Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 2013–17055 Filed 7–16–13; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MB Docket No. 13–52; RM–11693; DA 13–1379]

Radio Broadcasting Services; Matagorda, Texas

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Audio Division, at the request of Tejas Broadcasting Ltd., LLP, allots FM Channel 291A and deletes FM Channel 252A at Matagorda, Texas. This allotment change is part of a hybrid rule making and FM application proposal. Channel 291A can be allotted at Matagorda, consistent with the minimum distance separation requirements of the Commission's rules, at city reference coordinates of 28–41–25 NL and 95–58–02 WL, without site restriction. Concurrence by the Government of Mexico is required because Channel 291A at Matagorda, Texas, is located within 320 kilometers (199 miles) of the U.S.-Mexican border. Mexican concurrence has been requested for this vacant allotment, but has not yet been received. If a construction permit for Channel 291A at Matagorda, Texas is granted prior to receipt of formal concurrence by the Mexican government, the authorization will include the following condition: ''Operation with the facilities specified herein for Matagorda, Texas, is subject to modification, suspension, or termination without right to hearing, if found by the Commission to be necessary in order to conform to the Mexico-United States FM Broadcast Agreement, or if specifically objected to by the Government of Mexico.'' *See* Supplementary Information *infra.*

DATES: Effective August 16, 2013.

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. 13–52, adopted June 12, 2013, and released June 14, 2013. 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, *www.bcpiweb.com.* 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). 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.

Federal Communications Commission.

Nazifa Sawez,

Assistant Chief, Audio Division, Media Bureau.

For the reasons discussed in the preamble, the Federal Communications Commission amends 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, 336 and 339.

§ 73.202 [Amended]

■ 2. Section 73.202(b), the Table of FM Allotments under Texas, is amended at Matagorda by removing Channel 252A, and by adding Channel 291A.

[FR Doc. 2013–17050 Filed 7–16–13; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 13–1376]

Radio Broadcasting Services; Various Locations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Audio Division updates the FM Table of Allotments to reinstate five vacant FM allotments in various communities in Maryland, Oregon, Texas, Virginia, and Wyoming that were removed from FM Auction 94, because these allotments were not listed in the FM Table. These vacant allotments have previously undergone notice and comment rule making, but they were inadvertently removed from the FM Table of Allotments.

DATES: Effective July 17, 2013.

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

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418–2700.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Order,* adopted June 13, 2013, and released June 14, 2013. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY–A257, 445 12th Street SW., Washington, DC 20554. This document may also be purchased from the Commission's duplicating contractors, Best Copy and Printing, Inc., 445 12th Street SW., Room CY–B402, Washington, DC 20554, telephone 1–800–378–3160 or via email *www.BCPIWEB.com.* 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). The Commission will not send a copy of this *Order* pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A), because these allotments were previously reported.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

Federal Communications Commission.

Nazifa Sawez,

Assistant Chief, Audio Division, Media Bureau.

For the reasons discussed in the preamble, the Federal Communications Commission amends 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, 336 and 339.

§ 73.202 [Amended]

■ 2. Amend § 73.202(b) Table of FM Allotments as follows:
■ a. Add Newark, under Maryland, Channel 235A.
■ b. Add Arlington, under Oregon, Channel 295C2.
■ c. Add Rocksprings, under Texas, Channel 291A.
■ d. Add Chincoteague, under Virginia, Channel 233A.
■ e. Add Baggs, under Wyoming, Channel 277A.

[FR Doc. 2013–17082 Filed 7–16–13; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[WT Docket Nos. 05–62 and 02–55; FCC 13–85]

Improving Public Safety Communications in the 800 MHz Band

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) modifies the freeze on new authorizations in the Business and Industrial Land Transportation (B/ILT) Pool in the 896–901 MHz/935–940 MHz band (900 MHz B/ILT Band) to allow a qualified entity to file an application for a new authorization in any given National Public Safety Planning Advisory Committee (NPSPAC) region before Sprint Nextel's 800 MHz rebanding efforts are complete in that region. This action will allow qualified applicants to gain access to 900 MHz B/ILT spectrum without unnecessary delay, and promote spectrum efficiency, by allowing access to spectrum that may otherwise be unused during the 800 MHz rebanding process.

DATES: Effective August 16, 2013.

FOR FURTHER INFORMATION CONTACT: Joyce Jones, Mobility Division, Wireless Telecommunications Bureau, *joyce.jones@fcc.gov,* (202) 418–1327, TTY (202) 418–7233.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Order on Reconsideration,* in WT Docket Nos. 05–62 and 02–55, FCC 13–85, adopted June 21, 2013, and released on June 24, 2013. The complete text of this document may be downloaded from the FCC Web site (*http://www.fcc.gov*) at *http://transition.fcc.gov/Daily_Releases/Daily_Business/2013/db0625/FCC-13-85A1.pdf.* This document and all related Commission documents are also available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW., Washington, DC 20554. A copy of the complete text 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. Alternative formats are available to persons with disabilities by sending an email to *FCC504@fcc.gov* or by calling the Consumer & Governmental Affairs Bureau at 202–418–0530 (voice), 202–418–0432 (TTY).

Synopsis of the Report and Order

1. In this document, the Commission grants, in accordance with the terms set forth in the *Order on Reconsideration,* the unopposed joint request for clarification or limited reconsideration filed by the Enterprise Wireless Alliance (EWA) and Sprint Nextel Corporation (Sprint Nextel) (collectively, ''Petitioners'') with respect to one aspect of the *Report and Order,* 73 FR 67794, November 17, 2008, in this proceeding, to allow a qualified entity to file an application for a new authorization in any given National Public Safety Planning Advisory Committee (NPSPAC) region before Sprint Nextel's 800 MHz rebanding efforts are complete in that region.

Background

2. The 900 MHz B/ILT Pool channels are licensed for the private internal communication needs of site-by-site licensees engaged in a variety of endeavors, from commercial (*e.g.,* land transportation, manufacturing, energy) to non-commercial (*e.g.,* clerical, educational, philanthropic, medical). In 2004, the Commission launched its 800 MHz rebanding initiative through the 800 MHz R&O. *See Report and Order (800 MHz R&O), 69 FR 67823, November 22, 2004; Supplemental Report and Order on Reconsideration* (*800 MHz Supplemental R&O*), *70 FR 6758, February 8, 2005.* Shortly thereafter, the Wireless Telecommunications Bureau (Bureau) issued a *Public Notice,* freezing acceptance of applications for new 900 MHz B/ILT licenses until further notice (a freeze that has remained in place continuously since then). *See Public Notice, 19 FCC Rcd 18277 (2004).*

3. In 2005, the Commission affirmed the freeze, in light of the fundamental changes it was proposing in the service areas and channel blocks for future licenses in the 900 MHz B/ILT service. *See Notice of Proposed Rulemaking and Memorandum Opinion and Order, 70 FR 13143, March 18, 2005.*

4. In 2008, the Commission declined to adopt the proposed changes and found that a wholesale freeze on applications for new 900 MHz B/ILT authorizations was no longer necessary. The Commission lifted the freeze in each NPSPAC region six months after rebanding was completed in that particular NPSPAC region, concluding that such an approach best balanced the demands for 900 MHz B/ILT spectrum, including the ongoing needs of Sprint Nextel for access to this spectrum to support its rebanding efforts. *See Report and Order,* 73 FR 67794, November 17, 2008.

5. *Discussion.* The Commission concludes that linking the lifting of the freeze to Sprint Nextel's concurrence—rather than to the completion of rebanding in a given NPSPAC region—is a more appropriately tailored approach for protecting the integrity of the rebanding process. The Commission finds that implementing this change will maximize effective use of this spectrum by permitting the initiation of new B/ILT service without unnecessary delay. While the Commission originally found that the delay was necessary as a component of the flexibility that Sprint Nextel required in order to fulfill its rebanding obligations, it finds that with Sprint Nextel's concurrence, the delay is no longer necessary. In addition, since the Commission launched its rebanding initiative in 2004, rebanding has only recently been completed in 11 out of 55 NPSPAC regions. Further, during this time, the Commission received 29 requests for waiver of the freeze. The Petitioners' requested relief would likely supplant the need for such filings and the associated paperwork burdens and adjudication costs. Accordingly, the Commission concludes that the public interest would be best served by lifting the freeze in NPSPAC regions that are still undergoing the rebanding process, or that are still within the six-month period after completion thereof, for any application for new 900 MHz B/ILT service that includes written concurrence from Sprint Nextel. Thus, the Commission clarifies that its relief extends regardless of the status of rebanding in a particular NPSPAC region, so long as the application includes such concurrence.

6. In all other respects, the Commission retains the policy adopted in the *Report and Order* that the freeze will be lifted in a NPSPAC region six months after rebanding is complete in that particular NPSPAC region. The Commission's action does not affect any