FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 10–23; MB Docket No. 09–204; RM–11580]

Radio Broadcasting Services, Peach Springs, Arizona

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Audio Division seeks comments on a petition filed by Cochise Media Licenses, LLC, proposing the allotment of FM Channel 281C3 at Peach Springs, Arizona. The reference coordinates for Channel 281C3 at Peach Springs are 35–33–46 NL and 113–27–12 WL.

DATES: Comments must be filed on or before March 1, 2010, and reply comments on or before March 16, 2010.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW, Washington, DC 20554. In addition to filing comments with the FCC interested parties should serve the petitioner, as follows: Susan A. Marshall, Esq., and Anne Goodwin Crump, Esq., Fletcher, Heald & Hildreth, PLC, 1300 N. 17th Street – Eleventh Floor, Arlington, Virginia 22209 (Counsel for Cochise Media Licenses, LLC).

FOR FURTHER INFORMATION CONTACT: Andrew J. Rhodes, Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s Notice of Proposed Rule Making, MB Docket No. 09–204, adopted January 6, 2010, and released January 8, 2010. The full text of this Commission document 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 website, <http://www.bcpweb.com>.

The proposed channel at Peach Springs is part of a hybrid application and rulemaking proceeding. In the application (File No. BNPH–20091016ADO), Cochise Media Licenses, the tentative selectee in Auction 79 and applicant for a new FM station on Channel 268C3 at Peach Springs, Arizona, proposes a minor modification from Channel 268C3 at Peach Springs to Channel 267C2 at Oatman, Arizona. To retain a first local service at Peach Springs and to accommodate a first local service at Oatman, the Notice of Proposed Rule Making proposes the allotment of Channel 281C3 at Peach Springs.

This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104–13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107–198, see 44 U.S.C. 3506(c)(4).

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 Section 1.1204(b) for rules governing permissible ex parte contact. For information regarding proper filing procedures for comments, see 47 CFR 1.4125 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:


Section 73.202 [Amended]

2. Section 73.202(b), the Table of FM allotments under Arizona, is amended by adding Channel 281C3 at Peach Springs.