Island Road .......................................................... | 192 | Town of Tunica, Tunica County (Unincorporated Areas). |

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
= North American Vertical Datum.
# Depth in feet above ground.

**ADDRESSES**

**Town of Tunica**
Maps are available for inspection at Town Hall, 909 River Road, Tybua, MS 38676.

**Tunica County (Unincorporated Areas)**
Maps are available for inspection at Office of Planning and Development, 1061 South Court Street, Tunica, MS 38676.

**Dyer County, Tennessee, and Incorporated Areas**
Docket No.: FEMA–D–7822

| Mississippi River | Approximately 720 feet downstream from the confluence of Obion River. County boundary ................................................................. | 268 281 | Unincorporated Areas of Dyer County. |

* National Geodetic Vertical Datum.
+ North American Vertical Datum.
# Depth in feet above ground.

**ADDRESSES**

**Unincorporated Areas of Dyer County**
Maps are available for inspection at Building Inspector’s Office, #1 Veterans Square, Dyersburg, TN 38025.
in the 2495 and the Broadband Radio Service (BRS) governing the licensing of the
transform its rules and policies
Commission continues its efforts to
actions in this proceeding further refine
broadband service to all Americans.
new and innovative wireless services in
its rules to enable licensees to deploy
with respect to petitions for

ADDRESSES: Federal Communications

DATES:

SUMMARY: In this document, the
Commission continues its efforts to
transform its rules and policies
governing the licensing of the
Educational Broadband Service (EBS)
and the Broadband Radio Service (BRS)
in the 2495–2690 MHz (2.5 GHz) band,
with respect to petitions for
reconsideration filed in response to the
Order on Reconsideration and Fifth
Memorandum Opinion and Order and
Third Memorandum Opinion and Order
and Second Report and Order (Big LEO
Order on Reconsideration and AWS 5th
MO&O and BRS/EBS 3rd MO&O and
2nd R&O). Also, the Commission’s
actions in this proceeding further refine
its rules to enable licensees to deploy
new and innovative wireless services in
the 2.5 GHz band. We believe that these
actions will facilitate the promotion of
broadband service to all Americans.

AGENCY: Federal Communications
Commission.

ACTION: Final rule; declaratory ruling.

SUMMARY: This is a summary of the Commission’s Third
Order on Reconsideration and Sixth
Memorandum Opinion and Order and
Fourth Memorandum Opinion and Order
(Big LEO 3rd Order on Reconsideration and AWS 6th
MO&O and BRS/EBS 4th MO&O and
Declaratory Ruling, FCC 08–83, adopted
The full text of this document, including attachments and
related documents, is available for
public inspection and copying during
normal business hours in the FCC
Reference Information Center, Room
CY–A257, 445 12th Street, SW.,
Washington, DC 20554. The complete
text of these documents and related
Commission documents may be
purchased from the Commission’s
duplicating contractor, Best Copy
and Printing, Inc. (BCPI), Portals II,
445 12th Street, SW., Room CY–B402,
Washington, DC 20554, (202) 488–5300
or (800) 387–3160, contact BCPI at its
When ordering documents from BCPI,
please provide the appropriate FCC
document number, for example, FCC
08–83. The complete text of these
documents is also available on the
full text may also be downloaded at:
Alternative formats (computer diskette,
large print, audio cassette, and Braille)
are available by contacting Brian Millin
at (202) 418–7426, TTY (202) 418–7365,
or via e-mail to bmillin@fcc.gov.

Summary

1. Introduction and Executive Summary

1. In this Big LEO 3rd Order on
Reconsideration and AWS 6th MO&O
Order and Order and BRS/EBS 4th MO&O, the
Commission takes the following actions
with respect to petitions for
reconsideration filed in response to the
Big LEO Order on Reconsideration and
AWS 5th MO&O and BRS/EBS 3rd
MO&O and 2nd R&O:

• Grant a petition, in part, by
adopting the part 1, subpart Q
competitive bidding rules for future BRS
auctions, seeking further comment on
rules for future licenses for EBS
spectrum, and directing WTB to review
inventory and schedule auction(s) of
unassigned BRS spectrum as soon as
practicable.

• Adopt the small business size
standards and bidding credits proposed
in the BRS/EBS FNPRM (“small
business”—an entity with attributed
average annual gross revenues not
exceeding $40 million for the preceding
three years; “very small business”—an
entity with attributed average annual
gross revenues not exceeding $15
million for the same period; and an
“entrepreneur”—an entity with
attributed annual average gross revenues
not exceeding $3 million for the same
period).

• Deny a petition requesting that the
Commission permit licensees to
self-transition before January 21, 2009, the
deadline for proponents to file an
Initiation Plan with the Commission.

• Grant a petition asking the
Commission to correct the inconsistency
between the BRS/EBS 3rd MO&O
and the text of § 27.1236(b)(6), and on the
Commission’s own motion, change
references in §§ 27.1231(f), 27.1236(a),
27.1236(b)(1) and 27.1236(b)(6) to dates
certain.

• Deny as moot a petition requesting
that the Commission clarify the
requirements for multichannel video
programming distribution (MVPD)
operators seeking to opt out of the
transition.